PROGRAMME PERFORMANCE

<table>
<thead>
<tr>
<th>Category</th>
<th>2016</th>
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<tr>
<td>Problem understood</td>
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<tr>
<td>Target date for completion of cluster munition clearance</td>
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<td>Targeted clearance</td>
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<tr>
<td>Efficient clearance</td>
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<td>National funding of programme</td>
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<tr>
<td>Timely clearance</td>
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<tr>
<td>Land release system in place</td>
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<tr>
<td>National mine action standards</td>
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<tr>
<td>Reporting on progress</td>
<td>2</td>
<td>3</td>
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<tr>
<td>Improving performance</td>
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</tbody>
</table>

PERFORMANCE SCORE: AVERAGE 6.0 6.0

PERFORMANCE COMMENTARY

The last known area containing cluster munition remnants (CMR) in the Democratic Republic of Congo (DRC), covering 3,900m², was cleared in May 2017.
RECOMMENDATIONS FOR ACTION

- The DRC should make a formal declaration that it has fulfilled the obligations in Article 4 of the Convention Cluster Munitions (CCM).
- The DRC should ratify the CCM as a matter of priority.
- Significant efforts should be made to ensure the national mine action database is accurate, up to date, and effectively managed and resourced by the national authorities.
- Mine action data should be recorded and reported according to International Mine Action Standards (IMAS) land release terminology.

CONTAMINATION

At the end of 2016, only two areas known to contain cluster munition remnant (CMR) contamination remained to be addressed in Bolomba, Equateur province, in the north-west of the country.1 One suspected hazardous area with an unrecorded size was cancelled by Norwegian People’s Aid (NPA) in April 2017, and NPA completed clearance of the other area, with a size of 3,900m², on 12 May 2017.2

Previously, at the start of 2016, the DRC had two remaining areas with a total size of 3,840m² confirmed to contain CMR, and two other areas of unknown size, in Equateur province.3 The DRC identified the areas, all of which are believed to contain BL755 submunitions, in a national survey conducted in 2013.4

According to Mines Advisory Group (MAG), CMR contamination in the DRC previously impeded agriculture and limited freedom of movement. MAG reported that its clearance of CMR and other unexploded ordnance (UXO) in areas of former Equateur and Katanga provinces had increased access to firewood, enabled use of once restricted land and new agricultural areas, and facilitated access to remote villages.5 In addition to the CMR it had previously cleared around airports, hospitals, and agricultural areas, and beside or on roads, in 2016, MAG reported clearing CMR from farmland and areas frequently foraged for wood or food.6

Other Explosive Remnants of War and Landmines

The DRC is affected by other explosive remnants of war (ERW) and a small number of landmines, as a result of years of conflict involving neighbouring states, militias, and rebel groups. Successive conflicts have also left the DRC with significant quantities of abandoned explosive ordnance.7

In 2016, ongoing conflict continued to cause new ERW contamination, and explosive hazards remained a constant and significant risk to civilians, as well as placing wide-ranging restrictions on socio-economic development and recovery. In 2002–17, the United Nations Mine Action Service (UNMAS) reported that a total of 2,563 victims of mines and ERW had been registered in the DRC.8

PROGRAMME MANAGEMENT

The Congolese Mine Action Centre (Centre Congolais de Lutte Antimines, CCLAM) was established in 2012 with support from the UN Mine Action Coordination Centre (UNMCC) and UNMAS.9 Subsequently, UNMAS provided capacity-building support to CCLAM for its operations until the transfer of responsibility for coordinating mine action activities to CCLAM was completed in early 2016.10

Previously, UNMCC, established in 2002 by UNMAS, coordinated mine action operations through offices in the capital, Kinshasa, and in Goma, Kalemie, Kananga, Kisangani, and Mbandaka.11 UNMCC was part of the UN Stabilization Mission in the DRC (MONUSCO) peacekeeping mission. UN Security Council Resolution 1925 mandated UNMCC to strengthen national mine action capacities and support reconstruction through road and infrastructure clearance.12

In March 2013, Security Council Resolution 2098 called for demining activities to be transferred to the UN Country Team and the Congolese authorities.13 As a consequence, UNMAS operated two separate projects after splitting its activities between, on the one hand, support for the Government of the DRC and its in-country team, and, on the other, its activities in support of MONUSCO.14 In accordance with Resolution 2147 of March 2014, demining is no longer included in MONUSCO’s mandate.15 In 2017, UNMAS reported it was assisting MONUSCO operations and mitigating the threat from ERW through explosive ordnance disposal (EOD) operations and risk education.16
**LAND RELEASE**

The total CMR-contaminated area released in 2016 was just under 0.038m$^2$, compared to 0.075km$^2$ in 2015. In 2016, NPA confirmed an area with a total size of 2,629m$^2$ as contaminated with CMR and released an area with the size of 2,871m$^2$ through technical survey. Previously, in 2015, MAG confirmed two suspected hazardous areas (SHAs) as containing CMR contamination with a total size of 75,845m$^2$ in Katanga (Tanganyika) and Equateur provinces, along with cancelling 65 SHAs through non-technical survey.

**Clearance in 2016**

A total of 37,903m$^2$ was released through clearance and technical survey in 2016. For a three-month period in 2016, MAG continued its clearance of CMR-contamination tasks which began in 2011, prior to suspending operations March 2016 due to the expiry of funding. During the year, it cleared one area in Equateur province with a total size of just over 32,000m$^2$ and destroyed 15 submunitions, along with two other items of UXO. This compared to 2015, when MAG cleared a total of 75,845m$^2$ of CMR-contaminated area, and destroyed a total of 65 submunitions.

**Strategic Planning**

The DRC’s National Mine Action Strategy for 2012–16 had set the goal of clearing all areas contaminated with anti-personnel mines or unexploded submunitions by the end of 2016. It failed to meet these goals. In June 2017, following the expiration of the DRC’s 2012–16 national strategy, which was developed with the support of the Geneva International Centre for Humanitarian Demining (GICHD), the GICHD reported that, together with UNMAS, it would work closely with CCLAM to develop the DRC’s next national mine action strategy, with the first strategy stakeholder workshop to be organised in Kinshasa in September 2017. The future national strategy will focus on fulfilling the country’s Anti-Personnel Mine Ban Convention (APMBC) Article 5 obligations.

**Operators**

Five international operators are accredited for mine action in the DRC: DanChurchAid (DCA), Handicap International (HI), MAG, Mechem, and Norwegian People’s Aid (NPA), along with a national demining organisation, AFRILAM. MAG and NPA were the only operators to conduct CMR survey and clearance in the DRC in 2016. MAG deployed at total of 11 demining personnel to address CMR contamination, and NPA two technical survey teams of six deminers.

**Standards**

In April 2017, UNMAS reported that it would provide technical support to the CCLAM to complete the revision of the DRC’s outdated National Technical Standards and Guidelines (NTSG) for mine action during the year. Revised draft NTSG had been developed as of mid-2016, but had yet to be finalised as of writing. The draft version does not contain CMR-specific provisions.

**Quality Management**

MAG and NPA reported that internal quality assurance (QA)/quality control (QC) systems were in place in 2016, and that UNMAS controlled external QA/QC, prior to handing over responsibility for quality management to the CCLAM. According to UNMAS, only limited QA was carried out by CCLAM in 2016 due to lack of funding for travel or the deployment of personnel. UNMAS stated it undertook regular QA of UN-contracted operators, but reported that the geographical size of the country and lack of adequate and affordable transportation and infrastructure often restricted the provision of timely quality management. No sampling was undertaken in 2016.

**Information Management**

The CCLAM assumed responsibility from UNMAS for information management in January 2016. Subsequently, despite many years of capacity-building support from UNMAS, and again from NPA in 2016, serious concerns persisted over the quality of the database and CCLAM’s capacity and resources to provide adequate management. Gaps in the database, a lack of maintenance, a lack of capacity to extract and share information from the database, and the absence of coordination meetings with operators, were all evident during the year. NPA, which hosted information management training courses together with the GICHD for CCLAM in 2016, reported that while the Centre had competent technical staff, its limited administrative and financial resources continued to adversely affect its ability to maintain the database and that, as a consequence, a system of parallel reporting to CCLAM and UNMAS had developed. CCLAM did not provide information in response to Mine Action Review’s requests for data in 2017. In April 2017, UNMAS reported that discussions were underway with GICHD on potential continued cooperation and support to CCLAM on data clean-up and management.
NPA, which was conducting mine survey and clearance operations in Equateur province, was requested by CCLAM to clear a CMR-contaminated area with a size of 5,500m$^2$ in Bolomba. During 17 October–18 November 2016, NPA cleared a total of 2,629m$^2$ and released 2,871m$^2$ through technical survey, and destroyed 31 submunitions, including 3 M61 and 28 BL 61, and 7 items of UXO.  

**Table 1: Clearance of CMR-contaminated areas in 2016**

<table>
<thead>
<tr>
<th>Operator</th>
<th>Areas cleared</th>
<th>Area cleared (m$^2$)</th>
<th>Submunitions destroyed</th>
<th>UXO destroyed</th>
</tr>
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<tbody>
<tr>
<td>MAG</td>
<td>1</td>
<td>32,603</td>
<td>15</td>
<td>2</td>
</tr>
<tr>
<td>NPA</td>
<td>1</td>
<td>2,629</td>
<td>31</td>
<td>7</td>
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<tr>
<td><strong>Totals</strong></td>
<td><strong>2</strong></td>
<td><strong>35,032</strong></td>
<td><strong>46</strong></td>
<td><strong>9</strong></td>
</tr>
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</table>

Also, in February 2016, NPA found one BL755 submunition in Katelwa village and two other BL755 submunitions in Sambi village, in Kabalo, Tanganyika (former Katanga) province, in an area not previously reported as an SHA. The area did not, however, appear to contain a footprint of a cluster munition strike, and the individual submunitions were cleared as spot tasks.

**ARTICLE 4 COMPLIANCE**

As at May 2017, the DRC was a signatory but not a state party to the CCM. As such, it does not have a treaty-mandated deadline for clearance.

As noted above, the DRC’s national mine action strategic plan for 2012–16 set the goal of clearing all areas contaminated with anti-personnel mines or unexploded submunitions by the end of 2016. While as at the end of 2015 it appeared on track to meet this goal, by May 2016, MAG was expressing doubts about the chance of success, noting that remaining CMR-contaminated areas were very remote, with limited access and difficult terrain.

Only two areas remained to be addressed at the end of 2016, one of which had been reported by local community members in Bolomba, Equateur province late in the year while NPA was finishing clearance of another CMR task nearby. NPA cancelled one of the areas and completed clearance of the other with a size of 3,900m$^2$ on 12 May 2017. It did not expect that more CMR would be found in DRC after its completion of the task in Equateur province, which was the only region where there were reports that cluster munitions had been used.

In May 2017, NPA reported having offered assistance to CCLAM and the Congolese armed forces to conduct a survey to confirm and verify that all known and suspected CMR-contaminated areas have been addressed, in order to declare itself fully compliant with the obligations in Article 4 of the CCM.

In 2017, MAG and NPA raised concerns over a decline in funding for mine action to address the larger problem of mines and ERW in the DRC. UNMAS expected mine action capacity to decrease over the course of the year due to difficulties in obtaining funding, donor concerns over the current political impasse in the country, and higher-impact humanitarian crises such as cholera and yellow fever outbreaks, flooding, and increasing displacement of populations.
1 Emails from Jean-Denis Larsen, Country Director, Norwegian People’s Aid (NPA), 19 May 2017; Matthieu Kayisa Ntumba, Operations Manager, NPA, 18 and 20 June 2017; Colin Williams, Chief of Operations, UNMAS, 12 June 2017; and Pehr Lodhammar, Programme Manager, UNMAS, 14 April 2017.

2 Emails from Jean-Denis Larsen, NPA, 23 May 2017; and Matthieu Kayisa Ntumba, NPA, 18 and 20 June 2017.

3 Emails from Colin Williams, UNMAS, 6 and 12 June 2017 and 6 May 2016. UNMAS previously reported to Mine Action Review in 2016 that there were four remaining areas with a total size of 3,840m² confirmed to contain CMR in Equateur province at the end of 2015. In June 2017, it clarified that there were in fact two areas with a size of 3,840m² and two other areas which had no size estimates at the end of the year. An additional area with a size of 3,700m² was also identified in May 2016 and cleared in May 2017.

4 Response to questionnaire by Colin Williams, UNMAS, 19 May 2015; and CCM Article 7 Report (for 2012 and 2013), Form F.

5 Email from Llewelyn Jones, Director of Programmes, MAG, 7 May 2016. On 9 January 2015, the National Assembly of the DRC passed a law that reorganised the DRC’s 11 provinces into 25 provinces, plus Kinshasa. The area where MAG was operational in Katanga province was renamed as Tanganyika province after the redistricting began to be implemented in July 2015. C. Rigaud, “RDC: le découpage territorial a voté à l’Assemblée” (“RDC: territorial subdivision voted on at the Assembly”), Afrikarabia, 10 January 2015, at: http://afrikarabia.com/wordpress/rdc-le-decoupage-territorial-vote-a-l-assemblee/; and email from Fabienne Chassagneux, Regional Director, West and Central Africa, MAG, 15 July 2016.

6 Response to questionnaire by Gerard Kerrien, Country Director, MAG, received by email from Llewelyn Jones, MAG, 8 May 2017.


9 Response to Cluster Munition Monitor questionnaire by Michelle Healy, UNMACC, 29 April 2013.


14 UNMAS, “DRC: Support to UN Country Team and the Government”.


19 Email from Julien Kempeneers, Deputy Desk Officer, Mine Action Department, HI, 14 April 2016.

20 Response to questionnaire by Gerard Kerrien, MAG, 8 May 2017; and email from Jean-Denis Larsen, NPA, 23 May 2017.

21 Email from Pehr Lodhammar, UNMAS, 5 April 2017.

22 Responses to questionnaire by Pehr Lodhammar, MAG, 18 May 2015; Julia Wittig, Programme Officer, MAG, 29 May 2015; and Johan Strydom, Project Manager DRC, Mechem, 13 May 2015.

23 Response to questionnaire by Gerard Kerrien, MAG, 8 May 2017; and email from Jean-Denis Larsen, NPA, 19 May 2017.

24 Email from Pehr Lodhammar, UNMAS, 5 April 2017.

25 Email from Jean-Denis Larsen, NPA, 18 April 2017.

26 Email from Pehr Lodhammar, UNMAS, 5 April 2017.

27 Email from Jean-Denis Larsen, NPA, 19 May 2017; response to questionnaire by Gerard Kerrien, MAG, 8 May 2017; and response to questionnaire by Julia Wittig, MAG, 29 May 2015.

28 Email from Jean-Denis Larsen, NPA, 19 May 2017.

29 Email from Llewelyn Jones, MAG, 7 May 2016.

30 Response to questionnaire by Gerard Kerrien, MAG, 8 May 2017; and email from Jean-Denis Larsen, NPA, 23 May 2017.

31 Response to questionnaire by Gerard Kerrien, MAG, 8 May 2017; and email, 9 June 2017.

32 Ibid.

33 Email from Llewelyn Jones, MAG, 7 May 2016. The majority of which — 68,073m² — was in Equateur province, with a further 7,772m² in Katanga/Tanganyika province.

34 Emails from Jean-Denis Larsen, NPA, 19 and 23 May 2017.

35 Email from Jean-Denis Larsen, NPA, 19 May 2017; and response to questionnaire by Gerard Kerrien, MAG, 8 May 2017.

36 Emails from Jean-Denis Larsen, NPA, 19 May 2017; and Matthieu Kayisa Ntumba, Operations Manager, NPA, 5 June 2017.


38 Emails from Colin Williams, UNMAS, 6 May 2016; and from Llewelyn Jones, MAG, 7 May 2016.

39 Emails from Jean-Denis Larsen, NPA, 19 and 23 May 2017; Matthieu Kayisa Ntumba, NPA, 18 and 20 June 2017; Colin Williams, UNMAS, 12 June 2017; and Pehr Lodhammar, UNMAS, 14 April 2017.

40 Email from Jean-Denis Larsen, NPA, 23 May 2017.

41 Response to questionnaire by Gerard Kerrien, MAG, 8 May 2017; and email from Jean-Denis Larsen, NPA, 18 April 2017.

42 Email from Pehr Lodhammar, UNMAS, 5 April 2017.