**PROGRAMME PERFORMANCE**

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<td>Land-release system in place</td>
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<td>National mine action standards</td>
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<td>Reporting on progress</td>
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<td>Improving performance</td>
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**PERFORMANCE SCORE: AVERAGE**

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PERFORMANCE COMMENTARY

The last known recorded area containing cluster munition remnants (CMR) in the Democratic Republic of Congo (DR Congo), covering 3,900m², was cleared in May 2017. Subsequently, however, four submunitions, believed by the United Nations Mine Action Service (UNMAS) to be part of a wider cluster munition strike, were identified in South Kivu province. UNMAS stated that the area would be reported to the national mine action authority, the Congolese Mine Action Centre (Centre Congolais de Lutte Antimines, CCLAM), as a confirmed hazardous area (CHA) containing CMR.

Throughout 2017, the DR Congo’s national mine action programme continued to be hampered by a lack of coordination between stakeholders and critical information management issues. Its ability to produce a clear and accurate estimate of remaining mine and explosive remnants of war (ERW) contamination from the national database remained questionable.

RECOMMENDATIONS FOR ACTION

→ The DR Congo should survey and clear the remaining cluster munition contaminated area and then assess whether it has eliminated the threat from CMR on its territory.

→ The DR Congo should ratify the Convention on Cluster Munitions (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. Updated information should be regularly shared with all mine action stakeholders.

→ Mine action data should be recorded and reported according to International Mine Action Standards (IMAS) land release terminology.

→ Resources should be provided by the Government of the DR Congo and international donors to support the CCLAM to enable it to carry out essential functions autonomously, without relying on financial support from mine action operators.

→ Regular coordination meetings should be held with the national authorities, the United Nations, and mine action operators to share information and improve implementation of mine action.

→ Donors and international stakeholders should seek to complete mine and ERW clearance in the face of the humanitarian crises in the DR Congo.

CONTAMINATION

At the start of 2017, only two areas known to contain CMR remained to be addressed in Bolomba, Equateur province, in the north-west of the country.¹ One suspected hazardous area (SHA) with an unrecorded size was cancelled by Norwegian People’s Aid (NPA) in April 2017, while NPA completed clearance of the other area, with a size of 3,900m², on 12 May 2017, with the destruction of a total of 241 submunitions.² The DR Congo had identified these two areas in a national survey conducted in 2013.³ Subsequently, however, UNMAS reported that four PM-1 submunitions were found in a previously unrecorded hazardous area in Shabunda, South Kivu province. It reported that evidence from eye-witnesses and past cluster munition contamination encountered in DR Congo indicated that it was a cluster munition strike from the 1980s.⁴ UNMAS stated that the area would be reported to the CCLAM as a CHA. Despite this identification, UNMAS said there were no plans to conduct a specific survey of CMR contamination in 2018, though it also informed Mine Action Review that “the discovery of CM in a location previously thought to be not contaminated would lead UNMAS to believe that the CM hazard is still present”.⁵ At the end of June 2018, UNMAS reported that technical survey of the area was being carried out to determine the footprint and size of the area of contamination. It further stated, however, that it did not have funding to conduct clearance of the area following completion of technical survey.⁶ In August 2017, Mines Advisory Group (MAG) reported finding a single submunition in Manono, Tanganyika province, which was treated as a spot task and destroyed by a demining team. MAG stated that it did not intend to do any CMR survey and did not expect to find any other submunitions in its area of operations.⁷ The DR Congo’s new National Mine Action Strategy for 2018–19, finalised in November 2017, states that in addition to mines and ERW, “some areas contaminated by submunitions have also been reported but the areas affected remain negligible”.⁸ The Strategy includes among its objectives completion of survey of mine and CMR contamination in the Aru and Dungu territories, as yet inaccessible due to security concerns, by mid-2018.⁹
Other Explosive Remnants of War and Landmines

DR Congo is affected by other ERW and a small number of landmines, as a result of years of conflict involving neighbouring states, militias, and rebel groups (see Mine Action Review’s Clearing the Mines report on DR Congo for further information). Successive conflicts have also left the country with significant quantities of abandoned explosive ordnance.10

According to UNMAS, as at October 2017, 71% of all known SHAs in the DR Congo had been released. UNMAS stated that with existing mine action capacity and the maintenance of sufficient funding, the DR Congo could complete clearance of all contamination in the remaining provinces of Equateur, Tshuapa, Tshopo, Ituri, North-Kivu, Tanganyika, Maniema, South and North Ubangi, and Bas-Uele, before its extended Anti-Personnel Mine Ban Convention (APMBC) Article 5 deadline of 1 January 2021.11

Despite the positive prognosis for completing clearance prior to 2021, in 2018, explosive ordnance continued to pose a significant risk to civilians in DR Congo, increased by the recent resurgence in armed conflict which has resulted in new ERW contamination, particularly in the eastern and central regions. UNMAS reported that a number of SHAs remained in geographically challenging areas where large numbers of internally displaced persons (IDPs) and refugees were seeking shelter. Children continued to make up nearly four fifths of total reported victims of ERW. In 2002–18, UNMAS reported that a total of 2,643 victims of mines and ERW had been recorded in DR Congo.12

PROGRAMME MANAGEMENT

CCLAM was established in 2012 with support from the UN Mine Action Coordination Centre (UNMACC) and UNMAS.13 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 2016.14

Previously, UNMACC, established in 2002 by UNMAS, coordinated mine action operations through offices in the capital, Kinshasa, and in Goma, Kalemie, Kananga, Kisangani, and Mbundu.15 UNMACC was part of the UN Stabilization Mission in the DR Congo (MONUSCO) peacekeeping mission. UN Security Council Resolution 1925 mandated UNMACC to strengthen national mine action capacities and support reconstruction through road and infrastructure clearance.16

In March 2013, UN Security Council Resolution 2098 called for demining activities to be transferred to the UN Country Team and the Congolese authorities.17 As a consequence, UNMAS operated two separate projects after splitting its activities between, on the one hand, support for the Government of DR Congo and its in-country team, and, on the other, its activities in support of MONUSCO.18 In accordance with Security Council Resolution 2147 of March 2014, demining is no longer included in MONUSCO’s mandate.19 In 2017–18, UNMAS was assisting MONUSCO operations and mitigating the threat from ERW through EOD operations and risk education.20

Although CCLAM took over responsibility from UNMAS as the national focal point for demining in early 2016, its capacity to carry out accreditation, issue task orders, and report remained very limited in 2017. Its lack of capacity to manage an up-to-date national database and carry out quality management activities continued to be highlighted by operators as critical areas of concern. Little, if any, improvement was seen during the year.21

Strategic Planning

DR Congo’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 2016.22 It failed to meet these goals.

In 2017, under CCLAM’s coordination, with support from the Geneva International Centre for Humanitarian Demining (GICHD), UNMAS, and the Government of Japan, a new National Mine Action Strategy for 2018–19 was developed in a series of workshops in collaboration with mine action operators.23 The strategy focuses on fulfilling the country’s APMBC Article 5 obligations by 2020, one year ahead of its 2021 deadline.24

The new strategy contains the following three strategic objectives: effective and efficient management of the explosive threat; ensuring the national programme has the capacity to manage residual contamination in a sustainable manner; and that the legal framework of the mine action programme is strengthened through the adoption of national laws and other implementing measures and adherence to relevant treaties, the integration of mine action into national development and poverty reduction strategies, and the mobilisation of adequate resources.25

The strategy does not contain specific provisions on or timeframes for the completion of clearance of CMR.26

Legislation and Standards

In April 2017, UNMAS reported it would provide technical support to CCLAM to complete the revision of DR Congo’s outdated National Technical Standards and Guidelines (NTSGs) for mine action.27 Revised draft NTSGs had been developed as of mid-2016, but were still under review as at March 2018.28 The draft version does not contain CMR-specific provisions.29
**Quality Management**

HI, MAG, and NPA reported that internal quality assurance (QA)/quality control (QC) systems were in place in 2017. In 2017, CCLAM controlled external QA/QC after the handover of responsibility for quality management from UNMAS in 2016. Operators reported that CCLAM carried out QA/QC on all operations and tasks in 2017; however, they stated that CCLAM staff did not have adequate material and financial resources to plan and carry out autonomous inspection visits during the year. Operators reported having to cover some of CCLAM’s costs to allow them to carry out monitoring operations in the field.

**Information Management**

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 2017, serious concerns persisted over the quality of the database and CCLAM’s capacity and resources to manage it. Gaps in the data, a lack of maintenance, a lack of capacity to extract and share information from the database, and the absence of coordination meetings with operators, all remained evident in 2017.

NPA held refresher training courses on information management and use of the Information Management System for Mine Action (IMSMA) database and geographic information system (GIS) for CCLAM staff during the year. It reported that while CCLAM 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. The situation even appeared to deteriorate in 2017. CCLAM did not provide information in response to Mine Action Review’s requests for data again in 2018.

**Operators**

Five international operators are accredited for mine action in DR Congo: DanChurchAid (DCA), Humanity and Inclusion (HI, formerly Handicap International), MAG, Mechem, and NPA, along with a national demining organisation, AFRILAM. NPA was the only operator to conduct area clearance of CMR in 2017. In January–April 2017, NPA deployed five technical survey teams with a total of 22 demining personnel. From April, the project configuration changed to include both demining and the provision of risk education and the number of technical survey teams was reduced to three 15-person teams and two four-person risk education teams. It focused on completing clearance of SHAs in Bolomba and Ikela territories in Equateur and Tshuapa provinces, respectively.

In 2017, MAG deployed two multi-task teams (MTT) and two community liaison teams in North and South Ubangi provinces and two MTT and one community liaison team in Tanganyika province with a total of 26 demining personnel and 15 liaison community personnel. It carried out community liaison, EOD spot tasks, battle area clearance (BAC), and other clearance activities.

AFRILAM deployed three teams with a total of twenty deminers and two community liaison officers in 2017. AFRILAM and HI carried out demining and EOD spot tasks during the year; however, as funding for 2018 was unable to be secured, AFRILAM and HI’s operations ceased on 31 December 2017. It did not report encountering any CMR in 2017.

**LAND RELEASE**

In 2017, a total of 3,900m² of CMR contamination was cleared, and a total of 242 submunitions destroyed. This compares to the total of 37,903m² released though clearance and technical survey in 2016, with the destruction of 46 submunitions.

**Survey in 2017**

As reported above, in 2017, NPA cancelled one of the two areas of CMR contamination remaining to be addressed in Bolomba, Equateur province.

**Clearance in 2017**

NPA completed clearance of the last remaining area of CMR contamination identified in Bolomba, Equateur province on 12 May 2017. It cleared a total of 3,900m², destroying 239 submunitions in the task area. It reported that the submunitions were of the type PTAB-1M, which it said are usually dispensed from a container that holds 268 submunitions. NPA found only the loose submunitions, however, and not the container itself. It also destroyed an additional two submunitions in EOD spot tasks. It did not expect that more CMR would be found in Equateur province.

In August 2017, MAG reported discovering one submunition in Manono, Tanganyika province, which was found and destroyed by a demining team as an EOD spot task. The submunition was a type MK2 submunition, similar to the UK-manufactured BL755 MK1 submunitions previously found and cleared by operators in Tanganyika province.
ARTICLE 4 COMPLIANCE

As at June 2018, DR Congo was a signatory to the CCM. In addition to its obligations as a treaty signatory, it is bound by international human rights law to clear CMR as soon as possible.

DR Congo’s National Mine Action Strategy for 2018–19 sets a date for the completion of ratification of the CCM by the end of 2018 and for the development of a law on its implementation by 2019.46

As reported above, clearance of the last known and recorded area of CMR contamination was believed to have been completed in 2017; subsequently, however, an additional cluster munition contaminated area was identified in South Kivu province.47 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.48 In June 2018, NPA reported it had not been asked to carry out any such survey.49

In 2018, MAG, HI, NPA, and UNMAS reiterated concerns over an on-going decline in funding for mine action operations to address the larger problem of mines and ERW in DR Congo. They reported that with the deteriorating political climate in the country, donors were reluctant to support mine action activities and prioritised funding to address other higher-impact humanitarian crises such as cholera and yellow fever outbreaks, flooding, and increasing displacement of populations.50 CCLAM is not known to have received financial resources for mine action from the Government of DR Congo in 2017.51 It claimed to be heavily underfunded and thus unable to cover the costs of its obligatory QA/QC visits. In 2018, operators reported that the CCLAM was entirely dependent on external financial support and lacked resources to carry out fundamental means of operations, particularly to deploy sufficiently trained quality management personnel and information management staff, necessitating support from operators.52 NPA reported that a donor mapping exercise was conducted in 2017 while HI said a mine action resource mobilisation strategy was planned to be developed and approved by the government by the middle of 2018.53

Table 1: Five-year summary of CMR clearance54

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<td>2013</td>
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<tr>
<td>Total</td>
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*As recorded above, a total of 3,900m² of CMR-contaminated area was cleared in 2017.
1 Emails from Jean-Denis Larsen, Country Director, Norwegian People’s Aid (INPAIL), 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 and 14 June 2018. NPA reported that 239 submunitions were destroyed in the task area. The submunitions were type is PTAB-1M, which are dispensed from a container that normally contains 268 submunitions. NPA reported that it only found the loose submunitions and not the container itself. Two additional submunitions were found and destroyed as explosive ordnance disposal (EOD) spot tasks.

3 Response to questionnaire by Colin Williams, UNMAS, 19 May 2015; and Voluntary CCM Article 7 Report [for 2012 and 2013], Form F.

4 Emails from Steven Harrop, Chief of Operations, UNMAS, 23 April and 8 June 2018.

5 Ibid.

6 Email from Steven Harrop, UNMAS, 19 June 2018.

7 Emails from Gerard Kerrien, Country Director, MAG, 28 February and 4 June 2018.


9 Ibid., pp. 18–19.


12 Ibid.

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


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


21 Emails from Jean-Denis Larsen, NPA, 5 March 2018; Bill Marsden, Regional Director, East and Southern Africa, MAG, 11 May 2018; and Guillaume Zerr, Programme Director DR Congo, Humanity and Inclusion, formerly Handicap International, Hl, 24 May 2018.


24 Ibid.

25 Ibid., p. 5.

26 Ibid., pp. 18–19. It also erroneously claims [p. 12] that in the period 2012–16 a total of only three submunitions had been cleared.

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

28 Email from Jean-Denis Larsen, NPA, 5 March 2018.

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

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

31 Ibid.

32 Emails from Jean-Denis Larsen, NPA, 5 March 2018; and Bill Marsden, MAG, 11 May 2018; and Guillaume Zerr, HI, 24 May 2018.

33 Ibid.

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

35 Email from Julien Kempeneers, Deputy Desk Officer, Mine Action Department, Hl, 14 April 2016.

36 Email from Jean-Denis Larsen, NPA, 5 March 2018.

37 Each MTT was composed of one Technical Field Manager, a team leader, five deminers, a medic, and two drivers. The community liaison teams consisted of a community liaison manager, four community liaison officers, a medic and two drivers. Each team had two vehicles for deployment. Email from Bill Marsden, MAG, 11 May 2018.

38 Email from Guillaume Zerr, HI, 24 May 2018.

39 Emails from Jean-Denis Larsen, NPA, 19 May 2017 and 5 March 2018; Matthieu Kayisa Ntumba, NPA, 18 and 20 June 2017, and 14 June 2018; Bill Marsden, MAG, 11 May 2018; and Gerard Kerrien, MAG, 4 June 2018.

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

41 Emails from Jean-Denis Larsen, NPA, 19 May 2017; and Matthieu Kayisa Ntumba, NPA, 18 and 20 June 2017.

42 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.

43 Email from Jean-Denis Larsen, NPA, 5 March 2018.

44 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.

45 Emails from Gerard Kerrien, 28 February 2018 and 4 June 2018.

46 “Stratégie Nationale de Lutte Antimines en République Démocratique du Congo 2018–2019”, CCLAM, November 2017, pp. 14 and 25. It states that DR Congo’s law to ratify the CCM had been adopted by both chambers of Parliament and awaited promulgation by the President of the Republic after verification from the Constitutional Court.

47 Email from Steven Harrop, UNMAS, 8 June 2018.

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

49 Email from Matthieu Kayisa Ntumba, NPA, 14 June 2018.

50 Emails from Jean-Denis Larsen, NPA, 5 March 2018; Bill Marsden, MAG, 11 May 2018; and Guillaume Zerr, HI, 24 May 2018; and Pehr Lodhammar, UNMAS, 5 April 2017.

51 Emails from Jean-Denis Larsen, NPA, 5 March 2018.

52 Email from Bill Marsden, MAG, 11 May 2018.

53 Emails from Jean-Denis Larsen, NPA, 5 March 2018; and Guillaume Zerr, HI, 24 May 2018.