

ARTICLE 5 DEADLINE: 1 MARCH 2019
[FOUR-YEAR EXTENSION REQUESTED TO 1 MARCH 2023]

PROGRAMME PERFORMANCE	2017	2016
Problem understood	7	7
Target date for completion of mine clearance	5	5
Targeted clearance	5	4
Efficient clearance	6	6
National funding of programme	6	5
Timely clearance	4	4
Land-release system in place	6	6
National mine action standards	5	6
Reporting on progress	6	6
Improving performance	6	5
PERFORMANCE SCORE: AVERAGE	5.6	5.4

#### PERFORMANCE COMMENTARY

Serbia's mine action programme showed signs of improvement in 2017 even though no full clearance was conducted. During the year, Serbia released just under  $0.3 \, \mathrm{km^2}$  of mined area through technical survey, during which three anti-personnel mines and an item of unexploded ordnance (UXO) were found and destroyed. This represents an increase in output compared to 2016, when no mined area was released. Furthermore, the application of technical survey is also a positive development, demonstrating a willingness by the Serbian Mine Action Centre (SMAC) to adopt more efficient land release methodology in instances where technical survey is more appropriate than full clearance. This might, in turn, encourage greater international funding support which is required for SMAC to implement the work plan outlined in Serbia's second Anti-Personnel Mine Ban Convention (APMBC) Article 5 deadline extension request.

## RECOMMENDATIONS FOR ACTION

- Serbia should identify additional funding, including from national and international sources, for the survey and clearance of mined areas.
- Serbia should consider using its armed forces for mine clearance to help meet its treaty obligations and fulfil its Article 5 obligations by 2023.
- SMAC should continue to conduct non-technical and technical survey, rather than full clearance, in instances where survey represents the most efficient means to confirm mine contamination.

## CONTAMINATION

As at March 2018, 12 areas in Bujanovac municipality, covering more than 2.35km², were suspected to contain anti-personnel mines (see Table 1).¹ This slight decrease from the 2.63km² of mined area as at April 2017² is the result of release of 275,800m² in Breznica village in 2017.³

Bujanovac is the only municipality in Serbia still affected by mines. According to SMAC, the contamination is from mines of an unknown origin and type, which have not been emplaced to follow a pattern, and for which there are no minefield records.<sup>4</sup>

Table 1: Anti-personnel mine contamination by village (at April 2018)<sup>5</sup>

Municipality	Village	SHAs	Area (m²)
Bujanovac	Ravno Bučje	3	575,020
	Končulj	5	1,181,820
	Dobrosin	1	248,000
	Djordjevac	1	145,100
	Lučane	1	73,200
	Turija	1	131,400
Totals		12	2,354,540

In 2013, Serbia had reported 1.2km<sup>2</sup> of confirmed mined area and 2km<sup>2</sup> of suspected mined area. However, SMAC subsequently decided to re-categorise all confirmed areas as only suspected, based on a reassessment of earlier survey results that revealed a small number of mines across a relatively large area. In line with more efficient land-release methodology, which emphasises the need for evidence to confirm areas as hazardous, in 2015 SMAC announced its intention to use an integrated approach using survey, manual demining, mine detection dogs (MDDs), and other assets to cancel suspected areas without contamination, and thereby reduce to a minimum the area confirmed as mined, which would be subject to full clearance. 6 However, following a change of director in the final quarter of 2015, the decision was taken to prioritise clearance over survey.7

Historically, mine contamination in Serbia can be divided into two phases. The first was a legacy of the armed conflicts associated with the break-up of Yugoslavia in the early 1990s. The second concerned use of mines in 2000–01 in the municipalities of Bujanovac and Preševo by a non-state armed group, the Liberation Army of Preševo, Bujanovac and Medvedja (OVPBM). The contamination remaining in Serbia is a result of this later phase. Contamination also exists within Kosovo (see Mine Action Review's Clearing the Mines report on Kosovo for further information).

The remaining mine contamination is said to have a "severe" socio-economic impact on Bujanovac, which is Serbia's most underdeveloped municipality. The affected areas are mainly mountainous, but are close to population centres. Mined areas are said to impede safe access to forest products, cattle, and mushroom picking, which represent primary sources of income. In addition, mined areas block access to local roads, affect the environment, increase the risk of fire, and prevent the construction of solar plants and tobaccoprocessing facilities. Mined areas also negatively impact regional development by impeding the flow of people, goods, and services, and Serbia believes that demining

could prevent locals moving out from the area. There were no mine incidents in 2017, and there were no new reported mine victims between submission of Serbia's 2013 extension request and submission of the second extension request in March 2018.10

Serbia is also contaminated with cluster munition remnants (CMR) and other explosive remnants of war (ERW), which are either the result of the 1999 bombing. remain from previous conflicts, or are the result of explosions or fire at military depots<sup>11</sup> (see Mine Action Review's Clearing Cluster Munition Remnants report on Serbia for further information).

# PROGRAMME MANAGEMENT

According to a Government Decree on Protection against Unexploded Ordnance, the Sector for Emergency Management, under the Ministry of Interior, acts as the national mine action authority (NMAA).12 The NMAA is responsible for developing standard operating procedures (SOPs), and supervising the work of SMAC.<sup>13</sup>

SMAC was established on 7 March 2002, with a 2004 law making it responsible for coordinating demining; collecting and managing mine action information (including casualty data); and surveying suspected hazardous areas (SHAs). It also has a mandate to plan demining projects, conduct quality control (QC) and monitor operations, ensure implementation of international standards, and conduct risk education.<sup>14</sup> As from 1 January 2014, according to a Government Decree on Protection against Unexploded Ordnance, the Sector for Emergency Management, under the Ministry of Interior, is responsible for accrediting demining operators. Previously, the SMAC was responsible for accrediting demining operators.15

A new director of SMAC was appointed by the Serbian government in the autumn of 2015,16 and as at 2018, SMAC had a total of eight staff. 17 SMAC reported that, in 2016, restructuring resulted in a greater proportion of operational posts more related to survey, project development, and QC.18

# Strategic Planning

The Government of Serbia adopts SMAC's work plan, as well as the Annual Report on its work.19

Serbia prioritises the demining of areas which directly affect the local population, such as those close to settlements where local people have abandoned their houses and stopped cultivating land due to the fear of landmines. SMAC also noted that donors themselves sometimes also influence the choice of the areas which will be demined first, depending on availability and amount of their funds.20

## Legislation and Standards

According to SMAC, survey and clearance operations in Serbia are conducted in accordance with the International Mine Action Standards (IMAS), 21

National mine action standards (NMAS) were said to be in the final phase of development as at September 2015.<sup>22</sup> In April 2017, SMAC reported that, along with the relevant national authorities, it was in the process of establishing a commission to develop national standards and SOPs to define methods and techniques for demining in Serbia.<sup>23</sup> However, this process has been hindered due to lack of capacity, 24 and as at April 2018, the development of the NMAS was still "in progress".25

Under new directorship, SMAC has reassessed its land release methodology to prioritise full clearance over technical survey of hazardous areas. 26 This does not correspond to international best practice, and is an inefficient use of valuable clearance assets. In February 2016, the new director of SMAC reported to Mine Action Review that while SMAC supports the use of high-quality non-technical survey to identify suspected mined areas, its preference is for full clearance of these areas, rather than use of technical survey to more accurately identify the boundaries of contamination.<sup>27</sup> SMAC's position on its preferred land release methodology remained the same as at April 2018. However, SMAC is prepared to conduct technical survey, in a form adjusted to the context of Serbia, in response to the stated preference of international donors for technical survey above clearance, where appropriate. 28 Furthermore, in a positive development, SMAC's willingness to conduct technical survey has been demonstrated in practice and SMAC prepared technical survey projects in 2017 and 2018, in a form adjusted to the context of Serbia.<sup>29</sup>

The remaining suspected mined areas do not have records and mines were planted in groups of mines, not pattern minefields. According to SMAC, incidents involving people or animals have occurred in most of these suspected areas or else mines have been accidentally detected.30 Also, in the context of Serbia, there is reportedly limited potential to obtain additional information on the location of mined areas from those who laid the mines during the conflict.31

SMAC has reported that the results of the initial survey data are analysed and then further non-technical survey is conducted to assess conditions in the field, and to gather statements by the local population, hunters, foresters, representatives of Civil Protection, and the police, among others. Data on mine incidents is another significant indicator.<sup>32</sup>

Technical survey is employed "to additionally collect information by technical means on a suspected area and in case when the data collected by non-technical survey are not sufficient for suspected areas to be declared hazardous or safe". 33 The reduction of mined area through technical survey in the municipality of Bujanovac in 201734 and plans for further technical survey in 2018 demonstrate SMAC's greater willingness to adopt more efficient land release practices.

SMAC's primary reluctance to using technical survey as a next step to further delineate confirmed mined area is its lack of confidence that such survey can effectively identify groups of unrecorded mines, bot planted in specific patterns. <sup>35</sup> Most of the remaining suspected mined areas in Serbia are mountainous with challenging terrain and thick vegetation. The fact that these areas have not been accessed since the end of the conflict (2001), due to suspicion of mines, means that the land is unmanaged, making it even less accessible. SMAC deems that most of the suspected mined areas are therefore not appropriate for the use of MDDs or machinery. <sup>36</sup>

## **Quality Management**

SMAC and its partner organisations undertake quality assurance (QA) and QC of clearance operations in mine-and ERW-affected areas.<sup>37</sup> Previously, on every clearance project, SMAC QC and QA officers were said to sample between 5% and 11% of the total project area, depending on project complexity and size.<sup>38</sup> However, due to limited SMAC quality management capacity, as at April 2018, the total project area to be sampled by SMAC had been reduced to 3% <sup>39</sup>

# Information Management

SMAC does not use the Information Management System for Mine Action (IMSMA) at present, but had been discussing for some time the possibility of the system's future installation with the Geneva International Centre for Humanitarian Demining (GICHD).<sup>40</sup> There had been no further developments as at April 2018.<sup>41</sup>

## **Operators**

SMAC does not itself carry out clearance or employ deminers but does conduct survey of areas suspected to contain mines, CMR, or other ERW. Clearance is conducted by commercial companies and nongovernmental organisations (NGOs), which are selected through public tender procedures executed by ITF Enhancing Human Security (ITF), through international donors. 42

The Ministry of Interior issues accreditation valid for a period of one year. In 2018, 14 companies/organisations were accredited for demining: seven from Serbia, four from Bosnia and Herzegovina, two from Croatia, and one from Russia.<sup>43</sup>

In 2017, 26 deminers were deployed for the execution of one technical survey project which was completed. No machinery or mine detection dogs were deployed as the terrain was unsuitable.<sup>44</sup> Non-technical survey in Serbia is conducted by SMAC staff.<sup>45</sup>

The Serbian Armed Forces maintain a capability to survey, search for, detect, clear and destroy landmines. This capability includes many types of detection equipment, mechanical clearance assets, disposal experts, and specialist search and clearance teams. 46 An explosive ordnance disposal (EOD) department within the Sector for Emergency Management, in the Ministry of Interior, responds to call-outs for individual items of ERW discovered, and is also responsible for the demolition of items found by SMAC. 47

#### LAND RELEASE

In 2017, 275,800m² was released by technical survey, during which three anti-personnel mines and one other item of UXO were found and destroyed. No mined area was released through full clearance. This represents an increase in output compared to 2016, when no mined area was released through technical survey or clearance.<sup>48</sup>

## Survey in 2017

In 2017, a total of 275,800m² was released through manual technical survey in the village of Breznica, Bujanovac municipality, during which three antipersonnel mines and one item of UXO were found and destroyed.<sup>49</sup> The technical survey was undertaken by Saturnia d.o.o. Belgrade, with funding from the Serbian national budget matched by funding from United States Department of State, through ITF.<sup>50</sup>

SMAC reported that during the elaboration of technical survey and clearance projects in 2017, it used data obtained by an unmanned aerial vehicle.<sup>51</sup>

#### Clearance in 2017

No mine clearance was conducted in 2017, due to lack of available funding.  $^{\rm 52}$ 

SMAC did not know whether any anti-personnel mines were destroyed in 2017 by the EOD department of the Sector for Emergency Management.<sup>53</sup>

#### Progress in 2018

A second technical survey project totalling 113,600m², in Ravno Bučje village, for which funding had been secured, was in progress as at the beginning of 2018. Further technical survey of two areas in Djordjevac village, totalling 535,300m² was planned for 2018, but as at April 2018, only national funding was available and no international funding had been secured for these tasks.<sup>54</sup>

# **ARTICLE 5 COMPLIANCE**

Under Article 5 of the APMBC (and in accordance with the five-year extension granted by states parties in 2013), Serbia is required to destroy all anti-personnel mines in mined areas under its jurisdiction or control as soon as possible, but not later than 1 March 2019. Serbia will not meet this deadline. In March 2018, Serbia submitted a second extension request, seeking a further four-year extension to its Article 5 deadline, through to 1 March 2023.

As late as May 2012, Serbia had hoped to meet its original Article 5 deadline, 55 but in March 2013 it applied for a five-year extension. In granting the request, the Thirteenth Meeting of States Parties noted that "implementation could proceed much faster if Serbia was able to cover part of demining costs and thereby become more attractive for external funding." The states parties further noted that the plan presented by Serbia was "workable, but it lacks ambition, particularly given the small amount of mined area in question".56

Furthermore, Serbia's claim to continued jurisdiction over Kosovo entails legal responsibility for remaining mined areas under Article 5 of the APMBC. However, Serbia did not include such areas in either its first or second extension request estimates of remaining contamination or plans for the extension periods.

Serbia reported that it faced several challenges in complying with its Article 5 obligations, foremost of which was the unpredictability of securing financial resources and diminished donor funding through the years, in addition to a preference of donors to fund CMR and UXO clearance. In addition, Serbia reported that the remaining mine contamination is of unrecorded mined areas/groups of mines, with mines having been emplaced with no particular pattern, which has complicated survey and clearance efforts. Furthermore, climatic conditions prevent access to some mined areas for parts of the year and Serbia deems that most of the suspected area is not appropriate for the use of MDDs or machinery. Lastly, Serbia also highlighted challenges posed by contamination from CMR and other UXO, which also block access to significant resources and hinder development and infrastructural projects.57

In the last five years Serbia has cleared less than one square kilometre of mined area (see Table 2).

Table 2: Mine clearance in 2013-17

Year	Area cleared (km²)
2017	*0
2016	0
2015	0.41
2014	0.27
2013	0
Total	0.68

\*0.28km² was reduced by technical survey, during which three anti-personnel mines were destroyed.

Serbia has fallen well behind the clearance plan it set out in its 2013 Article 5 deadline extension request, which envisaged clearance of  $489,276\text{m}^2$  in 2013;  $572,116\text{m}^2$  in 2014;  $414,668\text{m}^2$  in 2015;  $256,185\text{m}^2$  in 2016;  $247,000\text{m}^2$  in 2017;  $160,000\text{m}^2$  in 2018; and  $138,000\text{m}^2$  in 2019. Serbia subsequently adjusted its work plan in 2015, 2016, and 2017, but fell behind on land release output for each of the updated plans.  $^{59}$ 

In the draft of its latest APMBC Article 5 deadline extension request, submitted on 14 March 2018, Serbia includes a work plan for the completion of demining during the period 2018–23.60 If the funds for demining operations are available, Serbia intends to use nontechnical survey, technical survey, manual clearance, mechanical demining (where applicable), and MDDs (where applicable) to complete clearance in Serbia before the 2023 deadline.61

Progress is, however, contingent on funding and Serbia has stated that if it cannot secure international funding for demining, its work plan will be directly affected. On the other hand, if more funds are provided, Serbia maintains it could implement its work plan in a shorter period. As at March 2018, Serbia had not secured funding from international donors for the requested extension period. <sup>62</sup> Serbia has calculated that it

requires an estimated EUR€2.5 million to complete the release of all remaining mined areas, of which EUR€900,000 is planned to come from national budget and around EUR€1.6 million from ITF and other sources of international funding. 63 In addition to approaching potential donors, SMAC will continue to raise awareness of the funding problem and seek funding from state authorities, public enterprises, and local authorities. 64

SMAC is funded by Serbia, including staff costs and running costs, as well as survey activities, development of project tasks for demining/clearance of areas contaminated by mines, submunitions and other UXO, follow-up on implementation of project tasks, and QA and QC of demining. Around €150,000 per year is allocated to the work of SMAC from the national state budget. 65 In addition, the UXO disposal work of the Sector for Emergency Situations of the Ministry of Interior is also state funded.66

Since 2015, Serbia also began allocating national funds for survey and clearance, with roughly €100,000 allocated per year, for 2015, 2016, and 2017. This was in response to the decision of the States Parties in granting the 2013 extension request that Serbia should cover part of the demining cost and that demonstrating national ownership in such a manner could help facilitate cooperation and assistance efforts. In 2018, the Serbian government allocated double the amount of funds for demining operations (i.e. EUR€200,000), and Serbia expected to continue to allocate the same level of funds for release of land contaminated by mines, CMR, and other UXO, throughout the period of the latest extension request, totalling EUR€900,000 in national funding.67

In 2017, the US State Department donated US\$283,330 to demining in Serbia, 68 but as at March 2018 no additional international funding had been secured.

- Second APMBC Article 5 deadline Extension Request, received 14 March 2018, pp. 7, 8, 23 and 24 (hereafter, 2018 Article 5 deadline Extension Request): Article 7 Report (for 2017), Form C: and email from Sladana Košutić, Planning and International Cooperation Advisor, SMAC, 12 April
- Email from Slađana Košutić, SMAC, 6 April 2017; and APMBC Article 7 Report (for 2016), Form D.
- Article 7 Report (for 2017), Annex III; and email from Slađana Košutić, 3 SMAC, 12 April 2018
- Interview with Jovica Simonović, Director, SMAC, Belgrade, 16 May 2017; and 2018 Article 5 deadline Extension Request, p. 7.
- 2018 Article 5 deadline Extension Request, pp. 7, 8, 23, and 24; Article 7 Report (for 2017), Form C: and email from Sladana Košutić, SMAC, 12 April 2018.
- Email from Branislav Jovanović, then Director, SMAC, 23 March 2015; Article 7 Report (for 2014), Form C; Statements of Serbia, 14th Meeting of States Parties, Geneva, 1 December 2015, and 15th Meeting of States Parties, Santiago, 29 November 2016; and Article 7 Report (for 2016),
- Interview with Jovica Simonović, SMAC, in Geneva, 18 February 2016,
- Я Article 5 deadline Extension Request, March 2013, p. 5; and Article 7 Report (for 2014), Form C.
- 2018 Article 5 deadline Extension Request, pp. 7, 11, 25 and 27; and email from Slađana Košutić, SMAC, 12 April 2018.
- 10 2018 Article 5 deadline Extension Request, p. 23.
- 11 Ibid., p. 7.
- 12 Official Gazette of the Republic of Serbia, No. 70/13.
- Emails from Darvin Lisica, then NPA Regional Programme Manager, 6 May and 12 June 2016; and 2018 Article 5 deadline Extension Request. p. 17.
- 14 "Law of Alterations and Supplementations of the Law of Ministries", Official Gazette, 84/04, August 2004; and 2018 Article 5 deadline Extension Request, p. 17.
- 15 2018 Article 5 deadline Extension Request, p. 17.
- Interview with Jovica Simonović, SMAC, in Geneva, 18 February 2016. 16
- 17 2018 Article 5 deadline Extension Request, p. 16
- Interview with Jovica Simonović, SMAC, Belgrade, 16 May 2017; and 2018 18 Article 5 deadline Extension Request, p. 17.
- 19 2018 Article 5 deadline Extension Request, p. 16
- Ibid., p. 30; and email from Slađana Košutić, SMAC. 12 April 2018. 20
- 21 2018 Article 5 deadline Extension Request, p. 19.
- 22 Interview with Branislav Jovanović, SMAC, in Dubrovnik, 10 September
- 23 Email from Slađana Košutić, SMAC, 6 April 2017.
- 24 Interview with Jovica Simonović, SMAC, Belgrade, 16 May 2017.
- 25 Email from Slađana Košutić, SMAC, 12 April 2018; and 2018 Article 5 deadline Extension Request, Additional Information received 28 June
- Interview with Jovica Simonović, SMAC, in Geneva, 18 February 2016. 26
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- Interview with Jovica Simonović, SMAC, Belgrade, 16 May 2017; email from Slađana Košutić, SMAC, 12 April 2018; and 2018 Article 5 deadline Extension Request, p. 30.
- 2018 Article 5 deadline Extension Request, Additional Information 29 received 28 June 2018; and Article 7 Report (for 2017), Form C.
- 30 Article 7 Report (for 2017), Form C.
- 31 Interview with Jovica Simonović, SMAC, Belgrade, 16 May 2017.
- 32 Ibid.; and Article 7 Report (for 2017), Form C.
- 33 Article 7 Report (for 2017), Form C.

- Email from Slađana Košutić, SMAC, 12 April 2018.
- 35 Interview with Jovica Simonović, SMAC, Belgrade, 16 May 2017; and 2018 Article 5 deadline Extension Request, Additional Information received 28 June 2018.
- Interview with Jovica Simonović, SMAC, Belgrade, 16 May 2017; and 2018 Article 5 deadline Extension Request, pp. 25 and 30; and 2018 Article 5 deadline Extension Request, Additional Information received 28 June 2018.
- 37 Email from Branislav Jovanović, SMAC, 4 May 2015.
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- Email from Slađana Košutić, SMAC, 12 April 2018.
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- 2018 Article 5 deadline Extension Request, p. 18. 42
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- 44 Email from Slađana Košutić, SMAC, 12 April 2018.
- 45 Email from Slađana Košutić SMAC 6 April 2017
- Article 7 Report (for 2017), Form J.
- Interview with Jovica Simonović, SMAC, Belgrade, 16 May 2017.
- Email from Slađana Košutić, SMAC, 6 April 2017; and Article 7 Report 48 (for 2016), Form D.
- 49 2018 Article 5 deadline Extension Request, pp. 6 and 12; and email from Slađana Košutić, SMAC, 12 April 2018.
- 50 Email from Slađana Košutić, SMAC, 12 April 2018.
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- 52 Ibid.
- 53 lhid
- 55 Statement of Serbia, Standing Committee on Mine Action, Geneva, 23 May 2012
- Analysis of Serbia's Article 5 deadline Extension Request, submitted by the President of the 12th Meeting of States Parties on behalf of the States Parties mandated to analyse request for extensions, 2 December
- 2018 Article 5 deadline Extension Request, pp. 6, 7, 25, and 27; Article 7 Report (for 2017), Form C: and email from Sladana Košutić, SMAC, 12 April 2018.
- 58 Article 5 deadline Extension Request, March 2013, p. 26.
- Preliminary observations of the Committee on Article 5 Implementation, Intersessional Meetings, Geneva, 19-20 May 2016; and "Republic of Serbia Updated Detailed Work Plan for the Remaining Period Covered by the Extension", submitted to the Implementation Support Unit (ISU), 3 March 2016, and provided to Mine Action Review by the ISU upon request; email from Slađana Košutić, SMAC, 6 April 2017; and Article 7 Report (for 2016), Form D.
- 2018 Article 5 deadline Extension Request, pp. 8, 9, 31, and 32.
- Ibid., pp. 28: 2018 Article 5 deadline Extension Request, Additional 61 Information received 28 June 2018; and Article 7 Report (for 2017), Form
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- Ibid., pp. 9 and 34. 63
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