



SERBIA

ARTICLE 5 DEADLINE: 1 MARCH 2019
 [UNCLEAR WHETHER ON TRACK TO MEET DEADLINE]

PROGRAMME PERFORMANCE	For 2015	For 2014
Problem understood	7	7
Target date for completion of mine clearance	6	5
Targeted clearance	4	5
Efficient clearance	6	6
National funding of programme	5	4
Timely clearance	5	4
Land release system in place	6	8
National mine action standards	6	7
Reporting on progress	6	6
Improving performance	5	5
PERFORMANCE SCORE: AVERAGE	5.6	5.7

PERFORMANCE COMMENTARY

The performance of Serbia's mine action programme in 2015–16 has been mixed. Serbia submitted a revised Anti-Personnel Mine Ban Convention (APMBC) Article 5 implementation workplan, including updated milestones towards meeting its 2019 clearance deadline. Although modest, funds for demining were allocated from Serbia's national budget for the first time in 2015. In addition, in 2015, the Serbian Mine Action Centre (SMAC) initiated a more efficient land-release methodology, requiring evidence to confirm areas as hazardous. It applied a more integrated approach to survey, using mine detection dogs (MDDs) and other assets to cancel suspected hazardous areas (SHAs) that were not contaminated. However, SMAC's new director indicated an intention to revert to full clearance of SHAs, saying he would be reluctant to release land through survey.

RECOMMENDATIONS FOR ACTION

- Serbia should take responsibility for addressing its mine contamination and commit more resources for survey and clearance in order to fulfil its Article 5 obligations quickly.
- SMAC should revoke its recent decision to conduct full clearance of entire SHAs where use of technical survey would accurately define the hazardous area far more efficiently.
- Serbia should submit its annual APMBC Article 7 transparency reports in a timely manner.

CONTAMINATION

As at February 2016, 13 SHAs in Bujanovac covering more than 1.93km² were suspected to contain anti-personnel mines. Bujanovac is the only municipality in Serbia still contaminated (see Table 1).¹

Table 1: Anti-personnel mine contamination by village as at February 2016²

Municipality	Village	SHAs	Area (m ²)
Bujanovac	Ravno Bučje	3	105,418
	Končulj	5	1,182,456
	Dobrosin	1	247,861
	Breznica	1	131,465
	Djordjevac	1	64,169
	Lučane	1	73,437
	Turija	1	131,274
Totals		13	1,936,080

This compares to the estimated 2.85km² of mined area across 19 SHAs at the end of 2014.³ There appears, though, to be an unexplained discrepancy of 0.26km² in the reported baseline of mine contamination as at February 2016, compared to 2014, after taking into account the 1.17km² of reported release in 2015.

1 Statements of Serbia, APMBC 14th Meeting of States Parties, Geneva, 1 December 2015; Intersessional Meetings (Committee on Article 5 Implementation), Geneva, 19 May 2016; and Preliminary observations of the APMBC Committee on Article 5 Implementation, Intersessional Meetings, Geneva, 19–20 May 2016.

2 "Republic of Serbia Updated Detailed Work Plan for the Remaining Period Covered by the Extension", submitted to the APMBC Implementation Support Unit (ISU), 3 March 2016, and provided to Mine Action Review by the ISU upon request.

3 Emails from Miroslav Pisarevic, Project Manager, Norwegian People's Aid (NPA), 5 May 2015; and Branislav Jovanovic, Director, SMAC, 7 September 2015.

Previously, for 2013, Serbia had reported 1.2km² of confirmed mined area and 2km² 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, 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.⁴

However, following a change of director in the final quarter of 2015, the decision was taken to prioritise clearance over survey.⁵ As at September 2016, it was unclear whether this represented SMAC's official land release methodology.

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.⁶ Contamination also exists within Kosovo (see separate report).

Bujanovac is one of Serbia's least-developed municipalities economically.⁷ The affected areas are mainly mountainous, but are close to population centres.⁸ Mined areas are said to impede access to local roads, grazing land for cattle, tobacco growing, and mushroom picking, and to pose a risk of fire. In addition, potential construction projects for solar energy plants, tobacco processing facilities, the wood industry, and other infrastructure are affected by mined areas.⁹

PROGRAMME MANAGEMENT

According to the Decree on Protection against Unexploded Ordnance ("Official Gazette of RS", No. 70/13), the Sector for Emergency Management, under the Ministry of Interior, acts as the national mine action authority (NMAA). The NMAA is responsible for developing standard operating procedures; accrediting demining operators; and supervising the work of SMAC.¹⁰ 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 SHAs. It also has a mandate to plan demining projects, conduct quality control (QC) and monitor operations, ensure implementation of international standards, license demining organisations, and conduct risk education.¹¹ A new director of SMAC, Jovica Simonović, was appointed by the Serbian government in the autumn of 2015.¹²

Standards

According to SMAC, survey and clearance operations in Serbia are conducted in accordance with the International Mine Action Standards (IMAS).¹³ National mine action standards (NMAS) were said to be in the final phase of development as at September 2015.¹⁴ In February 2016, however, SMAC's new director reported that the NMAS were still under development, and due to more pressing priorities within SMAC, would not be finalised until 2017.¹⁵

As at September 2015, SMAC and Norwegian People's Aid (NPA) were jointly developing standing operating procedures (SOPs) for land release of, respectively, mined areas and cluster munition remnant (CMR)-contaminated areas.¹⁶ In 2016, though, the new director halted the work.¹⁷

Under new management, SMAC has also reassessed its land release methodology, seeking to prioritise clearance over survey.¹⁸ This does not correspond to international best practice, and is a potentially huge waste of limited clearance assets, which should be used only to clear areas where contamination is confirmed. The new director reported to Mine Action Review that while SMAC supports use of high-quality non-technical survey (NTS) to identify areas that contain mines, it will then fully clear these areas, rather than using technical survey to more accurately identify the boundaries of hazardous areas.¹⁹

4 Email from Branislav Jovanovic, SMAC, 23 March 2015; APMBC Article 7 Report (for 2014), Form C; and Statement of Serbia, APMBC 14th Meeting of States Parties, Geneva, 1 December 2015.

5 Interview with Jovica Simonović, SMAC, in Geneva, 18 February 2016.

6 Article 5 deadline Extension Request, March 2013, p. 5; and Article 7 Report (for 2014), Form C.

7 "Republic of Serbia Updated Detailed Work Plan for the Remaining Period Covered by the Extension", submitted to the ISU, 3 March 2016, and provided to Mine Action Review by the ISU upon request.

8 Article 5 deadline Extension Request, March 2013, p. 23.

9 Emails from Branislav Jovanovic, SMAC, 23 March 2015 and Miroslav Pisarevic, NPA, 5 May 2015; and "Republic of Serbia Updated Detailed Work Plan for the Remaining Period Covered by the Extension", submitted to the ISU, 3 March 2016, and provided to Mine Action Review by the ISU upon request.

10 Emails from Darvin Lisica, NPA Regional Programme Manager, 6 May and 12 June 2016.

11 "Law of Alterations and Supplementations of the Law of Ministries", Official Gazette, 84/04, August 2004; interview with Petar Mihajlović, and Slađana Košutić, SMAC, Belgrade, 26 April 2010; and SMAC, "About us", accessed 3 June 2016, at: <http://www.czrs.gov.rs/eng/o-nama.php>.

12 Interview with Jovica Simonović, SMAC, in Geneva, 18 February 2016.

13 SMAC, "About us", accessed 12 September 2016, at: <http://www.czrs.gov.rs/eng/o-nama.php>.

14 Interview with Branislav Jovanovic, SMAC, in Dubrovnik, 10 September 2015.

15 Interview with Jovica Simonović, SMAC, in Geneva, 18 February 2016.

16 Interview with Branislav Jovanovic, SMAC, in Dubrovnik, 10 September 2015.

17 Interview with Jovica Simonović, SMAC, in Geneva, 18 February 2016.

18 Ibid.

19 Ibid.

Operators

SMAC does not itself carry out clearance or employ deminers but does carry out survey of areas suspected to contain mines, CMR, or other explosive remnants of war (ERW). Clearance is conducted by commercial companies and non-governmental organisations (NGOs), which are selected through public tender executed by ITF Enhancing Human Security.²⁰ NPA personnel seconded to SMAC previously conducted all surveys in Serbia.²¹

NPA conducted NTS of mined areas in 2015, but not technical survey or mine clearance.²² During technical survey operations from March to September 2015, NPA employed 19 deminers. During the remainder of the year, NPA's NTS capacity comprised of either one NPA team leader (seconded to SMAC) or one NPA team leader and one surveyor from NPA's Bosnia and Herzegovina mine action programme, depending on SMAC's monthly plans.²³

The Mine Detection Dog Centre (MDDC) in Sarajevo deployed 26 operational staff in Serbia in 2015, comprised two demining teams (each with eight deminers, one team leader, and one medic), four MDD teams, one operational officer, and one internal quality control officer.²⁴

Quality Management

SMAC and its partner organisations undertake quality assurance (QA) and QC of clearance operations in mine- and ERW-affected areas.²⁵ On every clearance project, SMAC QC and QA officers are said to sample between 5% and 11% of the total project area, depending on project complexity and size.²⁶

Information Management

SMAC does not use the Information Management System for Mine Action (IMSMA) at present, but has been discussing the system's future installation with the Geneva International Centre for Humanitarian Demining (GICHD).²⁷

LAND RELEASE

Survey and Clearance in 2015

Serbia reported that, in 2015, a project entitled "Integrated approach to the mine risk land release in the territory of the Municipality of Bujanovac" was undertaken, involving survey, manual clearance, and mine detection dogs (MDDs), across a total area of just over 1.17km². Of this, 413,915m² was manually cleared in conjunction with MDDs, destroying 14 anti-personnel mines and 1 item of UXO during operations. The remaining 765,085m² was released on the basis that it did not contain mines.²⁸

This represents an increase in output compared to 2014, when 0.27km² was released by clearance and 0.5km² cancelled by non-technical survey.²⁹ SMAC expected to release a larger area in 2015 due to the deployment of more clearance personnel and mechanical assets than in previous years. This increased capacity was a result of Serbia allocating national funds for mine clearance, with matching funds from international donors.³⁰

The 2015 project in Bujanovac represented the first time that an integrated land release approach using MDDs and other assets to cancel suspected areas not found to be contaminated had been applied in Serbia, and SMAC intended to monitor the results.³¹

As at October 2016, Serbia had yet to submit an APMBC Article 7 transparency report for 2015.

Progress in 2016

Serbia announced in May 2016 that the tender process for implementation of 2016 mine clearance projects in Konculj, Ravno Vucje, Turisko Brdo, and Tustica, was due to be concluded in the near future.³² As at September 2016, though, the status of the tender process and of any 2016 clearance operations was unknown.

20 Interview with Petar Mihajlović and Slaćana Košutić, SMAC, Belgrade, 26 April 2010.

21 Emails from Vanja Sikirica, Programme Manager, NPA, Belgrade, 13 March and 29 April 2014.

22 Email from Darvin Lisica, NPA, 20 October 2016.

23 Emails from Darvin Lisica, NPA, 13 April and 6 May 2016.

24 Email from Nermin Hadžimujagić, Director, MDDC, 12 October 2016.

25 Email from Branislav Jovanovic, SMAC, 4 May 2015.

26 Ibid.

27 Ibid.

28 Statement of Serbia, APMBC 14th Meeting of States Parties, Geneva, 1 December 2015.

29 Email from Branislav Jovanovic, SMAC, 23 March 2015.

30 APMBC Article 7 Report (for 2014), Form F.

31 Statement of Serbia, APMBC Intersessional Meetings (Committee on Article 5 Implementation), Geneva, 19 May 2016.

32 Ibid.

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. It is not clear whether Serbia is on track to meet this deadline.

As late as May 2012, Serbia had hoped to meet its original Article 5 deadline,³³ 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”.³⁴

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 its extension request estimate of remaining contamination or plans for the extension period.

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

Table 2: Mine clearance in 2011–15

Year	Area cleared (km ²)
2015	0.41
2014	0.27
2013	0
2012	0.16
2011	0
Total	0.84

Serbia is falling behind the clearance plan it set out in its 2013 Article 5 deadline extension request, which envisaged clearance of just under 0.49km² in 2013; just over 0.57km² in 2014; and just over 4.1km² in 2015.³⁵ In its original extension request Serbia also predicted it would complete survey by the end of 2015, which it did not achieve. In 2015, Serbia reported that it had adjusted its extension request plan and predicted that of the remaining 2.85km² of mined area, some 1.2km² would be surveyed in 2015 and the remaining 1.65km² in 2016. Of this, Serbia expected to clear a total of 1.6km² by 2018: 0.4km² in 2015, 0.6km² in 2016, and 0.6km² in 2017.³⁶

In March 2016, Serbia submitted an updated workplan to the APMBC Implementation Support Unit. It now plans to address 0.8km² in 2016; 0.6km² in 2017; and 0.52km² in 2018; and to carry out “additional check-up and verification” in 2019.³⁷ Serbia also cautioned, though, that implementation of clearance projects might be affected by funding, but that if additional funds were provided, the work could be completed more quickly.³⁸

SMAC is funded by Serbia, and in 2015 the government, for the first time, allocated national funding of €100,000 for mine clearance operations.³⁹ The US Department of State’s Office of Weapons Removal and Abatement matched this national funding through ITF Enhancing Human Security.⁴⁰ In 2016, Serbia again allocated €100,000 for demining operations, and, as at May 2016, was still awaiting confirmation of funding from international donors.⁴¹

Serbia has stated that despite difficulties and austerity measures it remains strongly committed to making Serbia mine-free, by 2019 at the latest.⁴² Thanks to increased funding and capacity and more efficient land release methodology, land release increased in 2015. However, if SMAC does revert back to less efficient practices where clearance is prioritised over survey, this is likely to delay fulfilment of its Article 5 obligations.

33 Statement of Serbia, APMBC Intersessional Meetings (Standing Committee on Mine Action), Geneva, 23 May 2012.

34 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 2013.

35 Article 5 deadline Extension Request, March 2013, p. 26.

36 APMBC Article 7 Report (for 2014), Form F.

37 Preliminary observations of the APMBC 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 ISU, 3 March 2016, and provided to Mine Action Review by the ISU upon request.

38 Preliminary observations of the APMBC Committee on Article 5 Implementation, Intersessional Meetings, Geneva, 19–20 May 2016.

39 Statements of Serbia, APMBC 14th Meeting of States Parties, Geneva, 1 December 2015; APMBC Intersessional Meetings, Geneva, 19 May 2016; and “Republic of Serbia Updated Detailed Work Plan for the Remaining Period Covered by the Extension”, submitted to the ISU, 3 March 2016, and provided to Mine Action Review by the ISU upon request.

40 Ibid.

41 Statement of Serbia, APMBC Intersessional Meetings (Committee on Article 5 Implementation), Geneva, 19 May 2016.

42 Statements of Serbia, APMBC 14th Meeting of States Parties, Geneva, 1 December 2015; and APMBC Intersessional Meetings (Committee on Article 5 Implementation), Geneva, 19 May 2016.