

RECOMMENDATIONS FOR ACTION

- The Democratic Republic of Congo (DRC) should ratify the Convention on Cluster Munitions (CCM) as a matter of priority.
- DRC should comply with its obligations under international human rights law to clear cluster munition remnants (CMR) on territory under its jurisdiction or control as soon as possible.
- The Congolese Mine Action Coordination Centre (CCLAM) should report progress of CMR survey and clearance at least annually.
- The DRC should submit a detailed work plan, including a timeline for survey and/or clearance of all remaining CMR contamination and prompt, regular, and comprehensive reports on the progress of survey and clearance.
- CCLAM should specify what arrangements it is making for the long-delayed survey of Aru and Dungu territories.
- The DRC should detail its plans for sustainable national capacity to tackle residual contamination post-completion.

UNDERSTANDING OF CMR CONTAMINATION

The DRC has a small amount of contamination by CMR but has not produced an estimate of contamination since the end of 2018 and the precise extent remaining is not known. CCLAM reported that DRC's end-2018 contamination included six confirmed hazardous areas (CHAs) areas in four provinces and covering a total of 81,484m² (see Table 1).¹ Mine Action Review believes at least three of these areas have already been cleared, but has received no further information from CCLAM in this regard.

The first estimate of CMR contamination came from a national survey that CCLAM said was carried out in tandem with a survey of anti-personnel mine contamination in 2013–14. It identified five CHAs covering 17,590m² containing CMR, all of which have since been cleared. The survey did not, however, cover Aru, a territory in Ituri province, and Dungu, a territory in Haut Uele province, where insecurity prevented access by survey teams. The DRC's most recent National Mine Action

Strategy 2018–19, prepared with support from the Geneva International Centre for Humanitarian Demining (GICHD) and finalised in November 2017, said that in addition to mines and explosive remnants of war (ERW), "some areas contaminated by submunitions have also been reported but the areas affected remain negligible".²

Table 1: Cluster munition-contaminated area by province (at end 2018)³

Province	Territory	CHAs	Area (m ²)
Ituri	Aru	3	40,750
South Kivu	Shabunda	1	719
Tanganyika	Kalemie	1	37,000
Tshopo	Bangelema	1	3,015
Totals		6	81,484

OTHER EXPLOSIVE REMNANTS OF WAR AND LANDMINES

DRC is also contaminated by other unexploded ordnance (UXO) and anti-personnel mines (see Mine Action Review's *Clearing the Mines* report on DRC for more information).

NATIONAL OWNERSHIP AND PROGRAMME MANAGEMENT

The mine action sector is overseen by the Commission Nationale de Lutte Antimines (CNLAM), a multi-sectoral body which is supposed to meet twice a year and is composed of deputies from both parliamentary chambers, officials from four ministries, and representatives of five civil society organisations linked to mine action.⁴

CCLAM, which was established in 2012, manages the sector with support from the United Nations Mine Action Coordination Centre (UNMACC) and the UN Mine Action Service (UNMAS).⁵ CCLAM is responsible for setting strategy, accrediting operators, information management, budgeting, and resource mobilisation. Law 11/007 of 9 July 2011

underpins the national mine action programme.⁶ CCLAM took over from UNMAS as the national focal point for demining in early 2016 overseeing accreditation, issuing task orders, conducting quality assurance (QA)/quality control (QC) and managing the national database but lack of capacity remained a concern for operators.⁷ The government provided US\$530,000 in funding for CCLAM's operating expenses in 2018, but has not provided funding for operations.⁸

UNMACC, established in 2002 by UNMAS, previously coordinated mine action through offices in the capital, Kinshasa, and in Goma, Kalemie, Kananga, Kisangani,

and Mbandaka. UNMACC was part of the UN Stabilization Mission in the DR Congo (MONUSCO). In 2014, in accordance with Security Council Resolution 2147 (2014), humanitarian mine action was removed from MONUSCO's mandate.⁹

UNMAS continued to support CCLAM working in 2020 with 24 staff, including 13 internationals and 11 national staff. In 2021, UNMAS added three more international and three national staff and as of June 2021 was recruiting three more posts.¹⁰ UNMAS support focused on planning and implementing CCLAM's 2018–19 mine action strategy and, until 2020, building CCLAM's capacity on information management.¹¹

GENDER AND DIVERSITY

The national mine action strategy for 2018–19 stipulated that all mine action activities, particularly those related to risk education and victim assistance, must reflect the different needs of individuals according to age and gender, in a non-discriminatory manner. It also stated that the principles of non-discrimination against women as set out in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and UN Security Council Resolution 1325 (2000) are to be respected, ensuring that women are involved in all essential stages of mine action (planning, implementation, monitoring, and evaluation), and that activities consider the special needs of women and girls.¹²

CCLAM reported in 2019 that approximately 30% of operational staff in survey and clearance teams were female

and only around 7% of managerial or supervisory positions were held by women, but that local customs about the employment roles appropriate for women were an obstacle to hiring female staff. CCLAM reported that mine action survey teams are gender balanced and that efforts are undertaken to ensure that all community groups, including women and children, are consulted. It also noted, however, the need to continue raising awareness on gender equality in certain communities as local customs can discriminate against women undertaking certain categories of work.¹³

At the end of 2020, UNMAS employed seven women among its staff of twenty-four, five of them international staff, including the programme manager, and two national staff working in administration and human resources.¹⁴

INFORMATION MANAGEMENT AND REPORTING

CCLAM took over responsibility for information management from UNMAS in 2016 but has lacked the capacity and resources to manage data and operate effectively the national Information Management System for Mine Action (IMSMA) database. The 2018–19 national strategy acknowledged a need to build staff capacity, improve data collection, update the database on a regular basis, and provide data disaggregated by age and gender.¹⁵ Continuing issues in 2019 included gaps in data; lack of maintenance; reporting on land release that did not comply with international terminology; misreporting items of unexploded ordnance (UXO) as mines; and a lack of verification of incoming reports.¹⁶

Until 2020, CCLAM information management received support from UNMAS, which assisted monthly updates of data to improve operational coordination, collaborated on developing an information management work plan, and provided a range of computer and digital hardware.¹⁷ Norwegian People's Aid (NPA) also previously provided refresher training for CCLAM staff in use of IMSMA and the associated Geographic Information System (GIS).¹⁸ In 2020, CCLAM did not request IM support from UNMAS and a request it submitted to GICHD reportedly was not satisfied due to GICHD's lack of capacity and the onset of the COVID-19 pandemic.¹⁹

PLANNING AND TASKING

The National Mine Action Strategy 2018–19, prepared with support from UNMAS and the GICHD, focused on seeking to fulfil the DRC's Anti-Personnel Mine Ban Convention's Article 5 obligations by 2020, one year ahead of its extended 2021 deadline.²⁰ The strategy also set out the objective of completing procedures for ratifying the Convention on Cluster Munitions by the end of 2018.²¹ CCLAM has not reported any action to implement this plan.

The strategy identified three strategic pillars: effective and efficient management of the explosive threat; ensuring the national programme had the capacity to manage residual contamination in a sustainable manner; and that the legal framework of the mine action programme was strengthened

through the adoption of national laws and other implementing measures and adherence to relevant treaties.²² None of these goals was met.

Tasking continues to be challenged by the remote location of many hazardous areas and database weaknesses, including misidentification of ERW as mine contamination and the addition of hazards to the database without robust evidence of the presence of explosive ordnance. Before closing its DRC programme in March 2020, NPA had adopted a province-by-province approach as a more efficient way to deal with the logistical challenges and costs of tackling tasks separated by big distances.²³

LAND RELEASE SYSTEM

STANDARDS AND LAND RELEASE EFFICIENCY

The DRC has 24 national standards developed with support from the GICHD²⁴ and the national strategy for 2018–19 called for revision of the standards and awareness raising of their content through training.²⁵ CCLAM reported in June 2019 it had revised the National Technical Standards and Guidelines (NTSGs) during 2018, amending mainly the standards relating to demining techniques and safety of deminers.²⁶

OPERATORS AND OPERATIONAL TOOLS

DanChurchAid (DCA) and TDI were the only international organisations active in survey and clearance for the whole of 2020. NPA had three teams conducting non-technical survey, manual mine clearance, and explosive ordnance disposal (EOD) spot tasks in 2019²⁷ but it ceased operations in February 2020 and closed the programme at the end of March 2020.²⁸

TDI continued operating under contract to UNMAS in 2020, working with three multi-task teams (MTT) from January to June, then reduced to one MTT from July to November. It conducted survey and battle area clearance in Kalemie district of Tanganyika Province. It also conducted EOD as civilian protection tasks or to support the UN peacekeeping operation, MONUSCO, in Ituri, North Kivu, South Kivu and Tanganyika provinces.²⁹

UNMAS also contracted the national NGO, Afrique pour la Lutte Antimines (AFRILAM), to conduct EOD in Haut Katanga, Ituri, North Kivu, South Kivu, and Tanganyika. In 2020, it operated with two MTTs and in 2021 was scheduled to add a third, with the three teams providing the only EOD capacity under contract to UNMAS.³⁰

LAND RELEASE OUTPUTS AND PROGRESS TOWARDS COMPLETION

LAND RELEASE OUTPUTS IN 2020

The DRC did not report on the progress of CMR survey and clearance in 2020 or in 2019.

In 2019, TDI, through the two MTTs contracted by UNMAS, released a total of 174,315m² of battle area, including an unspecified amount of cluster munition-contaminated area. Of this total 107,194m² was released by clearance.³¹

SURVEY IN 2020

UNMAS reported that TDI conducted two surveys in Kalemie, Tanganyika province, in 2020 but that these did not result in release of any land.³²

CLEARANCE IN 2020

TDI conducted battle area clearance (BAC) on 57,425m² in Tanganyika province, starting in August 2019 and ending in February 2020 when TDI demobilised its teams. Over the roughly six months of operations TDI destroyed 80 submunitions.³³

PROGRESS TOWARDS COMPLETION

The lack of reporting by DRC on any aspect of CMR survey or clearance prevents a determination of progress towards completion.

As a CCM signatory, DRC had set a target of ratifying the convention by the end of 2018 but has left that target unfulfilled and has provided no clarity on its plans for survey or clearance of CMR nor a timeline for completion.

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- 1 Email from Maître Sudi Alimasi Kimputu, Coordinator, CCLAM, 3 June 2019.
- 2 "Stratégie Nationale de Lutte Antimines en République Démocratique du Congo 2018–2019", CCLAM, November 2017, p. 8.
- 3 Ibid.
- 4 Ibid., p. 11.
- 5 Ibid.
- 6 Email from Maître Sudi Alimasi Kimputu, CCLAM, 3 June 2019.
- 7 Emails from Jean-Denis Larsen, NPA, 5 March 2018; Bill Marsden, MAG, 11 May 2018; and Guillaume Zerr, Humanity and Inclusion, 24 May 2018.
- 8 Email from Maître Sudi Alimasi Kimputu, CCLAM, 3 June 2019.
- 9 UN Security Council Resolution 2147, 28 March 2014.
- 10 Email from Aurelie Fabry, Programme Officer, UNMAS, 28 April 2021.
- 11 Emails from Aurelie Fabry, UNMAS, 13 April 2020 and 28 April 2021.
- 12 "Stratégie Nationale de Lutte Antimines 2018–2019", November 2017, pp. 15–16.
- 13 Email from Maître Sudi Alimasi Kimputu, CCLAM, 3 June 2019.
- 14 Email from Aurelie Fabry, UNMAS, 28 April 2021.
- 15 "Stratégie Nationale de Lutte Antimines 2018–2019", November 2017, p. 14.
- 16 Skype interview with Jean-Denis Larsen, NPA, 24 April 2019; and email, 24 May 2019.
- 17 Email from Aurelie Fabry, UNMAS, 13 April 2020.
- 18 Email from Jean-Denis Larsen, NPA, 24 May 2019.
- 19 Emails from Aurelie Fabry, UNMAS, 28 April and 7 June 2021.
- 20 "Stratégie Nationale de Lutte Antimines 2018–2019", November 2017, p. 4.
- 21 Ibid., p. 23.
- 22 Ibid., p. 5.
- 23 Skype interviews with Jean-Denis Larsen, NPA, 24 April 2019 and 16 May 2020; and email, 24 May 2019.
- 24 Statement of DRC, APMBIC Intersessional Meetings, 2 July 2020.
- 25 "Stratégie Nationale de Lutte Antimines 2018–2019", November 2017, p. 34.
- 26 Skype interview with Jean-Denis Larsen, NPA, 24 April 2019; and email, 24 May 2019.
- 27 Ibid.
- 28 Skype interview with Jean-Denis Larsen, NPA, 16 April 2020.
- 29 Email from Aurelie Fabry, UNMAS, 28 April 2021.
- 30 Ibid.
- 31 Email from Aurelie Fabry, UNMAS, 20 August 2020.
- 32 Email from Aurelie Fabry, UNMAS, 28 April 2021.
- 33 Ibid.