

### RECOMMENDATIONS FOR ACTION

- Serbia should accede to the Convention on Cluster Munitions (CCM) as a matter of priority.
- Serbia 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.
- Serbia should consider using its armed forces to conduct clearance of CMR as they are already clearing other unexploded ordnance (UXO).
- The Serbian Mine Action Centre (SMAC) should conduct non-technical and technical survey, rather than full clearance, in instances where survey represents the most efficient means to release part or all of areas suspected or confirmed to contain CMR.

### UNDERSTANDING OF AP MINE CONTAMINATION

At the end of 2019, Serbia had 10 areas confirmed to contain CMR covering almost 1km<sup>2</sup>, while a further three areas over almost 1.4km<sup>2</sup> were suspected to contain CMR (see Table 1).<sup>1</sup> This was a decrease of 0.12km<sup>2</sup> of total CMR-contaminated area at the end of 2018,<sup>2</sup> following clearance operations in the municipality of Niš. Some CMR contamination in Raška and Sjenica municipalities recorded as SHA in 2018, was recorded instead as CHA in 2019, following confirmation of CMR.<sup>3</sup>

Table 1: Cluster munition-contaminated area by municipality (at end 2019)<sup>4</sup>

Municipality	Village	CHAs	Area (m <sup>2</sup> )	SHAs	Area (m <sup>2</sup> )
Bujanovac	Borovac	2	210,881	1	281,169
Raška	Lisina	1	190,359	0	0
Sjenica	Čedovo	4	163,924	0	0
Sjenica	Vapa	3	432,912	0	0
Tutin	Istočni Mojstir	0	0	1	514,682
Užice	Bioska	0	0	1	585,268
<b>Totals</b>		<b>10</b>	<b>998,076</b>	<b>3</b>	<b>1,381,119</b>

CHAs = confirmed hazardous areas SHAs = suspected hazardous areas

CMR resulted from North Atlantic Treaty Organization (NATO) air strikes in 1999. According to Serbia, cluster munitions struck 16 municipalities: Brus, Bujanovac, Čačak, Gadžin Han, Knić, Kraljevo, Kuršumljija, Niš City-Municipality of Crveni Krst Niš City-Municipality of Medijana, Preševo, Raška, Sjenica, Sopot, Stara Pazova, Tutin, and Vladimirci.<sup>5</sup>

### OTHER EXPLOSIVE REMNANTS OF WAR AND LANDMINES

Serbia is also contaminated by other UXO, including aircraft bombs, both on land and in its internal waterways, and by anti-personnel mines<sup>6</sup> (see Mine Action Review's *Clearing the Mines 2020* report on Serbia for further information).

## NATIONAL OWNERSHIP AND 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).<sup>7</sup> The NMAA is responsible for developing standard operating procedures (SOPs); accrediting demining operators; and supervising the work of SMAC.<sup>8</sup>

SMAC was established on 7 March 2002, with a 2004 law making it responsible for coordinating survey and clearance; 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, and conduct risk education.<sup>9</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, SMAC was responsible for doing so.<sup>10</sup>

A new director of SMAC was appointed by the Serbian government in July 2019.<sup>11</sup> There are seven people employed at SMAC: five SMAC employees, plus an Assistant Director for Legal Affairs and Operational Support and an Assistant Director for Economic Affairs, International Cooperation and European Integration.<sup>12</sup>

SMAC is fully funded by Serbia, including for survey activities, development of project tasks for clearance of contaminated areas, follow-up on implementation of project tasks, and quality assurance (QA) and QC of demining. Around €160,000 per year is allocated to the work of SMAC from the national state budget.<sup>13</sup> In addition, the UXO disposal work of the Sector for Emergency Situations of the Ministry of Interior is also state funded.<sup>14</sup> Furthermore, in 2019, Serbia also contributed national funding towards the establishment of an explosive ordnance disposal (EOD) training centre.<sup>15</sup>

Since 2015, Serbia has also been allocating national funds for survey and clearance, with roughly €100,000 allocated per year.<sup>16</sup> In 2018, the Serbian Government allocated double the amount of national funds previously dedicated to demining operations to €200,000 (which were matched with United States and South Korean funding and tendered through ITF Enhancing Human Security (ITF)). Serbia continues to seek additional international funding.<sup>17</sup> At the request of the national authorities, national funding was increased to €350,000 for survey and clearance operations in 2019.<sup>18</sup> The same amount had been allocated by the Serbian government for demining operations in 2020,<sup>19</sup> but this was subsequently reduced by 20% due to the COVID-19 crisis and efforts by the Serbian government to tackle it. Serbia will try to match national funds with donor funds through the ITF.<sup>20</sup> However, for the time being, and due to funding restraints, SMAC will continue to prioritise its national funding to mine survey and clearance, rather than CMR, to contribute towards meeting its obligations under Article 5 of the Anti-Personnel Mine Ban Convention (APMBC).<sup>21</sup>

SMAC also provides expertise in risk education and in training in survey and clearance, pursuant to Article 30 of the Law on Ministries, and in late 2019, the Serbian government approved funds for the establishment of a Training Centre within SMAC. In cooperation with representatives of the Ministry of Education – Institute for the Advancement of Education, SMAC has developed a training programme for educators (instructors) for mine and ERW education, which will be officially verified. Together with experts from the Ministry of Interior, SMAC plans to provide different training modules, including on ERW recognition, international mine action standards, and medical aspects.<sup>22</sup>

## GENDER AND DIVERSITY

SMAC does not have a gender policy in place and does not disaggregate relevant mine action data by sex and age. However, it does ensure women and children are consulted during survey and community liaison activities, and SMAC cooperates closely with the local authorities and other relevant stakeholders in this regard. SMAC also ensures ethnic or minority groups are consulted.<sup>23</sup>

There is said to be equal access to employment for qualified women and men in survey and clearance operations, but country/operator-wide, only 15% of those employed in survey and clearance teams in Serbia are women.<sup>24</sup>

At SMAC, 70% of employees are women, of which 65% of managerial/supervisory level positions are held by women.<sup>25</sup>

## INFORMATION MANAGEMENT AND REPORTING

SMAC uses its own information management system. Following on from initial discussions several years ago, in early 2020, SMAC informally discussed the possibility of the installation of the Information Management System for Mine Action (IMSMA) with the Geneva International Centre for Humanitarian Demining (GICHD) and planned to intensify discussions in the forthcoming period.<sup>26</sup>

## PLANNING AND TASKING

The Government of Serbia adopts SMAC's annual work plan.<sup>27</sup> The 2020 work plan includes plans to address both anti-personnel mines and CMR.<sup>28</sup>

Serbia prioritises the release 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 fear of landmines.<sup>29</sup> 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.<sup>30</sup>

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## LAND RELEASE SYSTEM

### STANDARDS AND LAND RELEASE EFFICIENCY

According to SMAC, survey and clearance operations in Serbia are conducted in accordance with International Mine Action Standards (IMAS).<sup>31</sup>

National mine action standards (NMAS) were said to be in the final phase of development as at September 2015.<sup>32</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 survey and clearance in Serbia.<sup>33</sup> However, this process has been hindered due to lack of capacity,<sup>34</sup> and as at April 2020, the development of the NMAS was still only "in progress".<sup>35</sup>

Under new directorship in late 2015, SMAC reassessed its land release methodology to prioritise full clearance

over technical survey of hazardous areas.<sup>36</sup> This does not correspond to international best practice and is an inefficient use of scarce clearance assets. In February 2016, a new director of SMAC reported to Mine Action Review that while SMAC supports the use of high-quality non-technical survey to identify areas suspected of containing CMR, it will fully clear these areas, rather than using technical survey to more accurately identify the boundaries of contamination.<sup>37</sup>

As at April 2020, SMAC's position on its preferred land release methodology remained the same under the current Director, though there is an acknowledged willingness 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.<sup>38</sup>

### OPERATORS AND OPERATIONAL TOOLS

SMAC does not itself carry out clearance or employ deminers but does conduct 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 procedures executed by ITF, supported by international funding.<sup>39</sup>

The Ministry of Interior issues accreditation to mine action operators that is valid for one year. In 2019, 23 companies/organisations were accredited for demining, but only one, the NGO Stop Mines (Pale, Bosnia and Herzegovina), conducted clearance of CMR-contaminated area. Stop Mines deployed two clearance teams totalling 15 deminers.<sup>40</sup>

An EOD department within the Sector for Emergency Management, in the Ministry of Interior, responds to call-outs for individual items of ERW, and is also responsible for demolition of items found by SMAC survey teams.<sup>41</sup>

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## LAND RELEASE OUTPUTS AND PROGRESS TOWARDS COMPLETION

### LAND RELEASE OUTPUTS IN 2019

A total of nearly 0.12km<sup>2</sup> of CMR-contaminated area was released in 2019, all through clearance.<sup>42</sup>

### SURVEY IN 2019

No CMR-contaminated area was released by survey in 2019<sup>43</sup> or in 2018.<sup>44</sup>

### CLEARANCE IN 2019

A total of 119,334m<sup>2</sup> of CMR-contaminated area was cleared in 2019, in the village of Crveni Krst in the municipality of Niš, during which four submunitions were destroyed. Clearance was conducted by the Bosnian-registered NGO, Stop Mines.<sup>45</sup> Clearance output in 2019 was an increase on 2018, when no CMR clearance was conducted in Serbia.<sup>46</sup>

SMAC did not have available data on the number or type of individual items of ERW destroyed by the EOD department within the Sector for Emergency Management during spot tasks in 2019.<sup>47</sup>

## PROGRESS TOWARDS COMPLETION

Less than 1km<sup>2</sup> in total has been cleared in the last five years (see Table 2), which is ascribed to a lack of funding.

In its last APMBC Article 5 deadline extension request, dated 31 March 2018, Serbia had included a work plan for completion of all ERW clearance by 2023, at a predicted total cost of €20 million. CMR were not disaggregated from other ERW.<sup>48</sup> Progress in CMR clearance is said to be contingent on funding. Serbia predicts that if adequate funds for implementation of survey and clearance projects were secured, CMR clearance could be finished in two or three years.<sup>49</sup>

SMAC had developed four clearance projects for 2019, totalling release of 742,615m<sup>2</sup>, which were submitted to ITF for the selection of a contractor through its tender procedures.<sup>50</sup> However, only the project in Niš (119,344m<sup>2</sup>), was actually funded and implemented in 2019.

SMAC did, however, envisage an increase in CMR land release in 2020, with two clearance projects approved in Sjenica Municipality (94,496m<sup>2</sup>) and in Raška Municipality (190,359m<sup>2</sup>),

funded by the United States and South Korea through ITF. SMAC confirmed in August 2020 that both clearance projects had been completed.<sup>51</sup> In addition, SMAC expected ITF to launch tender procedures for four additional projects funded by the United States: three clearance projects in Sjenica municipality (totalling 502,340m<sup>2</sup>) and a technical survey project in Tutin municipality (515,000m<sup>2</sup>).<sup>52</sup>

**Table 2: Five-year summary of CMR clearance**

Year	Area cleared (km <sup>2</sup> )
2019	0.12
2018	0.00
2017	0.18
2016	0.25
2015	0.18
<b>Total</b>	<b>0.73</b>

## PLANNING FOR RESIDUAL RISK AFTER COMPLETION

SMAC envisages that it will most likely need both national and international capacity to deal with any residual contamination, discovered following completion.<sup>53</sup> Serbia is already dealing with residual ERW contamination and investing significant funds for ERW clearance, which is expected to be ongoing.<sup>54</sup>

- 1 Email from Slađana Košutić, Senior Advisor for Planning, International Cooperation and European Integrations, SMAC, 23 April 2020.
- 2 Emails from Slađana Košutić, SMAC, 12 April, 5 July 2018, and 6 March 2019; and Second APMBC Article 5 deadline Extension Request (2018), pp. 10 and 24.
- 3 Email from Slađana Košutić, SMAC, 8 September 2020.
- 4 Email from Slađana Košutić, SMAC, 23 April 2020.
- 5 SMAC, "Mine Situation", accessed 12 March 2020, at: [bit.ly/1Nom1V7](http://bit.ly/1Nom1V7).
- 6 Second Anti-Personnel Mine Ban Convention (APMBC) Article 5 deadline Extension Request (2018), P. 10.
- 7 Official Gazette of the Republic of Serbia, No. 70/13.
- 8 Emails from Darvin Lisica, (then) Regional Programme Manager, Norwegian People's Aid (NPA), 6 May and 12 June 2016.
- 9 "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 2018 Article 5 deadline Extension Request, p. 17.
- 10 2018 Article 5 deadline Extension Request, p. 17.
- 11 Email from Slađana Košutić, SMAC, 23 April 2020.
- 12 Ibid.
- 13 APMBC Article 7 Report (covering 2019), Section 4; and email from Slađana Košutić, SMAC, 23 April 2020.
- 14 SMAC, "Mine situation", accessed 8 May 2019, at: [bit.ly/1Nom1V7](http://bit.ly/1Nom1V7).
- 15 Interview with Bojan Glamočlija, Director, SMAC, in Geneva, 14 February 2020.
- 16 Email from Slađana Košutić, SMAC, 6 April 2017; interview with Jovica Simonović, SMAC, Belgrade, 16 May 2017; and 2018 Article 5 deadline Extension Request.
- 17 2018 Article 5 deadline Extension Request, p. 9; APMBC Article 7 Report (covering 2018), Form C; and email from Slađana Košutić, SMAC, 26 March 2019.
- 18 APMBC Article 7 Report (covering 2019), Section 4; and Statement on Clearance, Fourth APMBC Review Conference, Oslo, 27 November 2019.
- 19 Interview with Bojan Glamočlija, SMAC, in Geneva, 14 February 2020; and Statement on Clearance, Fourth APMBC Review Conference, Oslo, 27 November 2019.
- 20 Interview with Bojan Glamočlija, SMAC, in Geneva, 14 February 2020; and Statement on Clearance, Fourth APMBC Review Conference, Oslo, 27 November 2019; APMBC Article 7 Report (covering 2019), Section 4; and email from Slađana Košutić, SMAC, 18 June 2020.
- 21 Email from Slađana Košutić, SMAC, 23 April 2020.
- 22 Ibid.
- 23 Ibid.
- 24 Ibid.
- 25 Ibid.
- 26 Ibid.
- 27 2018 Article 5 deadline Extension Request, p. 16; email from Slađana Košutić, SMAC, 26 March 2019; and interview with Bojan Glamočlija, SMAC, in Geneva, 14 February 2020.
- 28 Interview with Bojan Glamočlija, SMAC, in Geneva, 14 February 2020.
- 29 Email from Slađana Košutić, SMAC, 26 March 2019.
- 30 Email from Slađana Košutić, SMAC, 12 April 2018.
- 31 SMAC, "Mine Situation, November 2019", accessed 18 February 2020, at: [bit.ly/1Nom1V7](http://bit.ly/1Nom1V7); and APMBC Article 7 Report (covering 2019), Section 4.
- 32 Interview with Branislav Jovanović, SMAC, in Dubrovnik, 10 September 2015.
- 33 Email from Slađana Košutić, SMAC, 6 April 2017.
- 34 Interview with Jovica Simonović, SMAC, Belgrade, 16 May 2017.
- 35 Email from Slađana Košutić, SMAC, 23 April 2020.
- 36 Interview with Jovica Simonović, SMAC, in Geneva, 18 February 2016.
- 37 Ibid.
- 38 Email from Slađana Košutić, SMAC, 23 April 2020.
- 39 Second APMBC Article 5 deadline Extension Request (2018), p. 18.
- 40 Email from Slađana Košutić, SMAC, 23 April 2020.
- 41 Interview with Jovica Simonović, SMAC, Belgrade, 16 May 2017; and Second APMBC Article 5 deadline Extension Request (2018), p. 18.
- 42 Email from Slađana Košutić, SMAC, 23 April 2020.
- 43 Ibid.
- 44 Email from Slađana Košutić, SMAC, 6 March 2019.
- 45 Email from Slađana Košutić, SMAC, 23 April 2020.
- 46 Email from Slađana Košutić, SMAC, 6 March 2019.
- 47 Email from Slađana Košutić, SMAC, 23 April 2020.
- 48 Second APMBC Article 5 Extension Request (2018), p. 33.
- 49 Email from Slađana Košutić, SMAC, 23 April 2020.
- 50 Email from Slađana Košutić, SMAC, 26 March 2019.
- 51 Email from Slađana Košutić, SMAC, 9 September 2020.
- 52 Email from Slađana Košutić, SMAC, 23 April 2020.
- 53 Email from Slađana Košutić, SMAC, 23 April 2020.
- 54 Email from Slađana Košutić, SMAC, 18 June 2020.