

ARTICLE 5 DEADLINE: 1 JUNE 2021
EXTENSION REQUESTED TO 1 DECEMBER 2023

KEY DATA

ANTI-PERSONNEL (AP)
MINE CONTAMINATION:

MEDIUM, 10KM²
(MINE ACTION REVIEW ESTIMATE)

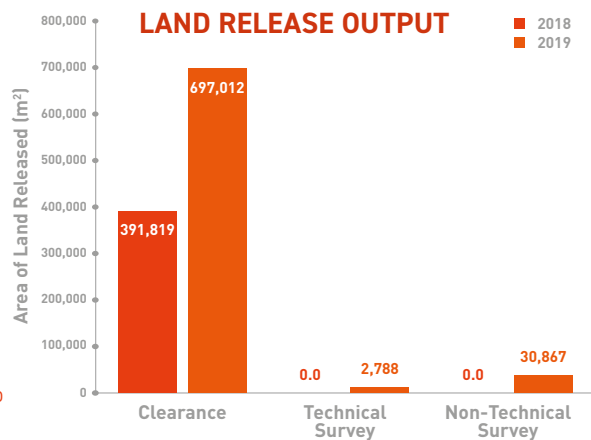
AP MINE
CLEARANCE IN 2019

0.70KM²

AP MINES
DESTROYED IN 2019

12

(INCLUDING & DESTROYED
DURING SPOT TASKS)



CURRENT LIKELIHOOD OF MEETING 2025 CLEARANCE TARGET (as per Oslo Political Plan commitment): **LOW**

KEY DEVELOPMENTS

Despite very considerable international assistance, Ukraine's progress in demining remains extremely disappointing. Long-awaited mine action legislation, which was adopted in 2018, could ultimately not be implemented as it conflicts with the Ukrainian constitution. This has meant that new legislation has had to be drafted but, as at June 2020, this had not yet been adopted. This has further delayed the establishment of the infrastructure needed for an effective mine action programme. Ukraine is not on track to meet its Anti-Personnel Mine Ban Convention (APMBC) Article 5 deadline and has submitted an extension request to 1 December 2023.

RECOMMENDATIONS FOR ACTION

- Ukraine should cease all use of landmines.
- Ukraine should adopt and implement mine action legislation.
- Ukraine should undertake a baseline survey of anti-personnel mine contamination in areas to which it has effective access.
- Ukraine should formally establish a national mine action authority and a functioning national mine action centre to manage clearance of anti-personnel mines.
- Ukraine should elaborate a national strategic plan for mine action.
- Ukraine should systematically collect data on contamination from mines, cluster munition remnants (CMR) and other explosive remnants of war (ERW), as well as progress in survey and clearance, and establish a centralised database for planning purposes.
- Ukraine should consult with mine action stakeholders and elaborate standardised national criteria for the prioritisation of anti-personnel mine clearance.
- Ukraine should elaborate a gender and diversity policy and implementation plan for mine action.
- Ukraine should remove civil liability insurance claim for a period of 10 years after the end of mine action in a specific territory.

ASSESSMENT OF NATIONAL PROGRAMME PERFORMANCE

Criterion	Score (2019)	Score (2018)	Performance Commentary
UNDERSTANDING OF CONTAMINATION (20% of overall score)	3	3	The extent of anti-personnel mine contamination in Ukraine is not known and while some survey is being conducted it is not being systematically reported upon by Ukraine. Reports of new anti-personnel mine use persist.
NATIONAL OWNERSHIP AND PROGRAMME MANAGEMENT (10% of overall score)	4	5	The Ministry of Defence (MoD) continues to have organisational control of operational mine action. It was expected that the adoption of mine action legislation would allow for improved management of mine action. However, it was deemed necessary to amend the law which is planned to be adopted in October 2020.
GENDER AND DIVERSITY (10% of overall score)	2	2	Ukraine does not have a gender policy for mine action and does not report on whether gender is mainstreamed within its programmes. No reference was made to gender or diversity in Ukraine's Article 5 deadline extension request submitted in 2020.
INFORMATION MANAGEMENT AND REPORTING (10% of overall score)	4	4	There are two Information Management System for Mine Action (IMSMA) databases in Ukraine. In 2019, the databases were transitioned to IMSMA Core. Ukraine submitted its Article 5 deadline extension request in June 2020 and as with its latest Article 7 report it continues to report in a manner inconsistent with the International Mine Action Standards (IMAS).
PLANNING AND TASKING (10% of overall score)	3	3	There is no national strategic plan for mine action or standardised criteria for prioritising tasks in Ukraine. In May 2019, Ukraine submitted its annual mine action work plan with a list of planned activities but has not reported on whether these were in fact achieved.
LAND RELEASE SYSTEM (20% of overall score)	5	5	National mine action standards were published in April 2019 but are voluntary until the legislation is passed. External quality management was introduced in 2019 allowing for an official handover of cleared land to take place for the first time.
LAND RELEASE OUTPUTS AND ARTICLE 5 COMPLIANCE (20% of overall score)	5	5	Ukraine is not on track to meet its Article 5 deadline and submitted a request in 2020 to extend its deadline to 1 December 2023, which it will not meet. It is not known how much anti-personnel mined area was cleared in 2019 as Ukraine does not report those figures and the Ukrainian government does not exercise effective control over all mined areas, impeding access for demining. In the area reported as cleared during the year, only 12 anti-personnel mines were found and destroyed.
Average Score	3.9	4.0	Overall Programme Performance: VERY POOR

DEMINING CAPACITY

MANAGEMENT CAPACITY

- No national mine action authority or mine action centre
- Ministry of Defence (MoD)

NATIONAL OPERATORS

- State Emergency Services of Ukraine (SESU)
- Security Service
- State Special Transport Service (SSTS)
- State Border Service
- Demining Team of Ukraine
- Demining Solutions

INTERNATIONAL OPERATORS

- Danish Demining Group (DDG)
- The HALO Trust
- Swiss Foundation for Mine Action (FSD) – Operations suspended in 2019

OTHER ACTORS

- Organization for Security and Co-operation in Europe (OSCE) Project Coordinator in Ukraine (PCU)
- Geneva International Centre for Humanitarian Demining (GICHD)
- Mine Action Sub-cluster chaired by United Nations Development Programme (UNDP)

UNDERSTANDING OF AP MINE CONTAMINATION

The extent of anti-personnel mined area in Ukraine is not known. The heaviest mine and ERW contamination is believed to be inside the 15km buffer zone on either side of the Line of Contact between the warring parties within the Donetsk and Luhansk regions, but access to this area for survey and clearance operations is severely limited.¹

In 2017, Ukraine estimated, highly improbably, that total contamination by mines and ERW could extend over 7,000km².² The Ukrainian Ministry of Defence (MoD) accepted that this is a “rough” estimate.³ In its statement at the May 2019 APMBC Intersessional Meetings, Ukraine estimated, also improbably, that more than 8% of the Donetsk and Luhansk regions have been contaminated by anti-personnel mines.⁴ These estimates were also reported in Ukraine's 2020 Article 5 deadline extension request⁵ and the claim of explosive contamination covering 7,000km² of national territory was repeated in the additional information it submitted in August 2020 in response to comments provided by the Article 5 Committee.⁶

In fact, Ukraine cannot reliably estimate the overall extent of mine contamination until surveys have been completed.⁷ While some survey has taken place in the government-controlled areas ongoing conflict means that survey is not possible in the “grey zone”: the sliver of territory along both sides of the contact line that divides Ukrainian government-controlled land from separatist-run areas. Ukraine has indicated that nationwide non-technical and technical survey will only be possible once its sovereignty has been fully restored over all territory under its jurisdiction.⁸

Ukraine reported in its latest APMBC Article 7 transparency report (covering 2019) that non-technical survey was conducted between 2016 and 2018, with suspected hazardous areas (SHAs) identified in the Bakhmut, Sloviansk, Lyman, and Volnovakha districts of the Donetsk region, and in the Popasna and Stanichno-Luhansk districts of the Luhansk region.⁹ Information was not provided on the number or estimated area of these SHAs and, according to the Geneva International Centre for Humanitarian Demining (GICHD), there is currently no agreed definition for a SHA and confirmed hazardous area (CHA) in Ukraine owing to a lack of implementation of national mine action standards (NMAS).¹⁰

NEW CONTAMINATION

Over the last few years, the Organization for Security and Co-operation in Europe (OSCE)'s Special Monitoring Mission (SMM) in Ukraine has frequently reported on the use of both anti-personnel and anti-vehicle mines.¹⁴ A December 2017 report from the Office of the United Nations High Commissioner for Human Rights (OHCHR), covering 16 August to 15 September 2017, stated that: “The parties to the conflict continued the practice of placement of IEDs [improvised explosive devices] and anti-personnel mines in populated areas and near objects of civilian infrastructure.”¹⁵ In 2018, the OHCHR called on all parties involved in hostilities to “cease the use of victim-activated devices”.¹⁶

At the May 2019 APMBC Intersessional Meetings, Ukraine claimed that it had not used, and is not planning to use, anti-personnel mines since it acceded to the APMBC in June 2006 but accused Russia of having used anti-personnel mines in its territory since 2014. According to Ukraine, these mines have been planted by Russia-backed illegal armed groups

As at April 2020, Danish Demining Group (DDG) was conducting non-technical survey as per tasking by the MoD and The HALO Trust had deployed three non-technical survey teams and three technical survey teams to determine the extent of mine contamination across the government-controlled area (GCA) in eastern Ukraine.¹¹ In 2019, The HALO Trust discovered 5.11km² of previously unrecorded anti-personnel mined area, which was added to the database. According to information collected during the survey, the mines were laid during the peak of the conflict in 2014–15.¹²

Ukraine is contaminated by anti-personnel mines as a result of the ongoing conflict which broke out in 2014. In the first half of 2014, armed violence erupted between Ukrainian government forces and Russian-backed separatists in the Crimean peninsula and in the east of the country in the Luhansk and Donetsk regions (oblasts). Strong evidence indicates that mines were used in the resultant armed conflicts,¹³ including by Ukrainian armed forces, though the full nature and extent of contamination is likely to remain unclear until an effective cessation of hostilities. Prior to the current conflicts, Ukraine was affected by residual contamination of mines and other ordnance, mostly as a result of heavy fighting between German and Soviet forces in the Second World War, but also from combat in the First World War. MoD engineering units partially cleared affected areas in the mid-1970s, suggesting that a problem may remain, but the location and extent of any mine threat is not known.

Ukraine is also contaminated with CMR, the extent of which is not known, and by considerable quantities of other ERW used during the current conflict (see Mine Action Review's *Clearing Cluster Munition Remnants 2020* report on Ukraine for further information).

in the Donetsk and Luhansk regions and Russia has also emplaced mines on the administrative border between Crimea and the rest of Ukraine.¹⁷ Ukraine stated that illegal armed groups had used different types of mines, including those banned by the APMBC and which Ukraine does not possess. The mines which Ukraine alleged have been used by the opposition groups include PMN-1, PMN-2, PMN-4, POM-2R, OZM-72, MES type mines, and MON-50 mines with tripwire.¹⁸

In the past, Ukraine has reiterated that its armed forces are authorised to use MON-series and OZM-72 mines only in command-detonated mode (through electrical initiation), which is not prohibited under the APMBC. According to Ukraine, all mines planted in command-detonated mode are recorded and secured, and access to the area is restricted.¹⁹ In 2019, Ukraine reported six registered cases of use of PMN-2 mines, which had been supplied by Russia to illegal armed groups. Eight members of the Ukrainian armed forces were wounded by these devices.²⁰

NATIONAL OWNERSHIP AND PROGRAMME MANAGEMENT

All areas of mine action in the Donetsk and Luhansk region, including humanitarian demining operations, are currently planned, coordinated, and controlled by the MoD which operates the Kamyanets-Podilsky Demining Centre.²¹ Other national bodies involved in the sector include the Ministry of Internal Affairs, under which sits the State Emergency Services of Ukraine (SESU); the Security Services; the Ministry of Temporarily Occupied Territories and Internally Displaced Persons; the State Special Transport Services (SSTS) of the MoD; the National Police; and the State Border Service.²²

The MoD has organisational control of operations, while SESU is generally responsible for conducting clearance. SESU established a "Special Humanitarian Demining Centre" in 2015 in Kiev. The centre's remit includes coordination of SESU pyrotechnical teams (akin to rapid-response explosive ordnance disposal (EOD) teams) involved in technical and non-technical survey, demining, internal quality control (QC) of SESU units, information management, and handover of land cleared by SESU to local authorities, as well as risk education.²³

Ukraine's national mine action legislation was adopted by parliament on 6 December 2018 and signed into law by the President on 22 January 2019.²⁴ However, the legislation could not be implemented as it was found to be incompatible with the Ukrainian constitution because it gave authority to Parliament to create mine action institutions such as the national mine action authority (NMAA), which as a "state body" is instead the responsibility of the Cabinet of Ministers (CoM). Following presidential and parliamentary elections in September 2019, a working group was set up comprised of representatives from relevant government ministries and the United Nations Development Programme (UNDP), the (North Atlantic Treaty Organization) NATO and the OSCE PCU to prepare amendments to the law. In June 2020, the "Law on the Amendments to the Law on Mine Action in Ukraine" passed its first reading. However, UNDP, OSCE PCU, The HALO Trust, and DDG came together to prepare an explanatory note with comments on the status of mine victims and their rights; training and insurance of deminers; import of the dual-use goods to allow international operators the possibility to use explosive in order to destroy items found during demining as currently only MoD and SESU can do that; and handover procedure and liability of actors after handover.

It is understood that adjustments will be made taking these comments into account before the second reading of the amendments to the Law. It is planned that the amendments to the Law will be adopted in October 2020, before the adoption of the budget for 2021.²⁵ It establishes a framework for humanitarian demining, divides responsibilities among state institutions, and envisages the creation of an NMAA and, strangely, two national mine action centres (NMACs). There will be one NMAC under the MoD Kamyanets-Podilsky Demining Centre and one under SESU's "Special Humanitarian Demining Centre" each of which will be accredited and have their own quality management capacity. Demining responsibility will be divided territorially between the two NMACs. The NMACs will be coordinated by the NMAA, an interagency body made up of the CoM which will be chaired by the MoD while "special conditions" exist in Ukraine and then during peacetime by the Ministry of Interior. The NMAA and the national mine action strategy will be adopted by the NMAA.²⁶

Operators participate in monthly mine action sub-cluster meetings, which are attended by representatives of the MoD, SESU, and MOFA and which is chaired by UNDP. There are also regular roundtable meetings organised by OSCE PCU on specific mine action topics and other sectorally relevant discussions.²⁷ However, exchange and dialogue among stakeholders (NGOs, the International Committee of the Red Cross (ICRC), UN agencies, and government ministries) are said to focus on issues other than progress and challenges in completing clearance by the Article 5 deadline.²⁸

National funding is provided for clearance of mines and ERW and quality control.²⁹ Additionally, the MoD and the Civil-Military Cooperation Directorate (CIMIC) of the Armed Forces of Ukraine have supported operator survey and clearance on all matters related to security and in particular have supported the deployment of HALO's teams in the 15km buffer zone.³⁰ Ukraine also receives support from foreign partners (OSCE and NATO) for demining equipment.³¹

A working group on mine action legislation is attended by OSCE-PCU, UNDP, HALO Trust, and DDG.³² Government bodies do not currently assist operators in obtaining visas or to import equipment, and operators do not have permission to use explosives or remove explosive items. Operators are lobbying for amendments to the mine action legislation to clarify these issues.³³

The GICHD has been working with the OSCE PCU and the Geneva Centre for Security Sector Governance (DCAF) to help foster mine action institutions.³⁴ In 2019, GICHD supported the development of new mine action legislation and the NMAA; provided training in quality management and IMSMA Core; facilitated a regional roundtable on Explosive Ordnance Risk Education (EORE) communication approaches for different target audiences in affected communities organised by the OSCE PCU; developed training programmes with the national mine action training centres due to take place during 2020; organised a visit to the Lebanon Mine Action Centre for the head of the three training programmes; and sponsored participants from the Ukrainian national authorities to attend the Mine Action Technology Workshop.³⁵ The OSCE PCU has received funding until December 2021 to support Ukraine in establishing an NMAA and an NMAC, national standards and mine action legislation; to develop the IMSMA database in co-operation with the GICHD; to organise training for Ukrainian demining specialists in quality management, non-technical survey, and IMSMA; to procure demining equipment for the MoD and SESU; and to develop mine risk education materials.³⁶

DDG provided capacity development to SESU in 2019 and, as at April 2020, was supporting equipment procurement, the development of standard operating procedures, deployment/operational activity (mine clearance, non-technical survey), quality assurance and quality control. In addition, DDG provided training on non-technical survey, clearance, and data management.³⁷ In 2019, the HALO Trust provided information management support and quality management training to the MoD. In 2020, HALO Trust was providing training to SESU on non-technical survey, medical support, geographic information systems (GIS), risk education, clearance, and quality management. By the end of the year, at least 50 members of SESU staff are expected to have been trained.³⁸

GENDER AND DIVERSITY

As at June 2020, no information had been provided on whether there is a gender policy and associated implementation plan for mine action in Ukraine. No reference was made to gender or diversity in Ukraine's Article 5 deadline extension request submitted in 2020.³⁹

DDG has a gender and diversity policy and implementation plan. It ensures that all affected groups, including women and children, are consulted during survey and community liaison activities. However, as at April 2020, only 10% of operational roles were filled by women. With regard to managerial/supervisory positions the Head of Programme and the Information Management Officer are both women and DDG recently promoted a female deminer to a Team Leader position.⁴⁰

The HALO Trust uses mixed gender non-technical survey and community liaison teams. HALO Trust began recruiting women for clearance roles in 2017, employing the first female deminers in Ukraine.⁴¹ As at April 2020, 16% of operational survey and clearance staff were women along with 24% of managerial/supervisory staff.⁴²

INFORMATION MANAGEMENT AND REPORTING

There are two functioning IMSMA databases in Ukraine, one managed by SESU and the other by the MoD, both of which collect and analyse contamination and land release data from national operators and NGOs.⁴³ The databases are, though, claimed to be complementary, as they are separated based on region, thematic area, and operational purpose.⁴⁴ In 2019, the GICHD facilitated the transition of the databases to IMSMA Core.⁴⁵ As at July 2020, in order to ensure the two databases are compatible the GICHD was working with SESU and the MoD on a minimum data standard. Once the amendments to the Law are adopted, the databases will be coordinated by the NMAA's secretariat (the ministry of the chairman of NMAA).⁴⁶

An online map of anti-personnel mine and UXO contamination has been published by the MoD with technical support from The HALO Trust, using data from DDG, Swiss Foundation for Mine Action (FSD), The HALO Trust, and a commercial company, Demining Solutions.⁴⁷ Operators submit survey and clearance data to the MoD on a monthly basis and each submitted a report at the end of 2019 on all survey and clearance data for the year.⁴⁸

Ukraine submits Article 7 transparency reports in a timely manner but does not report on its progress in a manner consistent with the International Mine Action Standards (IMAS). According to its Article 7 obligation, Ukraine should report on "the types and quantities of all anti-personnel mines destroyed after ... entry into force ... in accordance with Articles 4 and 5" but no survey or clearance data was provided in its latest Article 7 report. Ukraine will not meet its APMBC Article 5 deadline of 1 June 2021 and submitted its extension request to 1 December 2023. As with its Article 7 reports the extension request is not consistent with IMAS and lacks sufficient detail to be meaningful.

PLANNING AND TASKING

Ukraine does not have a national mine action strategy and, as at May 2020, there were no plans to develop one.⁴⁹ It is expected that Ukraine will develop a strategy once the NMAA is in place. Ukraine submitted its "Annual Action Plan for humanitarian demining in liberated areas in Donetsk and Luhansk" for 2019 in May last year, as requested by the APMBC Seventeenth Meeting of States Parties.⁵⁰

Planned activities for 2019 included development of information management systems for mine action, the creation of an EOD call-out response, improvement in quality management processes, as well as non-technical survey, technical survey, and clearance of populated areas, transport routes, and infrastructure.⁵¹ In the plan, Ukraine also stated that the MoD intends to publish information on its website every six months that details newly identified SHAs, the progress of demining, and the handover of cleared land.⁵² In Ukraine's latest Article 7 report, however, no updates are provided on whether these activities were achieved.

According to the Article 7 report, in 2020 clearance was planned in the Bakhmut, Lyman, Sloviansk, and Volnovakha districts of the Donetsk region; and in the Stanichno-Luhansk district of the Luhansk region. In addition, technical survey is planned in the Popasna district of the Luhansk region.⁵³ In August 2020, Ukraine submitted an "Action Plan" for 2020,⁵⁴ although in truth it was a list of general mine action activities and not an action plan as such.

There are currently no standardised criteria at national level for task prioritisation.⁵⁵ Until an NMAC is established, all tasking of operators is managed by the MoD in line with its annual action plan.⁵⁶ Local government have been helping the MoD to prioritise tasks based on humanitarian criteria.⁵⁷ The MoD approves annual survey and clearance work plans submitted by operators. Operators prioritise clearance according to humanitarian impact and in discussion with the local community.⁵⁸

LAND RELEASE SYSTEM

STANDARDS AND LAND RELEASE EFFICIENCY

NMAS were finalised by the MoD in September 2018 after multi-year input and review from key stakeholders.⁵⁹ The NMAS were published in April 2019, but will only become compulsory once the new mine action legislation is passed and are not currently applied in practice.⁶⁰ In addition, The HALO Trust reported that the NMAS will require further development as many of the terms and definitions are not in line with IMAS.⁶¹ In April 2019, the Cabinet of Ministers approved Resolution 372 on “Regulations on marking mine and ERW hazards”, which are said to follow the provisions in the IMAS.⁶² The lack of an NMAS also means that operators’ standard operating procedures (SOPs) are not currently accredited. Operators are therefore working in line with IMAS and donor contractual obligations rather than NMAS.⁶³

In August 2020, Ukraine stated that its national standard on mine action management was “being tested” and that, based on the results of the testing, necessary amendments would be made in due course.⁶⁴

OPERATORS AND OPERATIONAL TOOLS

The MoD and several other ministries continue to deploy units that undertake clearance and destruction of mines and ERW. This includes engineer-sapper units of the Armed Forces of Ukraine; the National Guard of Ukraine; the Ministry of Internal Affairs, which conducts clearance through SESU and also has an engineering department that conducts EOD; the Security Service; the State Special Transport Service, which is responsible for demining national infrastructure; and the State Border Service, which conducts demining in areas under its control on land and in the sea.⁶⁵ In its 2020 extension request, Ukraine reported that 60 “local administrations” are involved annually in demining in the Donetsk and Luhansk regions (up to 300 people).⁶⁶

Three international demining organisations—DDG, FSD, and The HALO Trust—are operating in Ukraine.⁶⁷ FSD suspended demining operations in 2019 due to lack of funding, though they are actively looking for opportunities to extend their programme.⁶⁸ In addition, the Ukrainian organisations, Demining Team of Ukraine and Demining Solutions, are active in demining in eastern Ukraine.⁶⁹ In its 2020 Article 5 deadline extension request, Ukraine reported that 41 demining “groups” with a total of more than 500 people were involved in mine action from these organisations.⁷⁰

Table 1: Operational clearance capacities deployed in 2019⁷¹

Operator	Manual teams	Total deminers*	Dogs and handlers	Machines**	Comments
HALO	23	276	0	3	Increased from 2018 by 7 manual demining teams (91 staff) and 2 mechanical support teams (remotely controlled vegetation cutters – 10 staff)
DDG	2	23	0	0	No change from 2018
Demining Solutions	1	7	0	0	
Totals	26	306	0	3	

* Excluding team leaders, medics, and drivers. ** Excluding vegetation cutters and sifters.

In 2019, the HALO Trust also deployed 12 non-technical survey personnel across three teams and 12 technical survey personnel across two teams. DDG did not deploy any survey personnel in 2019. The HALO Trust increased its clearance capacity in 2019 compared to the previous year thanks to increased funding and intended to maintain that capacity in 2020 while increasing the number of technical survey teams to three.⁷² All DDG’s deminers are trained to conduct technical survey and will do so “as and when required”. DDG also has three non-technical survey teams totalling six people who conduct non-technical survey during the winter stand-down. DDG was due to increase its clearance capacity in 2020 to five teams totalling 34 deminers, also the result of increased funding.⁷³

The HALO Trust deployed three mechanical clearance assets and, in 2019, introduced a new mechanical vegetation cutter. “Robocut” has quadrupled the productivity of manual clearance in areas that have only an anti-personnel tripwire-threat.⁷⁴ DDG does not use any mechanical assets.⁷⁵

Another step forward in 2019 saw the MoD establish quality control inspection teams. They began conducting post-clearance inspection visits, which enabled official handover of land to take place for the first time.⁷⁶ In its Article 7 report covering 2019, Ukraine reported that the MoD carried out quality control of mine clearance conducted by FSD in 2017 in Sloviansk district, and of mine clearance conducted by the HALO Trust in Stanichno-Luhansk district.⁷⁷ In August 2019, HALO Ukraine handed over its first 11 cleared areas to local administrations in Luhansk oblast after successfully passing an external quality inspection by the MoD’s Kamyanets-Podilsky Demining Centre.⁷⁸ HALO also handed over eight areas in Donetsk oblast, following external quality control.⁷⁹

LAND RELEASE OUTPUTS AND ARTICLE 5 COMPLIANCE

LAND RELEASE OUTPUTS IN 2019

Ukraine did not report its survey or clearance output for 2019. Of the international operators, the HALO Trust cancelled 30,867m² through non-technical survey, reduced 2,788m² through technical survey, and cleared 697,012m². A total of 12 anti-personnel mines were found and destroyed, including four destroyed during spot EOD tasks.

The HALO Trust also discovered 5.11km² of previously unrecorded anti-personnel mine contamination, which was added to the MoD's database.

SURVEY IN 2019

In 2019, the HALO Trust cancelled 30,867m² through non-technical survey (see Table 2) and reduced 2,788m² through technical survey (see Table 3). In 2018, HALO did not release any mined area through survey.⁸⁰

DDG did not cancel or reduce any areas contaminated with anti-personnel mines in 2019. DDG cancelled 1,150,460m² through non-technical survey and reduced 61,263m² through technical survey of area suspected to be contaminated with anti-vehicle mines and ERW.⁸¹

Table 2: Cancellation through non-technical survey in 2019⁸²

District/village	Operator	Area cancelled (m ²)
Bakhmutskiy/Riznykivka	HALO Trust	30,867
Total		30,867

Table 3: Reduction through technical survey in 2019⁸³

District/village	Operator	Area reduced (m ²)
Stanichno-Luhansk/Shyrokyi	HALO Trust	40
Stanichno-Luhansk/Krasna Talivka	HALO Trust	2,317
Volnovaskiy/Volnovakha	HALO Trust	431
Total		2,788

CLEARANCE IN 2019

In 2019, The HALO Trust cleared 697,012m², destroying in the process eight anti-personnel mines, 27 anti-vehicle mines, and 164 items of other UXO. Of the eight anti-personnel mines found during clearance, three were of an improvised nature. In 2018, HALO Trust cleared 391,819m², destroying five anti-personnel mines. The increase in output from 2018 to 2019 is due to an increase in operational capacity.

The number of anti-personnel mines found during clearance continues to be very low and, in 2019, the HALO Trust cleared seven mined areas that proved to have no anti-personnel mines. According to HALO Trust, there have been incidents of local people removing the mines themselves, particularly in the case of above-ground threats such as directional fragmentation mines and tripwire-initiated hand grenades (which function as anti-personnel mines).⁸⁴ In addition, The HALO Trust cleared and reduced a combined total of 1,000,353m² of confirmed and suspected hazardous area containing anti-vehicle mines and UXO. The HALO Trust found and destroyed 45 anti-vehicle mines and 43 items of UXO and other ERW.⁸⁵

DDG did not conduct any clearance of anti-personnel mined area in 2019 but cleared 445,009m² of area that was suspected to contain anti-vehicle mines and UXO, destroying nine anti-vehicle mines and three items of UXO.⁸⁶

Table 4: Mine clearance in 2019⁸⁷

District/village	Operator	Area cleared (m ²)	AP mines destroyed	AV mines destroyed	UXO destroyed
Slovianskyi/Andriivka	HALO Trust	43,406	0	0	2
Volnovaskiy/Grafske	HALO Trust	108,460	0	0	1
Bakhmutski/Kodemka	HALO Trust	29,614	2	2	4
Stanichno Luhansk/Komyshne	HALO Trust	16,802	0	0	1
Stanichno Luhansk/Krasna Talivka	HALO Trust	172,270	0	0	0
Stanichno Luhansk/Krasnyi Derkul	HALO Trust	1,626	0	0	0
Lymanskyi/Kryva Luka	HALO Trust	42,083	0	0	0
Bakhmutskiy/Novoluhanske	HALO Trust	102,585	3	25	39
Lymanskyi/Ozerne	HALO Trust	16,886	0	0	4
Bitovodskiy/Pervomaisk	HALO Trust	15,177	2	0	8
Stanichno-Luhansk/Shyrokyi	HALO Trust	48,326	1	0	2
Svativskiy/Svatove	HALO Trust	68,230	0	0	103
Volnovaskiy/Volnovakha	HALO Trust	31,547	0	0	0
Totals		697,012	8	27	164

AP = Anti-personnel AV = Anti-vehicle

In addition, four anti-personnel mines during EOD spot tasks. These were reported by HALO and then removed and destroyed by the MOD and State Emergency Service, as operators are not authorised to conduct EOD in Ukraine.⁸⁸

ARTICLE 5 DEADLINE AND COMPLIANCE



Table 5: Five-year summary of AP mine clearance

Year	Area cleared (m ²)
2019	697,012
2018	391,819
2017	220,887
2016	52,887
2015	N/R
Total	1,362,605

N/R = Not Reported

Ukraine is not on track to meet its extended Article 5 APMBC deadline of 1 June 2021 and, in June 2020, submitted an extension request for two years through to 1 December 2023, although this would actually be a two year and six month extension. It is highly unlikely that Ukraine will meet this request and Ukraine has stated that the fulfilment of this deadline is dependent upon “completion of hostilities, restoration of the constitutional order and gaining the full control over the occupied territories, including over the state border between Ukraine and the Russian Federation”.⁸⁹ The lack of control over the occupied territories in the Donetsk and Luhansk regions and ongoing fighting pose significant challenges for the Ukraine to plan for fulfilment of Article 5. Even if Ukraine were to gain full control of all mined areas on its territory, it is highly improbable that it would be able to complete survey and clearance of all anti-personnel mined areas by December 2023. The extension request should therefore be viewed as an interim request. Ukraine continues to provide very little information on outstanding mine contamination or the outputs from ongoing survey and clearance activities. This makes it very difficult to know the true extent of mine contamination in Ukraine or track progress in survey and clearance efforts.

The area inside the 15km buffer zone is believed to be heavily contaminated with mines and ERW, but access to the buffer zone for humanitarian survey and clearance operations is severely limited on the government side, and there is no access for humanitarian demining in areas not controlled by the government.⁹⁰ Within government-controlled areas,

there is limited demining close to the contact line as mined areas are deemed to serve a tactical purpose and will not be demined until there is total de-escalation of the conflict. Despite the agreements between Ukraine and Russia to implement a “full and comprehensive” ceasefire in eastern Ukraine by the end of 2019, the OSCE Special Monitoring Mission to Ukraine continued to record ceasefire violations in 2020.⁹¹

The amount of area cleared in 2019 was higher than the amount of clearance reported in 2018, though this data is only based on information provided by the HALO Trust and DDG as Ukraine did not report clearance data for 2019. Additionally, the number of anti-personnel mines found and destroyed during clearance is very small, just five in 2018 and eight in 2019, with The HALO Trust clearing large areas without finding any anti-personnel mines. In 2019, just 195,702m² of the 697,012m² cleared contained any anti-personnel mines at all. Clearance data is not available from areas outside of government control, though it is believed that, at least in earlier years, pro-Russian rebels conducted some ad hoc clearance.⁹² While Russia is not a State Party or signatory to the APMBC it has obligations under international human rights law to clear mines as soon as possible, in particular by virtue of its duty to protect the right to life of every person under its jurisdiction, in any areas of Ukraine over which it exercises effective control.

It was expected that the long-awaited adoption of national mine action legislation at the end of 2018 would provide a framework for humanitarian demining in Ukraine and lead to the establishment of the NMAA and the NMAC, the implementation of national standards, and development of a national strategy with concrete milestones in place for survey and clearance outside of the buffer zone in Ukraine. However, as the legislation was deemed to be in contravention with the Ukrainian constitution, following oral statement from government ministry representatives who were not satisfied with the mine action law and their position within it. It was decided that the law would need to be amended and the “Law on the Amendments to the Law on Mine Action in Ukraine” passed its first reading in June 2020. It is planned that the amendments to the Law would be adopted in October 2020, before the adoption of the budget for 2021.⁹³

PLANNING FOR RESIDUAL RISK AFTER COMPLETION

Ukraine has not provided information on whether it has a plan in place for dealing with residual risk post completion.

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- 3 Interview with Maksym Komisarov, Chief of Mine Action Department, MoD, in Geneva, 8 June 2018.
- 4 Statement of Ukraine, Committee on Article 5 implementation, Geneva, 22 May 2019.
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- 6 2020 Article 5 deadline Extension Request, Additional Information received on 27 August 2020, p. 97 (numbered page 2 in the document).
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- 10 Email from GICHD, 13 May 2020.
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- 19 Preliminary observations of the committee on cooperative compliance, "Ukraine", Intersessional Meetings, Geneva, 8–9 June 2017.
- 20 Statement of Ukraine, Committee on Article 5 implementation, Geneva, 22 May 2019.
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- 22 Ibid., and emails from Anton Shevchenko, OSCE, 14 June 2016; and Gianluca Maspoli, Country Focal Point for Ukraine, GICHD, 20 June 2017 and 5 July 2018.
- 23 Ibid., National Security and Defence Council and the SESU, "Humanitarian demining in Ukraine: current issues and challenges", Side event, APMBC 14th Meeting of States Parties, Geneva, 2 December 2015; and National Defence and the Canadian Armed Forces, "Operations UNIFIER"; and "Humanitarian mine and UXO clearing of the territory of Ukraine conducted by the State Emergency Service of Ukraine", Side-event presentation by Col. Oleh Bondar, SESU, Geneva, 17 February 2016; and email from Lt.-Col. Yevhenii Zubarevskiy, MoD, 17 June 2016.
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- 25 Email from Miljenko Vahtavic, OSCE PCU, 22 July 2020.
- 26 Interview with Miljenko Vahtavic, OSCE PCU, 13 February 2020.
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- 73 Emails from Almedina Musić, DDG, 23 April and 8 August 2020.
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