

BOSNIA AND HERZEGOVINA

MINE ACTION REVIEW

CLEARING CLUSTER MUNITION REMNANTS 2019

CONVENTION ON CLUSTER MUNITIONS ARTICLE 4 DEADLINE: 1 MARCH 2021
NOT ON TRACK TO MEET DEADLINE

KEY DATA

CLUSTER MUNITION
CONTAMINATION: MEDIUM

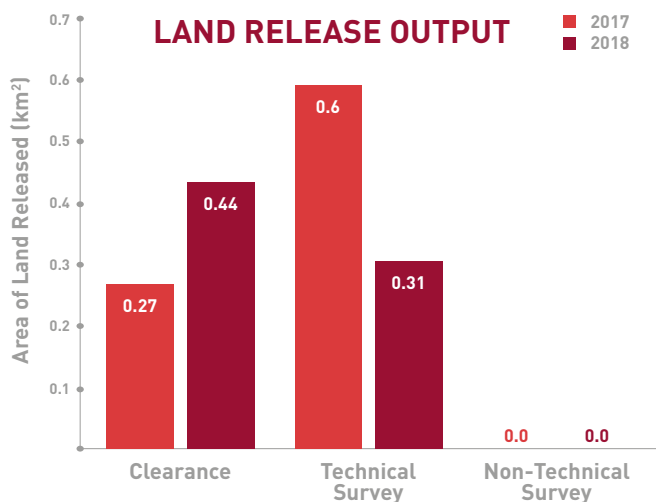
6.3 KM²

SUBMUNITION
CLEARANCE IN 2018

0.44 KM²

SUBMUNITIONS
DESTROYED IN 2018

1,009



KEY DEVELOPMENTS

In 2018, Bosnia and Herzegovina (BiH) finalised a new national mine action strategy for 2018–25, which was subsequently adopted in January 2019. While the new strategy addresses all contamination, including cluster munition remnants (CMR), BiH has still to elaborate a plan and associated timeframe for completion of CMR clearance. Norwegian People's Aid (NPA), however, reported having a strategy in place to release CMR-contaminated areas together with the BiH Armed Forces and the entity Civil Protections. But CMR clearance output in 2018 was small, as in previous years, putting into serious doubt whether BiH will meet its March 2021 Convention on Cluster Munitions (CCM) Article 4 clearance deadline.

RECOMMENDATIONS FOR ACTION

- BiH should accelerate clearance of CMR immediately to fulfil its CCM Article 4 obligations in advance of its treaty deadline.
- BiH should adopt, without further delay, the amended demining law drafted in 2017.
- In both its CCM reporting and strategic planning, the Bosnia and Herzegovina Mine Action Centre (BHMIC) should clearly separate out contamination resulting from the use of individual submunitions fired from modified rifles from that resulting from the ordinary use of cluster munitions. The former do not fall within the definition of a cluster munition covered by the CCM, and, as such, are not governed by the treaty clearance obligations.
- BHMIC should report more accurately and consistently on the extent of CMR contamination, including using the classification of suspected hazardous area (SHA) and confirmed hazardous area (CHA) in a manner consistent with the International Mine Action Standards (IMAS).
- BiH should implement the recommendations of both the 2015 United Nations Development Programme (UNDP) Mine Action Governance and Management Assessment, and the 2016 performance audit report of the Audit Office of the Institutions of BiH.¹ In particular, BiH should continue reforming and strengthening the governance and management of the mine action programme.

- BHMAC should ensure that sufficient clearance capacity is deployed, taking into consideration all organisations accredited to conduct CMR clearance, to enable BiH to complete clearance by its deadline of March 2021.
- BHMAC should strive to improve better gender balance in the sector, at the least by meeting the target of 40% female staff set by the 2003 Law on Gender Equality.

ASSESSMENT OF NATIONAL PROGRAMME PERFORMANCE

Criterion	Score (2018)	Performance commentary
UNDERSTANDING OF CLUSTER MUNITION REMNANT (20% of overall score)	5	BiH's national baseline of CMR contamination is not classified into confirmed hazardous area (CHA) and suspected hazardous area (SHA). In addition, it includes 2.1km ² of contamination from individually fired submunitions, which does not fall under the provisions of the CCM. Furthermore, according to NPA, data relating to SHAs contaminated with CMR is unreliable, posing a further challenge for BHMAC.
NATIONAL OWNERSHIP AND PROGRAMME MANAGEMENT (10% of overall score)	7	National ownership of mine action in BiH falls under the responsibility of the Demining Commission and BHMAC. Governance and management of the mine action programme could be strengthened and reformed. BiH also published a separate Financial Plan for Implementation of the BiH mine action strategy for 2018–25, though the Plan only appears to cover survey and clearance of mines and not CMR. As at April 2019, the amended demining law was still awaiting parliamentary adoption.
GENDER (10% of overall score)	6	BiH's National Mine Action Strategy 2018–2025 supports the 2003 Law on Gender Equality in BiH, and BHMAC has stated that under its leadership, relevant actors will include gender in all phases of all mine action activities. Survey and community liaison teams are said to be gender inclusive, with women and children are consulted during their activities. Mine action data is disaggregated by sex and age. However, of BHMAC's 107 operations staff in the field, only 10 were women.
INFORMATION MANAGEMENT AND REPORTING (10% of overall score)	6	There is scope to improve the accuracy and consistency of BHMAC's mine action data and information management system, which should also be made consistent with the International Mine Action Standards (IMAS). BHMAC is in the process of developing a new database. BiH did not deliver or submit a statement on CCM Article 4 implementation at the Meeting of States Parties in September 2018.
PLANNING AND TASKING (10% of overall score)	6	BiH adopted its National Mine Action Strategy 2018–2025 in January 2019, which foresees fulfilment of Article 4 by 1 March 2021. While NPA reports that it has a completion plan for CMR contamination (releasing areas together with the BiH Armed Forces and entity Civil Protections), BHMAC itself has not released a workplan with milestones through to completion. Fulfilling Article 4 clearance obligations by BiH's 2021 deadline risks being overshadowed by mine clearance; mine contamination covers a far greater area.
LAND RELEASE SYSTEM (20% of overall score)	6	BHMAC has in place national standards and standing operating procedures (SOPs) for survey and clearance of CMR, which are adapted to the local threat and context. However, occasionally areas are being fully cleared that are found not to be contaminated, pointing to the need for evidence-based survey prior to clearance.
LAND RELEASE OUTPUTS AND ARTICLE 4 COMPLIANCE (20% of overall score)	5	Only 1.3km ² of CMR-contaminated area has been cleared over the last five years, raising serious doubts about whether BiH will meet its Article 4 deadline despite the NPA completion strategy with the BiH Armed Forces and the civil protection to finish CMR clearance by the deadline.
Average score	5.7	Overall programme performance: AVERAGE

CLUSTER MUNITION SURVEY AND CLEARANCE CAPACITY

MANAGEMENT

- The Demining Commission (representatives from three ministries (Civil Affairs, Security, and Defence) elected to represent BiH's three main ethnic groups (Bosniaks, Croats, and Serbs))
- Bosnia and Herzegovina Mine Action Centre (BHMAC)

NATIONAL OPERATORS

- Armed Forces of BiH
- BHMAC
- Civil Protection Administration of Republic of Srpska
- Federal Administration of Civil Protection

INTERNATIONAL OPERATORS

- NPA

OTHER ACTORS

- Geneva International Centre for Humanitarian Demining (GICHD)
- United Nations Development Programme (UNDP)

UNDERSTANDING OF CMR CONTAMINATION

As at the end of 2018, BiH reported a total of 6.3km² of CMR-contaminated area (see Table 1), with no disaggregation of CMR-contaminated area into CHA and SHA.²

This compares to reported contamination as at the end of 2017 of 6.47km².³ The difference between the contamination as at end 2017, compared to contamination as at end 2018, is explained by the 0.75km² of land released through technical survey and clearance in 2018 being offset by discovery during clearance of 0.58km² of additional, previously unrecorded, CMR contamination, which impacted BiH's underlying baseline of contamination.⁴

Table 1: CMR contamination by canton (at end 2018)⁵

Canton	Area (km ²)
Unsko-Sanski	0.08
Tuzlanski	0.68
Zenicko-Dobojski	2.10
Central Bosnia Canton	1.73
Neretva	0.04
Sarajevo	0.37
Canton 10	0.35
Total Federation BiH	5.35
Total Republika Srpska	0.95
TOTAL	6.30

Of the total CMR-contaminated area, 2.1km² is the result of individually launched KB-1 submunitions fired from modified AK-47 rifles.⁶ This was previously reported as 2.7km²,⁷ but non-technical survey reduced the area in question to 2.1km². When used in this way, individual KB-1 submunitions are not defined as a cluster munition under the CCM, and, as such, the treaty clearance

obligations do not apply to this contamination.⁸

Therefore, this 2.1km² of contamination is not subject to the clearance obligations under Article 4 of the CCM.⁹ However, despite BHMACH being aware of this issue and including reference to it in its National Mine Action Strategy 2018–2025,¹⁰ in its Article 7 transparency reporting for 2017, BiH did not remove contamination resulting from the use of individual submunitions fired from modified rifles from the total cluster munition-contaminated area under its Article 4 obligation.¹¹ As at 29 May 2019, BiH had not yet submitted its Article 7 report for 2018.

A total of 4.47km² of reported CMR contamination is in areas which also contain mines.¹² This includes the area of contamination resulting from the firing of individual submunitions.

CMR contamination dates back to the conflicts of 1992–95 related to the break-up of the Socialist Federal Republic of Yugoslavia.¹³ A survey and initial general assessment of cluster munition contamination was jointly conducted by BHMACH and Norwegian People's Aid (NPA) in 2011, which estimated the total area containing CMR at more than 12km², scattered across 140 areas. This estimate was subsequently revised upwards to 14.6km² following the start of land release operations in 2012.¹⁴ Of this, around 5km² was deemed actually contaminated and marked for clearance.¹⁵

Sixty communities have been identified as affected with submunitions, of which thirty-one are also affected by mines.¹⁶

OTHER EXPLOSIVE REMNANTS OF WAR AND LANDMINES

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

NATIONAL OWNERSHIP AND PROGRAMME MANAGEMENT

The Demining Commission, under the BiH Ministry of Civil Affairs, supervises the state-wide BHMACH and represents BiH in its relations with the international community on mine-related issues.¹⁷ The Demining Commission is composed of representatives from three ministries (Civil Affairs, Defence, and Security) elected to represent BiH's three main ethnic groups (Bosniaks, Croats, and Serbs).¹⁸ Whereas the Minister for Civil Affairs remains ultimately responsible for mine action, the Demining Commission is the strategic body responsible for setting mine action policy, and it proposes the appointment of BHMACH senior staff, for approval by the Council of Ministers.¹⁹ The existing Demining Commission representatives were re-elected for a further two years (October 2017 to October 2019).²⁰

One problem posed by the structure of the Demining Commission is that each of the three represented ministries has separate portfolios in their respective ministries; and their work on the Demining Commission is only part-time in addition to their other responsibilities.²¹ Furthermore, according to the 2016 audit office report, "The Commission has not developed a methodology on how to monitor the work of the BHMACH".²²

BHMACH, established by a 2002 Decree of the Council of Ministers, is responsible for regulating mine action and implementing BiH's demining plan, including accreditation of all mine action organisations.²³ BHMACH operates from its headquarters in Sarajevo, and two main offices in Sarajevo and Banja Luka, and eight regional offices (Banja Luka, Bihac Brčko, Mostar, Pale, Sarajevo, Travnik, and Tuzla).²⁴

Since 2008, efforts have been made to adopt new mine action legislation in BiH with a view to creating a stable platform for mine action funding by the government and local authorities. BiH demining authorities are following the 2015 recommendation of the Council of Ministers to amend the existing law, instead of adopting a new law,²⁵ and a working group which consisted of representatives from the Ministry of Civil Affairs, the Demining Commission, BHMAC, the Armed Forces, and the entity Civil Protections, created a first draft of the amended demining law.²⁶ However, as at April 2019 the amended text from 2017 was still awaiting parliamentary adoption.²⁷ As the Geneva International Centre for Humanitarian Demining (GICHD) has observed: “In order to be able to fulfil its international obligations in timely fashion, relevant authorities of BiH need to be able to make decisions more quickly and to foster an environment in which operations are not hindered.”²⁸

BHMAC is funded by the common institutions of BiH and other institutions at state level.²⁹ BiH national state funding also supports survey and clearance of CMR. Operations of the BiH Armed Forces are supported by the state budget of BiH, while the Government of the Federation of BiH finances the operations of Federal Administration of Civil Protection.³⁰

After a 10-year hiatus, Board of Donor meetings resumed in September 2015.³¹ As the Board of Donors is one of the few platforms where international actors meet formally under law, international donors in BiH welcomed the resumption of the meetings, which provide a forum for improved coordination and communication with the national authorities.³² However,

as at April 2019, the last Board of Donor meeting had taken place in Sarajevo in November 2017.³³ BiH’s new National Mine Action Strategy 2018–2025 specifies that at least two such meetings should be organised every year.³⁴

In October 2016, expert working groups (EWGs), which used to meet until 2009, were reinitiated.³⁵ The BiH Armed Forces and clearance operators think regular EWG meetings are of benefit to the mine action sector in BiH.³⁶ As at April 2019, the last EWG meeting had taken place in March 2019.³⁷

BiH’s second goal, in its National Mine Action Strategy 2018–2025, is that the “Mine action programme in BH is promoted on both national and international level to increase its visibility and improve liability, commitment and support of the state”, and the strategy includes operational goals linked to this strategic goal.³⁸ As committed to in its strategy, BiH published a separate financial plan for implementation of the BiH mine action strategy for 2018–25. The plan sees BiH commit a national budget of 4.5 million BAM (over US\$2.5 million) per annum for the Armed Forces and 5.945 million BAM (US\$3.4 million) per annum for BHMAC, for 2019 and 2020; which is forecast to then increase to a total of 21.55 million BAM (over US\$12.3 million, at current exchange rates) per annum in 2021–25.³⁹ This national funding is in addition to forecast international funding, which is also budgeted in BiH’s financial plan.⁴⁰ However, the vast majority of overall funding budgeted in the plan is used for survey and clearance operations relating to anti-personnel mines, and the plan does not specify what proportion of funding is intended for CMR operations.

GENDER

BiH’s National Mine Action Strategy 2018–2025 specifies that “Under the leadership of BHMAC, relevant actors will include gender and diversity into all phases of planning, realisation and follow-up of all mine activities....”⁴¹ The mine action strategy considered and supported the 2003 Law on Gender Equality in BiH, which includes equal treatment of the genders and equality of opportunity, and prohibits direct and indirect discrimination on the grounds of gender. The Law on Gender Equality determines that equal representation of men and women exists when the percentage of either gender in bodies at all levels in BiH (state, entity, cantonal, and municipality level) is at least 40%. BiH’s national mine action strategy also considered the 2017 Gender Equality Action Plan.⁴² However, as at April 2019, out of BHMAC’s 171 employees, only 42 were women (25%). Of BHMAC’s 107 operations staff in the field, 10 were women (9%).⁴³

BHMAC reported that it has a gender and diversity policy and that BHMAC upholds the Law on Gender Equality and routinely includes it in the development of strategies and standards.⁴⁴

Likewise, NPA reported that it promotes gender equality in all aspects of its programme activities in BiH. Mixed gender representation is an obligation for NPA teams conducting community liaison and risk education.⁴⁵ NPA reported that the overall gender split of its staff as at April 2019 was 98 male employees and 10 female (9%).⁴⁶ NPA reported that it is driving to achieve a gender balance, and that the programme encourages the employment of women, including into managerial and operational staff positions. Four managerial positions in the NPA BiH programme are held by women.⁴⁷

All groups affected by CMR, including women and children, are reported to be consulted during survey and community liaison activities by both BHMAC and NPA, and survey and community liaison teams are inclusive with a view to facilitating this. BHMAC and NPA also reported that relevant mine action data is disaggregated by sex and age.⁴⁸

INFORMATION MANAGEMENT AND REPORTING

As at April 2019, BHMAC was using its own information management system, the Bosnia and Herzegovina Mine Action Information System (BHMAIS).⁴⁹ However, BHMAC does not report accurately or consistently on CMR contamination by SHAs and CHAs, in a manner consistent with IMAS. In addition, there are frequent inaccuracies in BHMAC reporting on land release.

Information in BHMAC's information management system is made available to clearance operators.⁵⁰ However, NPA reported that data relating to CMR SHAs was being reviewed, with its support, and that BHMAC data on CMR-contaminated areas was neither accurate nor up to date.⁵¹

The first goal of BiH's National Mine Action Strategy 2018–2025 is that, "Procedures of quality information management ensure the collection, storage, analysis and dissemination of relevant information, as well as their use of effective and efficient planning, priority setting, tasking and the conduct of mine action", and the strategy includes operational goals linked to this strategic goal.⁵²

BHMAC, with the support of UNDP and financing from the EU, plans to create a new web-based database to replace the existing system and increase accessibility and transparency of mine action data. The project, entitled "Mine Action Governance and Management Project", will "aim to influence policy and build the capacity to instil greater organisational openness and adaptability to new methodologies."⁵³ According to the GICHD, the UNDP-supported project to improve information management through the development of a web-based database will bring better accessibility and transparency of data.⁵⁴ The joint development of the database (IMSMA Core) began in 2019 and was ongoing as at June 2019; it was expected to be completed by the beginning of 2020.⁵⁵

BiH did not deliver a clearance statement on Article 4 implementation at the CCM Eighth Meeting of States Parties in Geneva in September 2019. As at the beginning of July, BiH had still to submit its Article 7 report for 2018.

PLANNING AND TASKING

In 2017, BiH developed a new national mine action strategy for 2018–25, with support from the GICHD, which addresses all contamination, including CMR. The strategy was formally adopted in January 2019.⁵⁶ In strategic goal three of the strategy, on survey and clearance, BHMAC commits to complete Article 4 clearance obligations by 2021.⁵⁷ However, BHMAC has provided no detailed workplan on how it intends to implement this.

The previous BiH Mine Action Strategy for 2009–19 guided mine action in BiH, but did not mention CMR clearance specifically. Two planned revisions to the strategy did include reference to CMR clearance, but were not approved by the Council of Ministers.⁵⁸ In 2016, BHMAC, in consultation with the GICHD, started the third revision process. This time, BiH, with support from the GICHD, and participation from government ministries, clearance operators and other stakeholders, produced an entirely new national mine action strategy for the period through to projected completion of mine and CMR clearance (2018–25).⁵⁹

The strategy plans for completion of anti-personnel mine clearance by the end of 2025, which represents by far the greater challenge in BiH. The new 2018–25 strategy also plans for completion of CMR clearance by March 2021, in line with BiH's CCM Article 4 deadline. However, the strategy does not contain an action plan or concrete milestones towards completion of CMR clearance.⁶⁰ The strategy is due to be revised in 2020 and 2023, to consider progress and adjust for any changes in context.⁶¹ The strategy also includes a section on management of residual contamination, which specifies that BiH is obliged to create a strategy for the management of residual contamination by 2022.⁶²

According to BHMAC, there was an operational plan for 2018, in which NPA, the Armed Forces BiH, and Federal Protection Administration were planned to work in cluster munition-contaminated area in 13 municipalities: Čapljina, Cazin, Glamoč, Hadžići, Jajce, Kladanj, Ključ, Livno, Maglaj, Olovo, Tešanj, Tuzla, and Zenica.⁶³ However, no CMR-contaminated land was reported as having been released by the Federal Protection Administration in 2018.⁶⁴ BiH achieved roughly 75% of its planned 1km² land release output in 2018 for CMR-contaminated area.⁶⁵

NPA has reported having a land release plan/completion strategy for areas contaminated with CMR in BiH. In addition to NPA technical survey and clearance of CMR-contaminated areas, it will also support the BiH Armed Forces by providing eight magnetic locators for manual operations. This will enable the Demining Battalion to deploy an additional team for cluster munition clearance to add to its existing two teams. NPA, the BiH Armed Forces, and entity Civil Protections will work towards completion of CMR clearance by March 2021. This completion initiative has already received support from the Norwegian Ministry of Foreign Affairs, the Swiss Government, and Norwegian cooperative COOP Norge SA.⁶⁶

According to BHMAC, cluster munition-contaminated areas are prioritised for clearance based on agreement with local communities and municipalities.⁶⁷

LAND RELEASE SYSTEM

STANDARDS AND LAND RELEASE EFFICIENCY

In 2016, the Demining Commission formally adopted three revised chapters of the national mine action standards (NMAS) on land release, non-technical survey, and technical survey, drafted in cooperation with EU technical assistance through the Land Release pilot project, UNDP, and the GICHD.⁶⁸ The Demining Commission adopted new standards for CMR at the beginning of 2017.⁶⁹

In 2015, BHMACH adopted a new national standing operating procedure (SOP) for non-technical survey of areas suspected to contain CMR, based on NPA's own SOP.⁷⁰ In October 2016, BHMACH made updates and improvements to national SOPs for CMR clearance and technical survey, also based on NPA's SOPs.⁷¹ In April 2018, the new SOP for non-technical survey was adopted by the Demining Commission.⁷² As at April 2019, BHMACH reported that it was currently developing new standards and SOPs in accordance with IMAS.⁷³

BHMACH reported that survey or resurvey of hazardous areas suspected to contain CMR is conducted as standard, as part of all land release operations.⁷⁴ According to NPA, national mine action standards in BiH are suitably adapted to the local threat and context, and enable efficient evidence-based survey and clearance of CMR.⁷⁵

OPERATORS

Land release operations on CMR-contaminated area in 2018 were conducted by non-governmental organisation NPA and the BiH Armed Forces. BHMACH was not, however, able to provide the total number of personnel that conducted technical survey and clearance during the year.⁷⁶ Unlike in previous years, no cluster munition-contaminated area was reported to have been released by the Federal Administration of Civil Protection in 2018.⁷⁷

As at June 2018, the Armed Forces of BiH, the Federal Administration of Civil Protection, the Civil Protection of the Republic of Srpska, NPA, and national NGO, PRO VITA, were all accredited and equipped to conduct CMR survey and clearance.⁷⁸

Two of the thirty-four BiH Armed Forces' ten-strong demining teams (eight deminers, plus a team leader and a medic) are specialised in CMR clearance.⁷⁹ As at June 2019, both these teams were deployed.⁸⁰

BHMACH asserts that the BiH Armed Forces and the Federal Administration of Civil Protection are equipped with necessary demining equipment and capable, trained personnel for CMR clearance.⁸¹ However, both have suffered from logistical challenges and equipment

deficits in the past, which prevent them from working at full capacity.⁸² For example, the BiH Armed Forces require ongoing support from external partners, such as NPA, to secure personal protective equipment, batteries for detectors, and fuel for demining machinery, since the Army's own complex procurement system often cannot deliver such items in time.⁸³ Furthermore, deminers in the BiH Armed Forces are forced to stop demining at the age of 38 (this upper limit, until recently, had been 35). This results in experienced deminers being forced to retire at a very early age and results in a high turnover of personnel.⁸⁴

In 2018, NPA deployed two manual teams (each with six deminers and one team leader), for technical survey and clearance operations of CMR-contaminated area in BiH. NPA expected capacity to remain constant in 2019,⁸⁵ when it planned to conduct technical survey and clearance on seven CMR tasks and to release approximately 600,000m². In winter, NPA conducts tasks in the southern parts of BiH; while in the summer, it works in the mountains.⁸⁶ In addition, NPA is supporting capacity development of the Armed Forces demining battalion and the two entity civil protections, through training and technical advice, operational support, and the provision of mine detection dogs, metal detectors, demining machinery, and other equipment.⁸⁷

Mines Advisory Group (MAG) received operational accreditation in April 2017, and began demining in May 2017, but is engaged in landmine survey and clearance only.

OPERATIONAL TOOLS

All CMR-contaminated area released in 2018 was through manual technical survey and clearance. No animal detection systems or mechanical assets were used in CMR survey or clearance operations in BiH in 2018.⁸⁸ This is despite the fact that in 2017, BiH announced that technical survey and CMR clearance would also be conducted with the use of special detection dogs (SDDs), through NPA.⁸⁹

Successful results from a 2014 pilot project using SDDs for technical survey and clearance of CMR-contaminated areas, implemented by NPA,⁹⁰ led to BHMACH updating the relevant NMAS to include the use of dogs in targeted technical survey of CMR.⁹¹ NPA submitted SOPs for SDDs to BHMACH for approval. As at June 2019, BHMACH was making necessary amendments to the existing standards, which it will then submit to the Demining Commission for approval. NPA strongly recommends the use of detection dogs in technical survey (both targeted and systematic investigation), with the aim of increasing the efficiency and pace of the release of land contaminated with mines, CMR, and other ERW.⁹²

LAND RELEASE OUTPUT AND ARTICLE 4 COMPLIANCE

LAND RELEASE OUTPUT IN 2018

A total of 0.75km² of CMR contaminated was released in 2018, of which nearly 0.44km² was cleared and just under 0.31km² was reduced by technical survey. During technical survey and clearance, a total of 1,009 submunitions were destroyed. No land was cancelled by non-technical survey in 2018.⁹³

During land release operations in 2018, an additional 0.58km² of previously unrecorded CMR contamination was identified.⁹⁴

SURVEY IN 2018

In 2018, just over 0.31km² of CMR-contaminated area was reduced by technical survey (see Table 2). This represents a decrease on the 0.6km² reduced by technical survey in 2017.⁹⁵ No area was cancelled by non-technical survey in 2018.

Of the 313,037m² reduced by technical survey in 2018, 190,681m² was reduced by NPA (in Neretva Canton and in Republika Srpska) and 122,356m² by the BiH Armed Forces (in Central Bosnia and Sarajevo Canton).⁹⁶

Table 2: Release by technical survey in 2018⁹⁷

Canton	Area reduced (m ²)
Central Bosnia	23,757
Neretva	67,854
Sarajevo	98,599
Total Federation BiH	190,210
Total Republika Srpska	122,827
TOTAL	313,037

CLEARANCE IN 2018

In 2018, nearly 0.44km² of CMR contaminated was cleared by NPA and the BiH Armed Forces, with the destruction of 1,009 submunitions, of which 274,548m² was in the Federation of BiH and 163,236m² in Republika Srpska (see Table 3).

Clearance output in 2018 was therefore a slight increase on the 0.27km² cleared in 2017.⁹⁸ Unlike in previous years, however, no CMR-contaminated area was reported to have been cleared by the Federal Administration of Civil Protection in 2018.⁹⁹

Of the 437,784m² released by clearance in 2018, 312,736m² was cleared by NPA (in Neretva Canton and in the Republika Srpska) and 125,048m² by the BiH Armed Forces (in Central Bosnia and Sarajevo Canton).¹⁰⁰

BHMAC reported that one cluster munition-contaminated area, totalling 33,000m², was cleared in 2018, which proved to have contained no CMR.¹⁰¹

Table 3: Clearance of CMR-contaminated area in 2018¹⁰²

Canton	Area cleared (m ²)	Submunitions destroyed	Other UXO destroyed
Central Bosnia	33,000	0	0
Neretva	149,500	25	7
Sarajevo	92,048	892	0
Total Federation BiH	274,548	917	7
Total Republika Srpska	163,236	92	7
Totals	437,784	1,009	14

ARTICLE 4 DEADLINE AND COMPLIANCE

CCM ENTRY INTO FORCE FOR BIH: 1 MARCH 2011

ARTICLE 4 DEADLINE: 1 MARCH 2021

ON TRACK TO MEET ARTICLE 4 DEADLINE: NO

Under Article 4 of the CCM, BiH is required to destroy all CMR in areas under its jurisdiction or control as soon as possible, but not later than 1 March 2021. BiH is not on track to meet this deadline. However, BHMAC reports that it respects its CCM Article 4 deadline¹⁰³ and BiH's National Mine Action Strategy 2018–2025 states that “the key actors believe BiH can fulfil this obligation by the end of the deadline.”¹⁰⁴

BHMAC and NPA reported a target of 1km² for CMR technical survey and clearance operations in 2018;¹⁰⁵ 250,000m² for non-technical survey and targeted investigation in partnership with BHMAC; and 250,000m² as direct operational support (mechanical ground preparation) to the demining battalion of the BiH Armed Forces.¹⁰⁶ The actual amount of CMR-contaminated area released by technical survey and clearance in 2018, was 750,821m², and no land was released through non-technical survey, meaning BiH achieved only 75% of planned 2018 land release output.

While BHMAC has stated previously that it does not expect any obstacles in meeting its Article 4 deadline of 1 March 2021,¹⁰⁷ the fact that only a little over 1km² of CMR-contaminated land has been cleared in the last five years (see Table 4) is cause for concern and suggests that BiH may not meet its Article 4 deadline.

Table 4: Five-year summary of CMR clearance (2014–18)

Year	Area cleared (km ²)
2018	0.44
2017	0.27
2016	0.10
2015	0.23
2014	0.26
Total	1.30

Furthermore, according to NPA, inaccuracy of data relating to SHAs contaminated with CMR poses a challenge for BHMAC,¹⁰⁸ complicating land release planning.

However, despite slow and inadequate national land release output over the last five years, NPA still believes its completion strategy for CMR-contaminated areas will enable BiH to meet its Article 4 deadline for CMR clearance of March 2021.¹⁰⁹

1 UNDP, Draft Mine Action Governance and Management Assessment for BiH, 13 May 2015; and Audit Office of the Institutions of Bosnia and Herzegovina, “Performance Audit Report. Efficiency of the Demining System in Bosnia and Herzegovina”, No. 01-02-03-10-16-1-1101/16, October 2016, p. 22.

2 Email from Ljiljana Ilić, Interpreter, BHMAC, 24 April 2019.

3 CCM Article 7 Report (for 2017), Form F.

4 Email from Ljiljana Ilić, BHMAC, 24 April 2019.

5 Ibid.

6 Ibid.

7 BiH, National Mine Action Strategy 2018–2025, p. 26.

8 According to Article 2(2) of the CCM, “Cluster munition” means a **conventional munition** that is designed to disperse or release **explosive submunitions** each weighing less than 20 kilograms, and includes those explosive submunitions” [emphasis added].

9 The definition of a cluster munition in Article 2 of the CCM refers to “a conventional munition that is designed to disperse or release explosive submunitions”.

10 BiH, National Mine Action Strategy 2018–2025, p. 26.

11 CCM Article 7 Report (for 2017), Form F.

12 Email from Ljiljana Ilić, BHMAC, 22 June 2018.

13 BHMAC website, “Mine Action Report in BiH for 2015 approved by the BH Ministry Council”, 16 May 2016.

14 Statements of BiH, First CCM Review Conference, Dubrovnik, 9 September 2015; and High-level Segment, First CCM Review Conference, 7 September 2015.

15 Statement of BiH, High-level Segment, First CCM Review Conference, Dubrovnik, 7 September 2015.

16 Email from Ljiljana Ilić, BHMAC, 22 June 2018.

17 BHMAC Organisational chart, accessed 28 May 2017 at: <http://bit.ly/2Yc4xl>.

18 The principle of organising BiH state-level bodies along ethnic lines came under scrutiny following the 2009 judgment of the European Court of Human Rights in the *Sejdić and Finci* case that the rights of two Bosnians of Roma and Jewish descent had been violated by being denied the opportunity to run for high-level elected office because they were not of the major ethnic groups. European Court of Human Rights, *Sejdić and Finci v. Bosnia and Herzegovina*, Judgment, 22 December 2009; UNDP, Draft Mine Action Governance and Management Assessment for BiH, 13 May 2015, p. 22; and BiH, National Mine Action Strategy 2018–2025, pp. 8–9.

19 UNDP, Draft Mine Action Governance and Management Assessment for BiH, 13 May 2015, p. 22.

20 Emails from Ljiljana Ilić, BHMAC, 26 June 2018; and Suad Baljak, UNDP, 27 June 2018.

21 UNDP, Draft Mine Action Governance and Management Assessment for BiH, 13 May 2015, p. 22; and Audit Office of the Institutions of Bosnia and Herzegovina, “Performance Audit Report. Efficiency of the Demining System in Bosnia and Herzegovina”, No. 01-02-03-10-16-1-1101/16, 4 November 2016, p. 22.

22 Audit Office of the Institutions of Bosnia and Herzegovina, “Performance Audit Report. Efficiency of the Demining System in Bosnia and Herzegovina”, 4 November 2016, p. 8.

23 Bosnia and Herzegovina Official Gazette, Sarajevo, 17 March 2002.

24 BiH, National Mine Action Strategy 2018–2025, p. 8.

25 Audit Office of the Institutions of Bosnia and Herzegovina, “Performance Audit Report. Efficiency of the Demining System in Bosnia and Herzegovina”, 4 November 2016, p. 23.

26 Statement of BiH, APMBIC Intersessional meetings, Geneva, 8 June 2017.

27 Email from Ljiljana Ilić, BHMAC, 24 April 2019.

28 Statement of GICHD, APMBIC Intersessional meetings, Geneva, 7 June 2018.

- 29 Emails from Goran Zdrle, BHMIC, 17 May 2017; and Ljiljana Ilić, BHMIC, 24 April 2019.
- 30 Ibid.; and email from Fotini Antonopoulou, EU, 23 July 2018.
- 31 Interview with Tarik Serak, BHMIC, Sarajevo, 10 May 2017; and emails from Fotini Antonopoulou, EU, 19 June 2017; and Suad Baljak, UNDP, 15 June 2017; and UNDP BiH, "Mine Action Board of Donors Meeting", 31 March 2016, at: <http://bit.ly/300f4lp>.
- 32 Interviews with Haris Lokvancic, Advisor on Political Affairs, Programme Officer – Human Security/Justice, Swiss Embassy, Sarajevo, 9 May 2017; Fotini Antonopoulou, EU, Sarajevo, 10 May 2017; and Lt.-Col. Martin Herrmann, Defence Attaché to Bosnia and Herzegovina and Kosovo, German Embassy, Sarajevo, 10 May 2017.
- 33 Email from Ljiljana Ilić, BHMIC, 24 April 2019.
- 34 BiH, National Mine Action Strategy 2018–2025, p. 20.
- 35 Interview with Tarik Serak, BHMIC, Sarajevo, 10 May 2017.
- 36 Interview with Blažen Kovač, Ministry of Defence, and Chair of the Demining Commission, Sarajevo, 10 May 2017; and email from Kathy Keary, Country Director, Mines Advisory Group (MAG), 31 August 2018.
- 37 Email from Ljiljana Ilić, BHMIC, 24 April 2019.
- 38 BiH, National Mine Action Strategy 2018–2025, pp. 1 and 19–20.
- 39 BiH, Financial Plan for Implementation of the BiH Mine Action Strategy 2018–25, pp. 6–7.
- 40 Ibid.
- 41 BiH, National Mine Action Strategy 2018–2025, p. 14.
- 42 Ibid.
- 43 Email from Ljiljana Ilić, BHMIC, 24 April 2019.
- 44 Ibid.
- 45 Email from Goran Šehić, Deputy Programme Manager, NPA, 25 February 2019.
- 46 Ibid.
- 47 Email from Jonas Zachrisson, Country Director, NPA, 5 June 2019.
- 48 Emails from Ljiljana Ilić, BHMIC, 24 April 2019; and Goran Šehić, NPA, 25 February 2019; and BiH, National Mine Action Strategy 2018–2025, p. 52.
- 49 Email from Ljiljana Ilić, BHMIC, 24 April 2019.
- 50 Email from Goran Šehić, NPA, 25 February 2019.
- 51 Ibid.
- 52 BiH, National Mine Action Strategy 2018–2025, pp. 1 and 16–18.
- 53 "BiH Statement on Interim Request for Extension to the Deadline for Fulfilling Obligations as per Article 5" [APMBC], Geneva, 7 June 2018; and 2018 APMBC Article 5 deadline Extension Request, pp. 7 and 23.
- 54 Statement of GICHD, APMBC Intersessional meetings, Geneva, 7 June 2018.
- 55 Emails from Ljiljana Ilić, BHMIC, 24 April 2019; and Suad Baljak, UNDP, 10 June 2019.
- 56 BHMIC website, "Bosnia and Herzegovina Mine Action Strategy 2019–2025 adopted by the Council of Ministers", available at: <https://bit.ly/2VnPNdj>
- 57 BiH, National Mine Action Strategy 2018–2025, p. 26.
- 58 Statements of BiH, APMBC Thirteenth Meeting of States Parties, Geneva, 5 December 2013 and APMBC Fourteenth Meeting of States Parties, Geneva, 18 December 2015; BHMIC, "Revision of Mine Action Strategy in Bosnia and Herzegovina 2009–2019 (First Revision 2012)", 14 March 2013; UNDP, "Draft Mine Action Governance and Management Assessment for Bosnia and Herzegovina", 13 May 2015, p. 17; Audit Office of the Institutions of Bosnia and Herzegovina, "Performance Audit Report. Efficiency of the Demining System in Bosnia and Herzegovina", p. 25; and emails from Tarik Serak, BHMIC, 26 May 2016; and Goran Zdrle, BHMIC, 17 May 2017.
- 59 Interview with Åsa Massleberg, Advisor, Strategic Management, GICHD, Geneva, 9 March 2017; emails from Goran Zdrle, BHMIC, 17 May 2017; and Anna-Lena Schluchter, containing information from Åsa Massleberg, GICHD, 20 and 29 June 2017; Statement of BiH, APMBC Intersessional meetings, Geneva, 8 June 2017; BHMIC website, "From 7 till 11 November a workshop on National Mine Action Strategy and prioritisation is being held", 7 November 2016, and "Workshop on "Revision of Mine Action Strategy 2009–2019" held in Sarajevo", 17 February 2017.
- 60 BiH, National Mine Action Strategy 2018–2025, pp. 21–26.
- 61 Ibid., p. 34.
- 62 Ibid., p. 33.
- 63 Email from Ljiljana Ilić, BHMIC, 24 April 2019.
- 64 Ibid.
- 65 Ibid.
- 66 Email from Goran Šehić, NPA, 25 February 2019.
- 67 Email from Ljiljana Ilić, BHMIC, 24 April 2019.
- 68 BHMIC, "Report on Mine Action in BiH for 2016", February 2017, p. 18; and Audit Office of the Institutions of Bosnia and Herzegovina, "Performance Audit Report. Efficiency of the Demining System in Bosnia and Herzegovina", No. 01-02-03-10-16-1-1101/16, October 2016, p. 26; BHMIC, "Adoption of three new chapters of Mine Action Standard for land release, the new approach for solving the mine problem", 28 January 2016; and email from Fotini Antonopoulou, EU, 18 September 2017.
- 69 Interview with Saša Obradovic, BHMIC, Sarajevo, 10 May 2017.
- 70 Emails from Darvin Lisica, NPA, 11 August 2015, and Tarik Serak, BHMIC, 26 May 2016; and Statement of BiH, First CCM Review Conference, Dubrovnik, 9 September 2015.
- 71 Email from Goran Šehić, NPA, 25 February 2019.
- 72 Email from Suad Baljak, UNDP, 10 June 2019.
- 73 Email from Ljiljana Ilić, BHMIC, 24 April 2019.
- 74 Ibid.
- 75 Email from Goran Šehić, NPA, 25 February 2019.
- 76 Email from Ljiljana Ilić, BHMIC, 24 April 2019.
- 77 Ibid.
- 78 Email from Suad Baljak, UNDP, 27 June 2018.
- 79 Interview with Blažen Kovač, Ministry of Defence, Chair of the Demining Commission, Sarajevo, 10 May 2017; and email from Fotini Antonopoulou, EU, 23 July 2018.
- 80 Email from Ljiljana Ilić, BHMIC, 14 June 2019.
- 81 Email from Ljiljana Ilić, BHMIC, 24 April 2019.
- 82 UNDP, Draft Mine Action Governance and Management Assessment for BiH, 13 May 2015, p. 29; and interviews with Darvin Lisica, NPA, Sarajevo, 8 May 2017; Haris Lokvancic, Swiss Embassy, Sarajevo, 9 May 2017; and Tarik Serak, BHMIC, Sarajevo, 10 May 2017.
- 83 Interview with Lt.-Col. Dzevad Zenunovic, Demining Battalion of the Armed Forces of BiH, Sarajevo, 10 May 2017; and email from Goran Šehić, NPA, 30 March 2018.
- 84 Interview with Lt.-Col. Dzevad Zenunovic, Demining Battalion of the Armed Forces of BiH, Sarajevo, 10 May 2017.
- 85 Email from Goran Šehić, NPA, 25 February 2019.
- 86 Ibid.
- 87 Ibid.
- 88 Emails from Ljiljana Ilić, BHMIC, 24 April 2019; and Goran Šehić, NPA, 25 February 2019.
- 89 Statement of BiH, CCM Seventh Meeting of States Parties, Geneva, 4–6 September 2017.
- 90 Email from Amela Balic, NPA Bosnia, 15 April 2015.
- 91 Email from Goran Zdrle, BHMIC, 17 May 2017.
- 92 Email from Jonas Zachrisson, NPA, 5 June 2019.
- 93 Email from Ljiljana Ilić, BHMIC, 24 April 2019.
- 94 Ibid.
- 95 CCM Article 7 Report (for 2017), Form F. Information on BiH's Article 7 report is, however, a little unclear, stating in supplementary information, that "Technical survey and cluster munition were reduced and clearance through 15 tasks 863,066m², were 632 pieces of submunition and 26 pieces of ERW." BHMIC subsequently confirmed that 863,066m² refers to the total land released through clearance and technical survey, and that of this, 267,772m² was released through clearance and 595,294m² through technical survey. Email from Ljiljana Ilić, BHMIC, 26 June 2018.
- 96 Ibid. There was a very small discrepancy in the amount of NPA reported as reduced in Neretva Canton (67,600m²) compared to the 67,854m² reported for NPA by BHMIC. Email from Goran Šehić, NPA, 25 February 2019.
- 97 Email from Ljiljana Ilić, BHMIC, 24 April 2019.
- 98 CCM Article 7 Report (for 2017), Form F; and email from Ljiljana Ilić, BHMIC, 22 June 2018.
- 99 Email from Ljiljana Ilić, BHMIC, 24 April 2019.
- 100 Ibid.; and email from Goran Šehić, NPA, 25 February 2019.
- 101 Email from Ljiljana Ilić, BHMIC, 24 April 2019.
- 102 Ibid.
- 103 Ibid.

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- 104 BiH, National Mine Action Strategy 2018–2025, p. 11.
- 105 Emails from Goran Šehić, NPA, 30 March 2018; and Ljiljana Ilić, BHMAC, 24 April 2019.
- 106 Emails from Goran Šehić, NPA, 30 March 2018; and Jonas Zachrisson, NPA, 5 June 2019.
- 107 Email from Goran Zdrale, BHMAC, 17 May 2017.
- 108 Email from Goran Šehić, NPA, 25 February 2019.
- 109 Ibid.