

KOSOVO

PROGRAMME PERFORMANCE

2015

Problem understood	7
Target date for completion of cluster munition clearance	6
Targeted clearance	7
Efficient clearance	7
National funding of programme	3
Timely clearance	6
Land-release system in place	7
National mine action standards	7
Reporting on progress	5
Improving performance	6
PERFORMANCE SCORE: AVERAGE	6.1

RECOMMENDATION FOR ACTION

- Kosovo should commit to respect and implement the Convention on Cluster Munitions (CCM) and to clear all cluster munition remnants (CMR) as soon as possible.

CONTAMINATION

At the end of 2015, contamination from CMR in Kosovo covered an estimated 16km² across 55 areas.¹ This compares to 51 areas, over 7.69km², at the end of 2014.² The increase in baseline CMR contamination in 2015 is due to almost 8.9km² of previously unrecorded contamination confirmed by non-technical survey (NTS) in northern Kosovo during the year.³

Contamination is primarily a result of conflict between the Federal Republic of Yugoslavia (FRY) and the Kosovo Liberation Army (KLA) in the late 1990s, and between the FRY and the North Atlantic Treaty Organization (NATO) in 1999.⁴ NATO aircraft bombed 333 locations between 24 March and 10 June 1999 (Operation Allied Force), dropping 1,392 bombs that released more than 295,700 submunitions.⁵ Forces of the FRY also used cluster munitions during the 1998–99 conflict in Kosovo.⁶ The failure rate of the submunitions was typically between 10 and 15%, resulting in tens of thousands of unexploded submunitions lying on and under the ground. A large clearance programme followed in 1999 under a United Nations (UN) mandate, but this ended prematurely in 2001, leaving many CMR-contaminated areas still needing to be cleared.⁷

In 2013, HALO Trust and the Kosovo Mine Action Centre (KMAC) conducted a joint NTS of cluster munition strikes and minefields across Kosovo, with the exception of four districts in the north. The survey identified 130 CHAs: 51 cluster munition strikes, covering 7.63km², and 79 mined areas over 2.76km².⁸

Norwegian People's Aid (NPA), in coordination with KMAC and local municipality authorities, subsequently conducted a NTS of the four northern municipalities, which were not covered in the 2013 HALO Trust/KMAC

survey.⁹ The NTS confirmed 8.9km² of CMR contamination in three of the four municipalities surveyed (Leposavić, Zubin Potok, and Zvečan). No CMR contamination was found in the fourth municipality of Mitrovica North.¹⁰ On the basis of available evidence, NPA believes that 83 cluster bombs were dropped in this region, dispersing a total of 17,041 submunitions.¹¹

Cluster munition contamination in Kosovo impedes and endangers use of the land for agriculture, pasture, tourism, and firewood collection, and most directly affects the rural poor.¹² Kosovo is a small country with a relatively large population, and CMR often exists in close proximity to human activity.¹³

NPA's 2015 NTS in northern Kosovo revealed that of the confirmed CMR-contaminated area, 43% is mountainous, in area intended for tourism (a key developmental potential for the region), 25% is agricultural land, and 23% forests.¹⁴ In the three CMR-contaminated provinces surveyed in northern Kosovo, NPA identified 995 local inhabitants as being directly vulnerable, and a further 1,027 as indirectly vulnerable.¹⁵

Other ERW and Landmines

Kosovo is contaminated with anti-personnel mines. In addition, it remains affected by other explosive remnants of war (ERW). Most ERW consists of unexploded aircraft bombs (located mainly in the west of the province) and items of abandoned explosive ordnance (AXO). However, explosive ordnance disposal (EOD) teams continue to encounter items of unexploded ordnance (UXO) dating back to World War II.¹⁶ Kosovo Protection Force (KFOR) explosive ordnance disposal (EOD) teams regularly dispose of items of AXO in response to information provided by the public and demining organisations.¹⁷

1 Email from Ahmet Sallova, Head, Kosovo Mine Action Centre (KMAC), 12 April 2016.

2 Email from Ahmet Sallova, KMAC, 18 March 2015.

3 Norwegian People's Aid (NPA), *Cluster Munition Remnants in Northern Kosovo: non-technical survey of contamination and impact*, September 2015; and email from Goran Peršić, Project Manager, NPA Kosovo, 13 May 2016.

4 See United Nations Mission in Kosovo (UNMIK), "UNMIK OKPCC EOD Management Section Annual Report 2005", Pristina, 18 January 2006, p. 2; and International Committee of the Red Cross (ICRC), *Explosive Remnants of War, Cluster Bombs and Landmines in Kosovo*, Geneva, rev. June 2001, p. 6, at: <http://www.icrc.org/eng/resources/documents/misc/explosive-remnants-of-war-brochure-311201.htm>.

5 ICRC, *Explosive Remnants of War, Cluster Bombs and Landmines in Kosovo*, rev. June 2001, Geneva, pp. 4 and 6; and HALO Trust, "Action on cluster munitions in Kosovo", 10 September 2015, at: <https://www.halotrust.org/media-centre/news/action-on-cluster-munitions-in-kosovo/>.

6 Human Rights Watch (HRW) and Landmine Action, *Banning Cluster Munitions Government Policy and Practice*, Mines Action Canada, Ottawa, 2009, p. 238; and ICRC, *Explosive Remnants of War, Cluster Bombs and Landmines in Kosovo*, rev. June 2001, Geneva, p. 6.

7 A. Moore, HALO Trust, "Action on cluster munitions in Kosovo", Side event, First CCM Review Conference, Dubrovnik, 10 September 2015.

8 Ibid.

9 NPA, *Cluster Munition Remnants in Northern Kosovo: non-technical survey of contamination and impact*, September 2015; and email from Goran Peršić, NPA Bosnia and Herzegovina, 13 May 2016.

10 Ibid.

11 NPA, *Cluster Munition Remnants in Northern Kosovo: non-technical survey of contamination and impact*, September 2015.

12 Email from Ahmet Sallova, KMAC, 12 April 2016; and HALO Trust, "Kosovo", webpage accessed 26 May 2016 at: <https://www.halotrust.org/where-we-work/europe-and-caucasus/kosovo/>.

13 A. Moore, "Action on cluster munitions in Kosovo", Side event, First CCM Review Conference, Dubrovnik, 10 September 2015.

14 NPA, *Cluster Munition Remnants in Northern Kosovo: non-technical survey of contamination and impact*, September 2015, pp. 7 and 18.

15 Ibid.

16 UNMIK, "OKPCC EOD Management Section Annual Report 2008", Pristina, 12 January 2009, p. 4.

17 Email from Ahmet Sallova, KMAC, 1 August 2012.

PROGRAMME MANAGEMENT

In January 2011, the EOD Coordination Management Section became KMAC under the Ministry of the Kosovo Security Forces (KSF). KMAC is responsible for managing clearance of mines and ERW. It prepares an annual workplan in cooperation with demining non-governmental organisations (NGOs) and coordinates operations of both the NGOs and KFOR. It also coordinates survey, quality assurance, risk education, public information, and victim assistance.¹⁸

Strategic Planning

A 2015–18 multi-year strategic plan for the Kosovo Mine Action Programme aims to reduce the social, economic, and environmental impact of mines, cluster munitions, and UXOs in Kosovo.¹⁹

Legislation and Standards

Kosovo has its own mine action standards in place, which reportedly conform to International Mine Action Standards (IMAS).²⁰

Operators

The KSF provide clearance capacity in Kosovo, including round-the-clock EOD emergency response.²¹ In addition, NGOs also conduct land release in Kosovo: HALO Trust, the Bosnia-based Mine Detection Dog Centre (MDDC), and Mines Awareness Trust (MAT). MDDC received US funding in 2015, but only for mine clearance and not CMR; and MAT was not funded to operate in either 2014 or 2015.²² In December 2014, NPA received accreditation to conduct an NTS, which was subsequently completed in August 2015.²³

Capacity in 2015 remained the same as in 2014.²⁴ HALO Trust deployed 24 operational staff on CMR clearance, and expected capacity to remain the same throughout 2016.²⁵ KSF operated three platoons with 75 deminers also trained for BAC, and a fourth platoon with 25 deminers also trained solely to conduct EOD rapid response tasks.²⁶

Quality Management

KMAC has two Quality Assurance (QA) officers, who conduct site visits to ensure work is conducted in accordance with the IMAS and the standing operating procedures (SOPs).²⁷



Parts of CMR, Zvecan municipality, Kosovo. © NPA

LAND RELEASE

A total of 0.34km² of CMR-contaminated area was released by clearance in 2015. No area was reported as reduced by technical survey, or cancelled by NTS, but 8.9km² was confirmed by NTS as CMR-contaminated.

Survey in 2015

In 2015, NPA conducted both desk study and field-based NTS in Kosovo, in cooperation with KMAC, confirming 30 areas as CMR-contaminated across nine communities in three municipalities. In total, almost 8.9km² was confirmed as CMR contaminated (see Table 1).²⁸ No area was cancelled or reduced by TS.

The results of the NTS will form the basis for a Kosovo's future CMR land-release strategy for northern Kosovo.³⁰



Table 1: NTS of CMR-contaminated areas in 2015²⁹

Municipality	Community	Areas confirmed	Area confirmed (km ²)
Leposavić	Belo Brdo	3	0.71
	Guvnište	3	1.31
Zubin Potok	Brnjak	1	0.70
	Čečevo	4	1.50
	Oklace	3	1.95
	Bube	2	0.72
	Banje	2	0.09
Zvecan	Boljetin	2	0.14
	Zaza	10	1.77
Totals		30	8.89

18 Ibid.

19 Emails from Ahmet Sallova, KMAC, 12 April 2016; and Andrew Moore, Caucasus and Balkans Desk Officer, HALO Trust, 2 June 2016.

20 Ibid.

21 A. Moore, HALO Trust, "Action on cluster munitions in Kosovo", Side event, First CCM Review Conference, Dubrovnik, 10 September 2015.

22 Email from Ahmet Sallova, KMAC, 7 June 2016.

23 NPA, *Cluster Munition Remnants in Northern Kosovo: non-technical survey of contamination and impact*, September 2015; and email from Goran Peršić, NPA, 13 May 2016. Email from Ahmet Sallova, KMAC, 12 April 2016.

24 Ibid.

25 Email from Admir Berisha, Kosovo Programme Manager, HALO Trust, 24 May 2016.

26 Email from Ahmet Sallova, KMAC, 7 June 2016.

27 Email from Ahmet Sallova, KMAC, 12 April 2016.

28 Ibid.; email from Goran Peršić, NPA, 13 May 2016; and NPA, *Cluster Munition Remnants in Northern Kosovo: non-technical survey of contamination and impact*, September 2015.

29 Email from Goran Peršić, NPA, 13 May 2016; and NPA, *Cluster Munition Remnants in Northern Kosovo: non-technical survey of contamination and impact*, September 2015, p. 23.

30 Email from Goran Peršić, NPA, 13 May 2016.

Clearance in 2015

KSF and HALO Trust collectively cleared a total of just under 0.34km² in 2015 (see Table 2).³¹ While it is impossible to make a direct comparison, as data in previous years was not disaggregated between mines and CMR, the 0.34km² of CMR contaminated area cleared in 2015 represents a decrease compared to 2014. This is reportedly due to a greater focus on mine clearance operations in 2015.³²

In 2015, KSF released one confirmed hazardous area and worked on three others that were suspended at the end of the demining season, clearing 275,932m² in total. In the course of clearance, 38 submunitions and 456 other items of UXO were destroyed.³³

HALO Trust cleared 61,766m² containing CMR across two CHAs in 2015, in the course of which 25 CMRs and two other items of UXO were destroyed.³⁴ During HALO Trust clearance, CMR contamination was only found to exist in one of the two tasks (the task located in Zhub/Gjakova).³⁵ No submunitions were found in the second task in Landovice/Prizren, due to the fact that the main task had been cleared in 2014, and then suspended during winter due to adverse weather conditions. Fadeout was completed in 2015, during which no further submunitions were found.³⁶

HALO Trust deminers average clearance of 100m² a day on cluster munition strike sites, reflecting the constraints on clearance posed by steep gradients, dense vegetation, and heavy metal contamination.³⁷

Table 2: Clearance of CMR-contaminated areas in 2015³⁸

Operator	Areas cleared	Area cleared (m ²)	Submunitions destroyed	UXO destroyed
KSF	1*	275,932	38	456
HALO Trust	2	61,766	25	2
Totals	3	337,698	63	458

* An additional three tasks were suspended due to the end of the demining season.

According to KMAC, CMR-contaminated areas with high impact are prioritised for clearance, based on the number, location, and livelihoods of communities at risk, and also taking into consideration risk education and development. Clearance operations mostly focus on areas confirmed as CMR-contaminated rather than on SHAs.³⁹

An evaluation of Kosovo's mine action programme in 2014, on behalf of the International Trust Fund (ITF) Enhancing Human Security, concluded that KSF and HALO Trust, continuing with their existing capacity and procedures, would not be in a position to complete clearance operations until 2026. The evaluation report suggested that if both organisations, with existing capacity, had access to HSTAMIDs (Handheld Standoff Mine Detection Systems) and adopted NPA's cluster munition remnants survey (CMRS) methodology, clearance could be completed in nine years. HALO

Trust applies CMRS methodology in the Lao People's Democratic Republic but remains unconvinced it presents advantages in Kosovo's conditions.⁴⁰



31 Email from Ahmet Sallova, KMAC, 12 April 2016.

32 Ibid.

33 Ibid.

34 Ibid; and email from Andrew Moore, HALO Trust, 2 June 2016.

35 Email from Andrew Moore, HALO Trust, 2 June 2016.

36 Ibid.

37 Emails from Andrew Moore, HALO Trust, 21 May and 8 July 2015.

38 Emails from Ahmet Sallova, KMAC, 12 April 2016; Admir Berisha, HALO Trust, 24 May 2016; and Andrew Moore, HALO Trust, 2 June 2016.

39 Email from Admir Berisha, HALO Trust, 24 May 2016.

40 Email from Andrew Moore, HALO Trust, 27 May 2015.

ARTICLE 4 COMPLIANCE

Kosovo is not a state party or signatory to the CCM. Nonetheless, Kosovo has obligations under customary international human rights law to clear CMR as soon as possible, in particular by virtue of its duty to protect the right to life of every person under its jurisdiction.

The Kosovo government provides approximately €120,000 in financial support to KMAC and €950,000 to the KSF for mine and CMR clearance.⁴¹ KMAC expected to maintain the same level of donor funding in 2016.⁴²

HALO Trust expected to receive the same funding throughout 2016 as the previous year.⁴³ As at May 2016, though, NPA had not yet secured funding to start CMR clearance in Kosovo.⁴⁴

Unfortunately the misperception that CMR and mine clearance in Kosovo was completed in 2001 persists, whereas the reality is that significant contamination remains to be cleared. Kosovo is a poor country and needs economic assistance to help it complete cluster munition clearance in a timely manner, otherwise completion risks being prolonged for decades after the end of the conflict.⁴⁵



MK-1 submunition, Kosovo © NPA



BLU-97 submunitions found during survey in 2013. © The HALO Trust



BLU-97 submunitions found very close to the main road at Doganaj, June 2016. © The HALO Trust

⁴¹ Email from Ahmet Sallova, KMAC, 12 April 2016.

⁴² Ibid.

⁴³ Email from Admir Berisha, HALO Trust, 24 May 2016.

⁴⁴ Email from Goran Peršić, NPA, 13 May 2016.

⁴⁵ A. Moore, HALO Trust, "Action on cluster munitions in Kosovo", Side event, First CCM Review Conference, Dubrovnik, 10 September 2015.