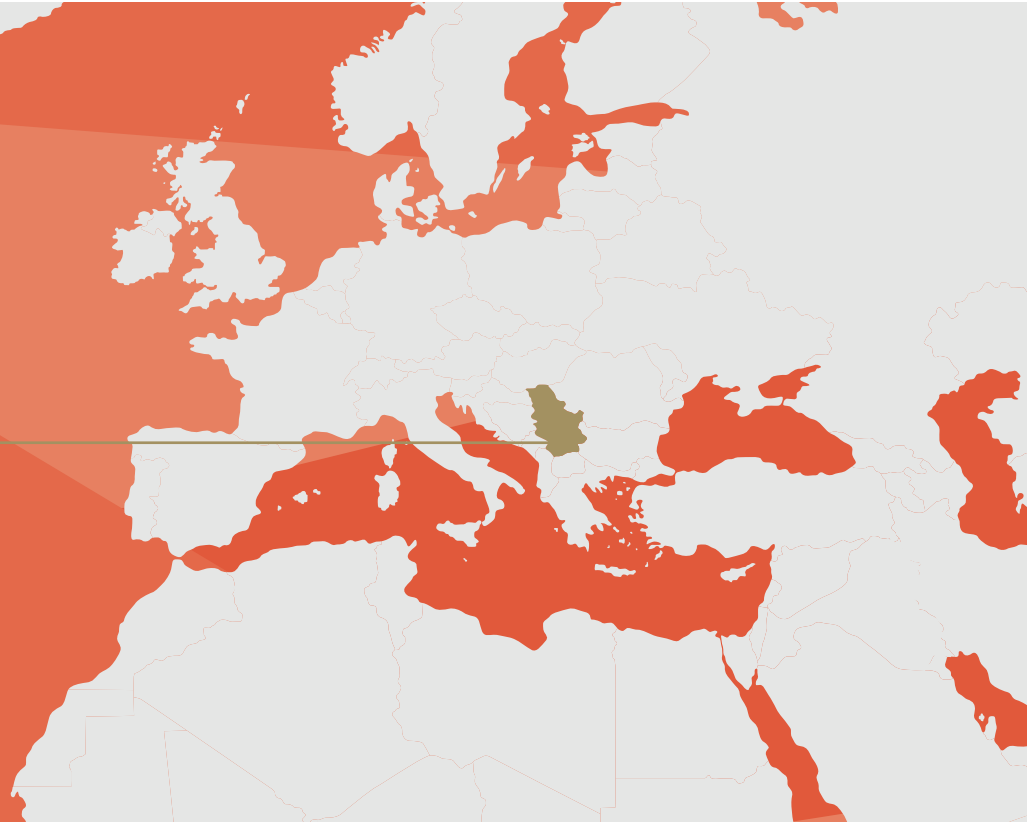


SERBIA



PROGRAMME PERFORMANCE

2015

Problem understood	5
Target date for completion of cluster munition clearance	4
Targeted clearance	4
Efficient clearance	4
National funding of programme	4
Timely clearance	4
Land-release system in place	4
National mine action standards	4
Reporting on progress	4
Improving performance	4
PERFORMANCE SCORE: POOR	4.1

RECOMMENDATIONS FOR ACTION

- Serbia should identify funding, including from national sources, for clearance of cluster munition remnants (CMR) and then clear all remaining contamination as soon as possible.
- The Serbian Mine Action Centre (SMAC) should reconsider its decision to conduct full clearance in areas where technical survey would be far more efficient in accurately defining the actual hazardous area.
- Serbia should accede to the Convention on Cluster Munitions (CCM) as a matter of priority.

CONTAMINATION

SMAC has not made public its estimate of CMR contamination remaining at the end of 2015, but this was said to cover approximately 3km².¹ At the end of 2014, Serbia had less than 0.5km² confirmed to contain CMR and a further 5.3km² suspected to contain CMR, across seven municipalities (see Table 1).

CMR contamination results from North Atlantic Treaty Organization (NATO) air strikes in 1999. According to Serbia, NATO cluster munitions struck 16 municipalities: Brus, Bujanovac, Cacak, Gadžin Han, Knic, Kraljevo, Kuršumlja, Leposavić, Niš city-Crveni Krst, Niš city-Medijana, Preševo, Raška, Sjenica, Sopot, Stara Pazova, and Vladimirci.³ In late 2014, a suspected area was newly identified in Tutin, a municipality not previously reported to be contaminated by CMR.⁴

Remaining contamination is mostly in less developed regions of Serbia, typically on mountains and in woods. These areas are of importance to local communities for access to forest products, crop cultivation, cattle grazing, and mushroom picking. Remnants are also found in debris of erstwhile infrastructure impeding reconstruction as well as the development of tourism.⁵

Other ERW and Landmines

Serbia is also contaminated by other unexploded ordnance (UXO) both on land and in its waterways, and by anti-personnel mines.⁶

Table 1: **CMR contamination by municipality as at the end of 2014²**

Municipality	CHAs	Area (m ²)	SHAs	Area (m ²)
Stara Pazova	0	0	1	249,832
Brus/Raška	1	69,912	1	190,359
Užice	0	0	1	585,268
Sjenica	1	129,915	3	3,256,935
Niš (Crveni krst)	2	58,922	2	236,439
Bujanovac	1	210,929	1	303,823
Tutin	0	0	1	514,682
Totals	5	469,678	10	5,337,338

PROGRAMME MANAGEMENT

According to the Decree on Protection against Unexploded Ordnance ("Official Gazette of RS", No. 70/13), the Sector for Emergency Management, under the Ministry of Interior, acts as the mine action authority, and is responsible for the development of national standard operating procedures, accreditation of clearance operators, and supervising the work of SMAC.⁷ SMAC was established on 7 March 2002, with a 2004 law making it responsible for coordinating demining, collecting and

managing mine action information (including casualty data), and survey of suspected hazardous areas (SHAs). It also has a mandate to plan demining projects, conduct quality control (QC) and monitor operations, ensure implementation of international standards, license demining organisations, and conduct risk education.⁸ A new director of SMAC, Jovica Simonovic, was appointed by the Serbian government in autumn 2015.

1 Interview with Jovica Simonović, Director of SMAC, in Geneva, 18 February 2016; and SMAC, "Mine situation – cluster munitions", accessed 3 June 2016, at: <http://www.czrs.gov.rs/eng/minska-situacija.php>.

2 Email from Branislav Jovanovic, Director, SMAC, 23 March 2015.

3 Statement of Serbia, Anti-personnel Mine Ban Convention (APMBC) intersessional meetings (Standing Committee on Mine Clearance), Geneva, 21 June 2011; and interview with Petar Mihajlović, Director, and Sladana Košutić, International Cooperation Advisor, SMAC, Belgrade, 25 March 2011.

4 Email from Branislav Jovanovic, SMAC, 4 May 2015.

5 Email from Branislav Jovanovic, SMAC, 23 March 2015.

6 "Mine situation", SMAC, accessed 3 June 2016, at: <http://www.czrs.gov.rs/eng/minska-situacija.php>.

7 Emails from Darvin Lisica, NPA Regional Programme Manager, 6 May and 12 June 2016.

8 "Law of Alterations and Supplementations of the Law of Ministries", Official Gazette, 84/04, August 2004; interview with Petar Mihajlović, and Sladana Košutić, SMAC, Belgrade, 26 April 2010; and "About us", SMAC, accessed 3 June 2016, at: <http://www.czrs.gov.rs/eng/o-nama.php>.

Standards

According to SMAC, survey and clearance operations in Serbia are conducted in accordance with the International Mine Action Standards (IMAS).⁹ National mine action standards (NMAS) were said to be in the final phase of development as at September 2015.¹⁰ However, in February 2016 the new director of SMAC reported that the NMAS were being developed, and due to more pressing priorities within SMAC, the standards were not expected to be finalised until 2017.¹¹

As at September 2015, SMAC and Norwegian People's Aid (NPA) were jointly developing separate standing operating procedures (SOPs) for land release of both mined and cluster munition-contaminated areas.¹² However, in 2016, under new directorship, SMAC had halted this process.¹³

Under new directorship, SMAC has reassessed its land release methodology to prioritise clearance over survey.¹⁴ This does not correspond to international best practice, and is a waste of valuable clearance assets, which should be used only to clear areas confirmed as contaminated. The new director of SMAC reported to Mine Action Review that while SMAC is in support of the use of high quality non-technical survey (NTS) to identify areas suspected of containing CMR, it will fully clear these areas, rather than using technical survey to more accurately identify the boundaries of these confirmed hazardous areas (CHAs).¹⁵

Operators

SMAC does not itself carry out clearance or employ deminers but does conduct survey of areas suspected to contain mines, CMR, or other explosive remnants of war (ERW). Clearance is conducted by commercial companies and non-governmental organisations (NGOs), which are selected through public tender procedures executed by ITF Enhancing Human Security.¹⁶ NPA personnel seconded to SMAC have previously conducted all surveys in Serbia.¹⁷

NPA conducted both NTS and technical survey in 2015, but did not conduct CMR clearance.¹⁸ During technical survey operations from March to September 2015, NPA employed a total of 19 demining personnel. During the remainder of 2015, NPA's NTS capacity comprised of either one NPA team leader (seconded to SMAC) or one NPA team leader and one surveyor from NPA's Bosnia and Herzegovina programme, depending on SMAC's monthly plans.¹⁹

Quality Management

SMAC and its partner organisations undertake quality assurance (QA) and QC of clearance operations in mine- and ERW-affected areas.²⁰ On every clearance project, SMAC QC and QA officers are said to sample between 5 and 11% of the total project area, depending on project complexity and size.²¹

Information Management

SMAC does not use the Information Management System for Mine Action (IMSMA) at present, but has been discussing the possibility of the system's future installation with the Geneva International Centre for Humanitarian Demining (GICHD).²²



9 "About us", SMAC, accessed 3 June 2016, at: <http://www.czrs.gov.rs/eng/o-nama.php>.

10 Interview with Branislav Jovanovic, SMAC, in Dubrovnik, 10 September 2015.

11 Interview with Jovica Simonović, SMAC, in Geneva, 18 February 2016.

12 Interview with Branislav Jovanovic, SMAC, in Dubrovnik, 10 September 2015.

13 Interview with Jovica Simonović, SMAC, in Geneva, 18 February 2016.

14 Ibid.

15 Ibid.

16 Interview with Petar Mihajlović and Slađana Košutić, SMAC, Belgrade, 26 April 2010.

17 Emails from Vanja Sikirica, Programme Manager, NPA, Belgrade, 13 March and 29 April 2014.

18 Email from Darvin Lisica, NPA, 13 April 2016.

19 Ibid.; and email, 6 May 2016.

20 Email from Branislav Jovanović, SMAC, 4 May 2015.

21 Ibid.

22 Ibid.

LAND RELEASE

Total CMR-contaminated area released by clearance in 2015 is not known as SMAC has declined to provide the requested data to Mine Action Review.²³ What is known, as reported by NPA, is that 1.41km² was reduced by technical survey in 2015, and a further 1km² was cancelled by NTS.²⁴

Survey in 2015

NTS, which was conducted by an NPA survey team seconded to SMAC, resulted in the cancellation of three SHAs in 2015, totalling just over 1km². In addition, technical survey resulted in more than 1.4km² of land being reduced, and 0.6km² of land in three areas being confirmed as CMR-contaminated.²⁵

During technical survey, 233 BLU-97 submunitions were detected by NPA, which were removed by the Sector for Emergency Management of the Ministry of Interior of Serbia.²⁶



NPA technical survey project, Municipality of Sjenica, August 2015. © NPA

Table 2: Survey of CMR-contaminated area in 2015²⁷

Village	Municipality	SHAs cancelled	Area cancelled (m ²)	Areas confirmed	Area confirmed (m ²)	Area reduced by TS (m ²)
Popovac	Crventi Krst	1	126,460	0	0	0
Sjenica	Sjenica	1	869,346	1	177,120	519,874
Vojka	Stara Pazova	1	9,222	0	0	240,724
Cedovo	Sjenica	0	0	1	89,450	216,250
Vapa	Sjenica	0	0	1	338,391	430,979
Totals		3	1,005,028	3	604,961	1,407,827

Clearance in 2015

It is not known how much CMR-contaminated area was released by clearance in 2015, as SMAC has elected not to make available the requested data to Mine Action Review.²⁸ Information on the SMAC website, though, suggests that two CMR clearance projects were completed in 2015: 129,843m² of contamination was cleared in the municipality of Sjenica by the clearance contractor Saturnia d.o.o. Belgrade, and a further 50,321m² were cleared in the city of Nis, by the clearance contractor "Stop Mines".²⁹

SMAC had planned to clear CMR on some 0.26km² in Niš, Raška, and Sjenica municipalities in 2015. This was to be achieved through two tasks funded by the United States (0.18km²); one Serbia-Montenegro Air Traffic Control-funded task (70,000m²); and one project funded by the Russian Federation (8,600m²).³⁰ Russia has been funding a three-year demining programme in Serbia, which was due to end in 2015. The programme, which is implemented by Emercom, involves a joint Russian-Serbian team conducting CMR and other UXO clearance in Serbia.³¹ It is not certain whether, or to what extent, these clearance projects were completed in 2015.

23 Email from Jovica Simonovic, SMAC, 18 May 2016.

24 Email from Darvin Lisica, NPA, 13 April 2016.

25 Ibid.; and responses to questionnaire by Miroslav Pisarevic, Project Manager, Humanitarian Disarmament Programme, NPA, Serbia, 19 March and 30 June 2015.

26 Emails from Darvin Lisica, NPA, 13 April and 12 June 2016.

27 Email from Darvin Lisica, NPA, 13 April 2016.

28 Email from Jovica Simonovic, SMAC, 18 May 2016.

29 "Completion of cluster munition clearance at the site of Sjenica", SMAC, 27 August 2016; and "Cluster munitions clearance at 'Popovac' site in Niš", 12 June 2015, at: <http://www.czrs.gov.rs/eng/arhiva-vesti-2015.php>.

30 Emails from Branislav Jovanovic, SMAC, 23 March and 18 June 2015.

31 Email from Branislav Jovanovic, SMAC, 23 March 2015.

In 2014, three operators (two Croatian companies, DOK-ING Razminiranje and PIPER, and a Russian state agency) cleared just under 0.29km² of CMR-contaminated area.³²

Progress in 2016

In 2016, NPA had planned to support SMAC with NTS, through the secondment of one NTS team, and to continue with technical survey operations, over 1.34km² of SHA.³³ However, as at the beginning of May 2016, despite donor funding having been granted, NPA had still not been assigned any survey tasks by SMAC, and as far as NPA was aware, neither had other clearance operators in Serbia.³⁴



NPA technical survey project, Municipality of Sjenica, July 2015. © NPA

ARTICLE 4 COMPLIANCE

Serbia is not a party or signatory to the CCM and therefore does not have a specific clearance deadline under Article 4. Nonetheless, Serbia has obligations under 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.³⁵

In 2010–13, significant progress was made in clearing CMR-contaminated areas. In 2014, however, progress stalled and the small area cleared during the year marked the lowest annual figure for CMR in the last five years. As Table 3 indicates, Serbia is not respecting its duty to clear CMR-contaminated areas “as soon as possible”.

According to the SMAC website, only 0.18km² of CMR-contaminated land appears to have been cleared in 2015, but total clearance figures for the year have not been reported by SMAC. Furthermore, in 2016, CMR survey and clearance operators were awaiting tasking orders from SMAC. As at May 2016 it was unclear if any CMR survey or clearance had commenced.³⁷

SMAC is funded by Serbia.³⁸ In 2015, SMAC provided equipment to NPA, including metal detectors, radios, GPS handsets, vegetation removal equipment, and office equipment, to support NPA’s technical survey work.³⁹

According to SMAC, clearance progress is contingent on funding. In March 2015, Serbia predicted that if adequate funds for implementation of survey and clearance projects were secured, CMR clearance could be finished in three years.⁴⁰ However, in February 2016, SMAC’s new director declined to predict when CMR clearance would be completed.⁴¹

Table 3: Five-year summary of clearance³⁶

Year	Area cleared (km ²)
2014	0.29
2013	2.40
2012	1.42
2011	1.15
2010	0.81
Total	6.07



NPA technical survey project, Municipality of Sjenica, May 2015. © NPA

32 Ibid.

33 Email from Darvin Lisica, NPA, 13 April 2016.

34 Email from Darvin Lisica, NPA, 6 May 2016.

35 Serbia is a state party to the 1996 International Covenant on Civil and Political Rights, Article 6(1) of which stipulates that: “Every human being has the inherent right to life.”

36 See Cluster Munition Monitor reports on Serbia covering 2010–13.

37 Email from Darvin Lisica, NPA, 6 May 2016.

38 Email from Branislav Jovanovic, SMAC, 23 March 2015; and “About us”, SMAC, accessed 3 June 2016, at: <http://www.czrs.gov.rs/eng/o-nama.php>.

39 Email from Darvin Lisica, NPA, 13 April 2016.

40 Email from Branislav Jovanovic, SMAC, 23 March 2015.

41 Interview with Jovica Simonovic, SMAC, in Geneva, 18 February 2016.