



GERMANY

ARTICLE 4 DEADLINE: 1 AUGUST 2020
 (UNCLEAR WHETHER ON TRACK TO MEET DEADLINE)

PROGRAMME PERFORMANCE	2016	2015
Problem understood	8	7
Target date for completion of cluster munition clearance	4	4
Targeted clearance	5	4
Efficient clearance	2	2
National funding of programme	8	8
Timely clearance	4	4
Land release system in place	5	5
National mine action standards	8	8
Reporting on progress	5	4
Improving performance	6	5
PERFORMANCE SCORE: AVERAGE	5.5	5.1

PERFORMANCE COMMENTARY

Germany's programme for the release of cluster munition remnants (CMR) performed better in 2016. Having completed survey of the contaminated area in 2015, Germany prepared the site-wide fire protection system in 2016 in readiness for clearance, which finally began in 2017. However, Germany's planned clearance, which aims to complete CMR clearance in early 2020, does not factor in a sufficient margin for delays if it is to comply with its Article 4 deadline under the Convention on Cluster Munitions (CCM).

RECOMMENDATION FOR ACTION

- Germany should provide details of its proposed timeline for completion of CMR clearance, and assess whether it can speed up planned release to ensure unforeseen delays do not prevent it from meeting its Article 4 deadline.

CONTAMINATION

As at April 2017, Germany had 11km² of area suspected to contain CMR at a former Soviet military training area at Wittstock, Brandenburg, in former East Germany.¹

The Soviet-era ShOAB-0.5 submunitions contaminating Wittstock result from testing of the weapon in 1952–93.² The area is highly contaminated with various kinds of explosive ordnance, and “especially ordnance with considerable explosive power”, as well as scrap metal.³

In its initial CCM Article 7 transparency report, submitted in January 2011, Germany declared having no areas confirmed or suspected to contain CMR.⁴ In June 2011, however, at an Anti-Personnel Mine Ban Convention (APMBC) Standing Committee meeting, Germany

declared that the area at Wittstock was suspected to contain CMR.⁵ Germany repeated the information at the CCM Intersessional Meetings a week later, noting that the remnants were “principally found within the confines of a target range” located at the south of the training area.⁶

From 2011 to early 2014, suspected CMR contamination was reported to total 4km².⁷ In August 2014, however, Germany reported that the suspected hazardous area (SHA) was actually 11km².⁸ The increased estimate for the size of the SHA was ascribed to discovery of submunitions during non-technical survey across a greater area than previously reported.⁹

PROGRAMME MANAGEMENT

In early October 2011, ownership of the Wittstock former training range was transferred from the military to the federal government authority in charge of real estate, Bundesanstalt für Immobilienaufgaben (BImA).

Beginning in 2012, BImA implemented a risk education programme in collaboration with local authorities based on a “danger prevention plan”. The plan was described as a “crucial prerequisite” for further technical survey of the area.¹⁰ Activities included marking the perimeter and preventing civilian access to the area.¹¹ It was planned

to conduct an initial survey of access routes and areas of suspected unexploded ordnance (UXO) contamination in neighbouring locations, and, subsequently, technical survey.¹² The cost of any clearance would be covered by BImA.

Once safely released, the site is due to remain part of a “nature protection area” in the Kyritz-Ruppiner-Heide, managed by BImA as part of the Europa NATURA 2000 site, under the European Union (EU) Habitats Directive.¹³

LAND RELEASE

No land was released by survey or clearance in 2016.

Survey of the area of suspected CMR-contamination was completed in 2015, and in 2016 Germany undertook preparations for CMR clearance. Clearance began in March 2017.¹⁴

Survey in 2012–15

At the CCM intersessional meetings in April 2012, Germany announced plans to conduct technical survey and, if necessary, clearance during 2012 of a 40km-long, 50-metre-wide tract of land to ensure fire prevention and environment protection. During the same period, it would also clear a network of paths and tracks to enable emergency management.¹⁵ By August 2014, however, it was stated only that preparations for a “technical investigation” were “underway”.¹⁶

According to Germany, in order to start technical survey, an area of 100 hectares (1km²) of vegetation had first to be burnt to form a corridor around the targeted area. This was envisaged to take place in March 2015, followed by a technical survey pilot phase later in the year. The length of the survey would be dictated by what was found, and mechanical assets were not to be deployed because of the mixed nature of contamination.¹⁷ In April 2015, Germany again reported that a technical survey was scheduled for later in the year.¹⁸ In June 2015, Germany confirmed that technical survey was finally underway, but provided no further information on the expected timeframe for the survey or any clearance operations.¹⁹

In September 2015, Germany reported having carried out extensive non-technical and technical survey.²⁰ During preparation of the technical survey in 2015, four ShOAB-0.5 submunitions were cleared.²¹ Site and “geophysical investigation” revealed strong evidence that CMR contamination existed only on the surface.²² Germany subsequently confirmed that all required survey had been completed in 2015, and the results had formed the basis for the subsequent preparatory work in 2016.²³

Clearance in 2015–17

In September 2015, Germany reported that following non-technical and technical survey, 46km of affected roads had been “cleared” in order to guarantee safe access to the area.²⁴ Despite a request for clarification from Mine Action Review, Germany did not confirm if the 46km of affected road was actually released by clearance, as reported, or was in fact released by survey, which seems more probable. Germany also did not confirm the number and type of UXO discovered and destroyed during this process.

As at September 2015, Germany reported that it was in the process of planning the final steps to clear the area of CMR, and that it would commence clearance in the first quarter of 2016.²⁵

Due to the dense vegetation in the contaminated area, Germany opted to burn the area in sections, to ensure an unobstructed view of the natural ground surface, where submunitions will be detected by visual and “geophysical means”.²⁶ As at July 2016, Germany reported it was “making progress with the fire protection system and everything is so far working as planned”.²⁷ Preparation of the site-wide fire protection system was implemented by remote-controlled caterpillar machinery operated by a team of five explosive ordnance disposal (EOD) personnel (one senior EOD technician and four machinery operators/surveyors). This was completed in 2016, with the exception of a small forest area on the eastern edge of the SHA.²⁸ During this process, an additional five ShOAB-0.5 submunitions were destroyed.²⁹

Progress in 2017

As envisaged in its CCM Article 7 transparency report for 2015,³⁰ after preparing for CMR clearance in 2016 by creating the fire protection system, burning of vegetation and clearance of the SHA started in early 2017. Some 2km² of heathland was burnt in mid-March 2017, with clearance operations beginning later the same month.³¹ Clearance operations in 2017 are intended to clear the 2km² area prepared for clearance, in addition to some of the forest on the eastern edge of the SHA that could not be burnt as part of the fire protection system.³²

ARTICLE 4 COMPLIANCE

Under Article 4 of the CCM, Germany is required to destroy all CMR in areas under its jurisdiction or control as soon as possible, but not later than 1 August 2020. It is unclear whether Germany is on track to meet this deadline.

Germany currently plans to complete clearance operations in early 2020. It does not expect any personal, technical, or financial obstacles to clearance. However, favourable meteorological conditions are necessary for operations, and environmental protection laws limit the burning periods. According to Germany, these two factors could lead to unplanned delays.³³ Given the tight timetable, such delays could prevent Germany from meeting its Article 4 deadline of 1 August 2020.³⁴

According to Germany's Article 7 report for 2016, the cost of the "site wide fire-protection system" instituted in 2016 by remote-controlled caterpillar machinery, stood at €600,000.³⁵

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| <p>1 Email from official from the Desk for Conventional Arms Control, German Federal Foreign Office, 19 April 2017; and CCM Article 7 Report (for 2016), Form F.</p> <p>2 CCM Article 7 Report (for 2016), Form F; and Statement of Germany, High-Level Segment, First CCM Review Conference, Dubrovnik, 7 September 2015.</p> <p>3 Statement of Germany, First CCM Review Conference, Dubrovnik, 7 September 2015.</p> <p>4 CCM Article 7 Report (for 2010), Form F.</p> <p>5 Statement of Germany, APMBC intersessional meetings (Standing Committee on Mine Action), Geneva, 21 June 2011.</p> <p>6 Statement of Germany, CCM intersessional meetings (Clearance and Risk Reduction Session), Geneva, 28 June 2011.</p> <p>7 Ibid; and Statement of Germany, CCM Third Meeting of States Parties, Oslo, 13 September 2012; CCM Article 7 Report (for 2012), Form F; and CCM Article 7 Report (for 2013), Form F.</p> <p>8 Email from official from the Desk for Conventional Arms Control, German Federal Foreign Office, 4 August 2014.</p> <p>9 Statement of Germany, First CCM Review Conference, Dubrovnik, 7 September 2015.</p> <p>10 Statement of Germany, APMBC intersessional meetings (Standing Committee on Mine Action), Geneva, 23 May 2012.</p> <p>11 CCM Article 7 Report (for 2011), Form G.</p> <p>12 Statements of Germany, APMBC intersessional meetings (Standing Committee on Mine Action), Geneva, 27 May 2012; and APMBC Twelfth Meeting of States Parties, Geneva, 6 December 2012.</p> <p>13 APMBC Article 5 deadline Extension Request, 15 April 2013, p. 7; and CCM Article 7 Report (for 2015), Form F.</p> <p>14 Email from official from the Desk for Conventional Arms Control, German Federal Foreign Office, 19 April 2017; and CCM Article 7 Report (for 2016), Form F.</p> <p>15 Statement of Germany, CCM intersessional meetings (Clearance and Risk Reduction Session), 17 April 2012.</p> <p>16 Email from official from the Desk for Conventional Arms Control, German Federal Foreign Office, 4 August 2014.</p> | <p>17 Meeting with official from the Desk for Conventional Arms Control, German Federal Foreign Office, in San José, September 2014.</p> <p>18 CCM Article 7 Report (for 2014), Form F.</p> <p>19 Meeting with official from the German Mission to the Conference on Disarmament, Geneva, 25 June 2015.</p> <p>20 Statement of Germany, First CCM Review Conference, Dubrovnik, 7 September 2015.</p> <p>21 CCM Article 7 Report (for 2015), Form F.</p> <p>22 Ibid.</p> <p>23 Email from official from the Desk for Conventional Arms Control, German Federal Foreign Office, 19 April 2017.</p> <p>24 Statement of Germany, First CCM Review Conference, Dubrovnik, 7 September 2015.</p> <p>25 Ibid.</p> <p>26 CCM Article 7 Report (for 2015), Form F.</p> <p>27 Email from official from the Desk for Conventional Arms Control, German Federal Foreign Office, 14 July 2016.</p> <p>28 Email from official from the Desk for Conventional Arms Control, German Federal Foreign Office, 19 April 2017; and CCM Article 7 Report (for 2016), Form F.</p> <p>29 CCM Article 7 Report (for 2016), Form F; and email from official from the Desk for Conventional Arms Control, German Federal Foreign Office, 14 June 2017.</p> <p>30 CCM Article 7 Report (for 2015), Form F.</p> <p>31 Emails from official from the Desk for Conventional Arms Control, German Federal Foreign Office, 19 April and 13 June 2017; and CCM Article 7 Report (for 2016), Form F.</p> <p>32 Email from official from the Desk for Conventional Arms Control, German Federal Foreign Office, 19 April 2017.</p> <p>33 Ibid.</p> <p>34 Ibid.</p> <p>35 CCM Article 7 Report (for 2016), Form F.</p> |
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