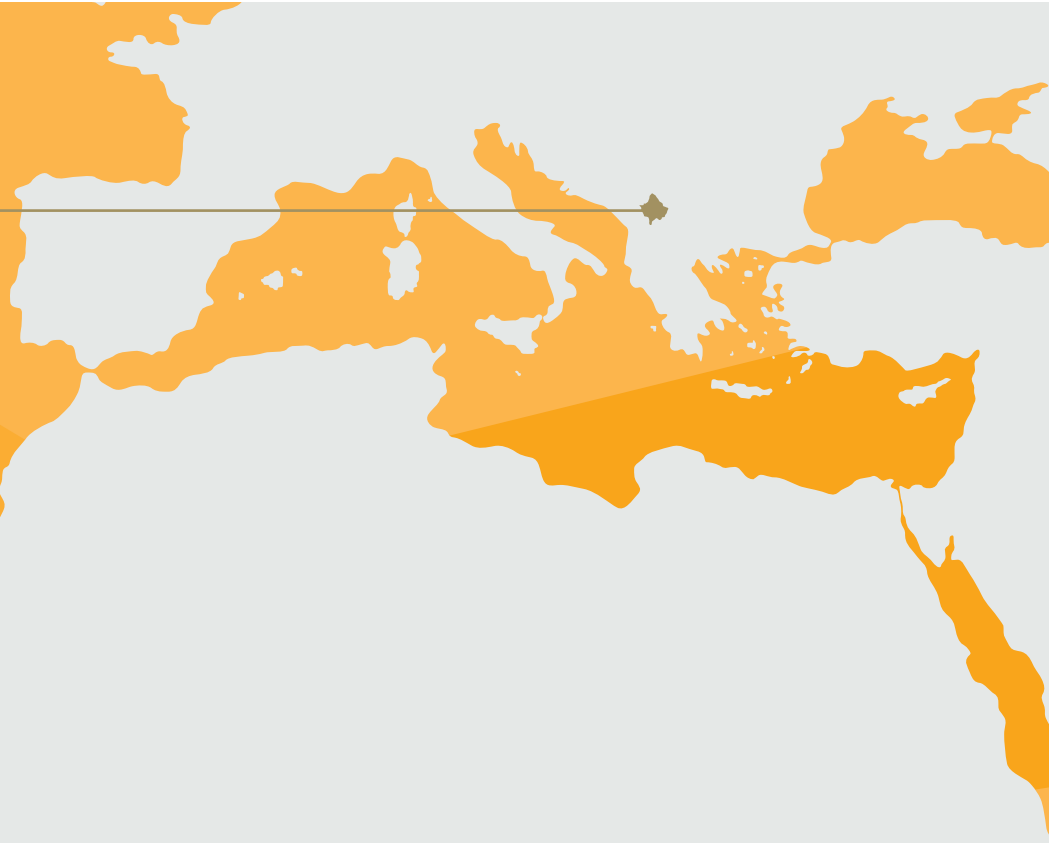


# KOSOVO



<b>PROGRAMME PERFORMANCE</b>	2016	2015
Problem understood	7	7
Target date for completion of cluster munition clearance	6	6
Targeted clearance	7	7
Efficient clearance	7	7
National funding of programme	3	3
Timely clearance	6	6
Land release system in place	7	7
National mine action standards	7	7
Reporting on progress	5	5
Improving performance	6	6
<b>PERFORMANCE SCORE: AVERAGE</b>	<b>6.1</b>	<b>6.1</b>

## PERFORMANCE COMMENTARY

In 2016, Kosovo focused on clearance of cluster munition remnants (CMR), having completed the first non-technical survey in 2015 of CMR contamination in the four northern municipalities. This led to increased CMR clearance output in 2016.

## RECOMMENDATION FOR ACTION

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

## CONTAMINATION

At the end of 2016, contamination from CMR in Kosovo was estimated to cover a total of 15km<sup>2</sup> across 53 areas, according to the Kosovo Mine Action Centre (KMAC).<sup>1</sup> This compares to the KMAC estimate of 16km<sup>2</sup> over 55 areas at the end of 2015.<sup>2</sup>

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.<sup>3</sup> During Operation Allied Force, NATO aircraft bombed 333 locations between 24 March and 10 June 1999, dropping 1,392 bombs that released more than 295,700 submunitions.<sup>4</sup> Forces of the FRY also used cluster munitions during the 1998–99 conflict in Kosovo.<sup>5</sup> 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.<sup>6</sup>

In 2013, The HALO Trust and KMAC conducted a joint non-technical survey 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 7.63km<sup>2</sup>, and 79 mined areas over 2.76km<sup>2</sup>.<sup>7</sup>

In 2015, Norwegian People's Aid (NPA), in coordination with KMAC and local municipality authorities, conducted non-technical survey of the four northern municipalities, which were not covered in the 2013 HALO Trust/KMAC survey.<sup>8</sup> The NPA survey confirmed 8.9km<sup>2</sup> of CMR contamination in three of the four municipalities surveyed (Leposavic, Zubin Potok, and Zvecan). No CMR contamination was found in the fourth (Mitrovica North).<sup>9</sup> On the basis of available evidence, NPA believes that 83 cluster bombs were dropped in this region, dispersing a total of 17,041 submunitions.<sup>10</sup>

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.<sup>11</sup> Kosovo is a small country with a relatively large population, and CMR often exists in close proximity to human activity.<sup>12</sup> In 2016, at the Doganaj CMR clearance task in Kaqanik municipality, Ferizaj region, The HALO Trust reported clearing BLU-97 submunitions around houses, farming land, grazing land, and woodland, as well as near a football pitch.<sup>13</sup>

NPA's 2015 non-technical survey 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.<sup>14</sup> In the three CMR-contaminated provinces in northern Kosovo, NPA identified 995 local inhabitants as being directly vulnerable, and a further 1,027 as indirectly vulnerable.<sup>15</sup>

## Other Explosive Remnants of War and Landmines

Kosovo is contaminated with anti-personnel mines. It also remains affected by explosive remnants of war (ERW) other than CMR. 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.<sup>16</sup> 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.<sup>17</sup>

## 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.<sup>18</sup>

## 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, submunitions, and other UXO in Kosovo.<sup>19</sup> Clearance of CMR is not expected to be completed before 2024.<sup>20</sup>

## Legislation and Standards

Kosovo has a law on humanitarian demining, which was adopted on 11 April 2012, in addition to other relevant regulations.<sup>21</sup> Kosovo does have mine action standards in place, which are said to conform to the International Mine Action Standards (IMAS).<sup>22</sup>

## Quality Management

KMAC has two Quality Assurance (QA) officers, who conduct site visits to ensure work is conducted in accordance with IMAS and standing operating procedures (SOPs).<sup>23</sup>

## Operators

The KSF provide clearance capacity in Kosovo, including round-the-clock EOD emergency response.<sup>24</sup> In addition, humanitarian operators The HALO Trust and NPA also conducted battle area clearance (BAC) in 2016.<sup>25</sup> Overall capacity increased in Kosovo in 2016, due to US funding to The HALO Trust and NPA.<sup>26</sup>

In 2016, The HALO Trust deployed two BAC teams totalling 20 operational staff,<sup>27</sup> which was a similar capacity to 2015.<sup>28</sup> The HALO Trust expected its BAC capacity to remain constant in 2017.<sup>29</sup>

NPA deployed one BAC team totalling eight operational staff from Bosnia and Herzegovina, in 2016.<sup>30</sup> NPA planned to increase this capacity from July 2017, to two national teams, totalling 17 operational staff.<sup>31</sup> Neither explosive/special detection dogs (EDDs/SDDs) nor machines are currently used in BAC operations in Kosovo.<sup>32</sup> In 2017, however, NPA planned to conduct a three-month pilot project using special detection dogs for targeted technical survey.<sup>33</sup>

KSF operated three platoons with 75 deminers also trained for BAC, and a fourth platoon with 25 clearance personnel trained solely to conduct EOD rapid response tasks.<sup>34</sup>

## LAND RELEASE

A total of almost 0.47km<sup>2</sup> of CMR-contaminated area was cleared in 2016, and almost 0.12km<sup>2</sup> was reduced by technical survey.<sup>35</sup> No area was reported as cancelled by non-technical survey.<sup>36</sup>

### Survey in 2016

In November 2016, NPA started technical survey in Boljetin, Zvecan municipality, in northern Kosovo, reducing 118,500m<sup>2</sup> prior to suspending the task for the year on 7 December, due to winter weather. During the survey one submunition was discovered, on 6 December 2016. Follow-on clearance commenced on 28 February 2017, at the start of the new demining season, and a further nine submunitions were found and destroyed.<sup>37</sup>

### Clearance in 2016

KSF and The HALO Trust collectively cleared almost 0.47km<sup>2</sup> in 2016 with the destruction of 33 submunitions (see Table 1),<sup>38</sup> an increase over the 0.34km<sup>2</sup> cleared in 2015.<sup>39</sup>

In 2016, KSF released two confirmed hazardous areas (CHAs) by clearance and worked on three others that were suspended at the end of the demining season, clearing 247,213m<sup>2</sup> in total. In the course of clearance, 15 submunitions as well as 396 other items of UXO, 7 anti-personnel mines, and 25 anti-vehicle mines were destroyed.<sup>40</sup>

The HALO Trust cleared 217,830m<sup>2</sup> of area containing CMR in 2016, during which 18 submunitions were destroyed.<sup>41</sup>

**Table 1: Clearance of CMR-contaminated areas in 2016**<sup>42</sup>

Operator	Areas cleared	Area cleared (m <sup>2</sup> )	Submunitions destroyed	AP mines destroyed	AV mines destroyed	UXO destroyed
KSF	2	247,213	15	7	25	396
The HALO Trust	1	217,830	18	0	0	0
<b>Totals</b>	<b>3</b>	<b>465,043</b>	<b>33</b>	<b>7</b>	<b>25</b>	<b>396</b>

AP = Anti-personnel AV = Anti-vehicle

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 focus on areas confirmed as CMR-contaminated rather than on suspected hazardous areas (SHAs).<sup>43</sup>

A 2014 evaluation of Kosovo's mine action programme, conducted on behalf of the International Trust Fund (ITF) Enhancing Human Security, concluded that KSF and The HALO Trust, would not be able to complete clearance

operations until 2026 using their existing capacity and procedures. 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. Since the 2014 evaluation, HSTAMIDS has been introduced, and the clearance capacity has grown, but The HALO Trust remains unconvinced that CMRS methodology presents advantages in the context of Kosovo.<sup>44</sup>

## ARTICLE 4 COMPLIANCE

Kosovo is neither a state party nor a signatory to the CCM and therefore does not have a specific clearance deadline under Article 4. Nonetheless, it has obligations under international human rights law to clear CMR as soon as possible.

With adequate funding, KMAC and The HALO Trust now predict that clearance of CMR will be completed by 2024.<sup>45</sup> This would be 25 years after the end of the conflict between the FRY forces and NATO and more than 20 years after the UN claimed that the clearance of the province was largely complete.

The Kosovo government provides approximately €125,000 in financial support to KMAC and €960,000 to the KSF for mine and CMR clearance.<sup>46</sup> KMAC expected to maintain the same level of donor funding in 2017.<sup>47</sup> In 2016, The HALO Trust and NPA were awarded a joint tender to clear a total of seven CMR tasks.<sup>48</sup>

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.<sup>49</sup>

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- 1 Email from Ahmet Sallova, Head, KMAC, 20 February 2017.
  - 2 Email from Ahmet Sallova, KMAC, 12 April 2016.
  - 3 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.
  - 4 ICRC, *Explosive Remnants of War, Cluster Bombs and Landmines in Kosovo*, rev. June 2001, Geneva, pp. 4 and 6; and The 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/>.
  - 5 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.
  - 6 A. Moore, The HALO Trust, "Action on cluster munitions in Kosovo", Side event, First CCM Review Conference, Dubrovnik, 10 September 2015.
  - 7 Ibid.
  - 8 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.
  - 9 Ibid.
  - 10 NPA, *Cluster Munition Remnants in Northern Kosovo: non-technical survey of contamination and impact*, September 2015.
  - 11 Email from Ahmet Sallova, KMAC, 20 February 2017; and The HALO Trust, "Kosovo", webpage accessed 5 May 2017 at: <https://www.halotrust.org/where-we-work/europe-and-caucasus/kosovo/>.
  - 12 A. Moore, "Action on cluster munitions in Kosovo", Side event, First CCM Review Conference, Dubrovnik, 10 September 2015.
  - 13 Email from Ash Boddy, HALO Trust, 29 April 2017.
  - 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.
  - 18 Ibid.
  - 19 Emails from Ahmet Sallova, KMAC, 20 February 2017; and Andrew Moore, then Caucasus and Balkans Desk Officer, HALO Trust, 2 June 2016.
  - 20 Emails from Ahmet Sallova, KMAC, 20 February 2017; and Ash Boddy, HALO Trust, 29 April 2017.
  - 21 Emails from Ahmet Sallova, KMAC, 16 June and 3 July 2017.
  - 22 Emails from Ahmet Sallova, KMAC, 12 April 2016; and Andrew Moore, Former Caucasus and Balkans Desk Officer, HALO Trust, 2 June 2016.
  - 23 Emails from Ahmet Sallova, KMAC, 20 February 2017; and Ash Boddy, HALO Trust, 29 April 2017.
  - 24 A. Moore, HALO Trust, "Action on cluster munitions in Kosovo", Side event, First CCM Review Conference, Dubrovnik, 10 September 2015.
  - 25 Email from Ahmet Sallova, KMAC, 20 February 2017.
  - 26 Ibid.
  - 27 Email from Ash Boddy, HALO Trust, 29 April 2017.
  - 28 Email from Admir Berisha, Kosovo Programme Manager, HALO Trust, 24 May 2016.
  - 29 Email from Ash Boddy, HALO Trust, 29 April 2017.
  - 30 Email from Terje Eldøen, Country Director, NPA Kosovo, 4 May 2017.
  - 31 Ibid.
  - 32 Ibid.
  - 33 Ibid.
  - 34 Email from Ahmet Sallova, KMAC, 7 June 2016.
  - 35 Emails from Ahmet Sallova, KMAC, 20 February 2017; and Terje Eldøen, NPA, 4 May 2017.
  - 36 Email from Ahmet Sallova, KMAC, 20 February 2017.
  - 37 Emails from Terje Eldøen, NPA, 4 May and 5 May 2017.
  - 38 Email from Ahmet Sallova, KMAC, 20 February 2017.
  - 39 Email from Ahmet Sallova, KMAC, 12 April 2016.
  - 40 Email from Ahmet Sallova, KMAC, 20 February 2017.
  - 41 Email from Ash Boddy, HALO Trust, 23 June 2017.
  - 42 Email from Ahmet Sallova, KMAC, 20 February 2017. Of the 362,916m<sup>2</sup> reported by KMAC for HALO, 217,830m<sup>2</sup> was BAC and the remainder was manual mine clearance. Email from Ash Boddy, HALO Trust, 23 June 2017.
  - 43 Emails from Ahmet Sallova, KMAC, 20 February 2017; and Terje Eldøen, NPA, 4 May 2017; and Ash Boddy, HALO Trust, 29 April 2017.
  - 44 Email from Ash Boddy, HALO Trust, 5 May 2017.
  - 45 Emails from Ahmet Sallova, KMAC, 20 February 2017; and Ash Boddy, HALO Trust, 29 April 2017.
  - 46 Email from Ahmet Sallova, KMAC, 20 February 2017.
  - 47 Ibid.
  - 48 Email from Ash Boddy, HALO Trust, 29 April 2017.
  - 49 A. Moore, The HALO Trust, "Action on cluster munitions in Kosovo", Side event, First CCM Review Conference, Dubrovnik, 10 September 2015.