

KOSOVO



PROGRAMME PERFORMANCE	2017	2016
Problem understood	7	7
Target date for completion of cluster munition clearance	7	6
Targeted clearance	7	7
Efficient clearance	7	7
National funding of programme	5	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
PERFORMANCE SCORE: AVERAGE	6.4	6.1

PERFORMANCE COMMENTARY

Clearance output in Kosovo increased in 2017 owing to Norwegian People's Aid (NPA) initiating clearance operations in northern Kosovo. The Kosovo Mine Action Centre (KMAC), with the support of The HALO Trust, has begun a nationwide socio-economic impact assessment, the results of which will be used to prioritise release of the remaining hazardous areas.

RECOMMENDATIONS 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.
- Kosovo should consider adjusting its national standards so that the minimum clearance depth is mandated at less than 30cm, with exceptions for certain areas, such as swampy marsh land, where CMR can be found at depths of 50cm.

CONTAMINATION

At the end of 2017, contamination from CMR in Kosovo was estimated to cover a total of 15.4km² across 49 areas according to KMAC.¹ This compares to 15km² across 53 areas at the end of 2016.²

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 1999.³ 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.⁴ Forces of the FRY also used cluster munitions during the 1998–99 conflict in Kosovo.⁵ 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.⁶

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 confirmed hazardous areas (CHAs): 51 cluster munition strikes, covering 7.63km², and 79 mined areas over 2.76km².⁷

In 2015, 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.⁸ The NPA survey confirmed 8.9km² of CMR contamination in three of the four municipalities surveyed (Leosavic, Zubin Potok, and Zvecan). No CMR contamination was found in the fourth (Mitrovica North).⁹ On the basis of available evidence, NPA believes that 83 cluster bombs were dropped in this region, dispersing a total of 17,041 submunitions.¹⁰

Cluster munition contamination in Kosovo is said to impede and endanger use of land for agriculture, pasture, tourism, and firewood collection, and most directly affects the rural poor.¹¹ Kosovo is a small country with a relatively large population, and submunitions are often found in close proximity to human activity.¹² In 2017, at the Kryshec clearance task in the Peje district, The HALO Trust reported that the primary land use after clearance was for residential purposes, with local residents looking to build houses.¹³

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.¹⁴ 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.¹⁵

KMAC, with the support of The HALO Trust, is in the process of undertaking a nationwide socio-economic impact assessment to further understand the impact of CMR and mine contamination. The result will be used to prioritise release of the remaining hazardous areas according to need and according to national development priorities.¹⁶ The assessment began on 12 March 2018 and was expected to be completed at the end of May, with a report to be produced in June 2018.¹⁷

Other Explosive Remnants of War and Landmines

Kosovo is contaminated with anti-personnel mines (see Mine Action Review's *Clearing the Mines* report on Kosovo for further information). 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.¹⁸ Kosovo Protection Force (KFOR) EOD teams regularly dispose of ERW in response to information provided by the public and demining organisations.¹⁹

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, including CMR. 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.²⁰

Strategic Planning

The current 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.²¹ A new strategic plan for 2019–24 is being developed with a section dedicated to the clearance of cluster munition remnants.²² The nationwide baseline socio-economic impact assessment will guide the development of the new strategic plan.²³ Clearance of CMR is not expected to be completed before 2024.²⁴

Legislation and Standards

Kosovo has a law on humanitarian demining, adopted on 11 April 2012, in addition to other relevant regulations.²⁵ Kosovo also has mine action standards in place, which are said to conform to the International Mine Action Standards (IMAS).²⁶

Quality Management

KMAC has two Quality Assurance (QA) officers, who conduct site visits at least once a week to ensure work is conducted in accordance with the standards as well as standing operating procedures (SOPs).²⁷

Information Management

KMAC uses the Information Management System for Mine Action (IMSMA) database.

Operators

The KSF provide clearance capacity in Kosovo, including round-the-clock EOD emergency response.²⁸ During EOD spot tasks in 2017, five submunitions were destroyed.²⁹ The HALO Trust and NPA also conducted battle area clearance (BAC) in 2017.³⁰

In 2017, The HALO Trust deployed two BAC teams: similar to its capacity in 2016.³¹ HALO Trust expected to maintain its current BAC capacity in 2018.³² There were nine manual demining teams in addition to the two BAC teams and the total number of operational staff in 2017 was 97 (on average), this includes deminers, team leaders, supervisors and medics. All deminers are trained in both manual and BAC methods.³³

NPA started 2017 with one BAC team totalling eight operational staff from Bosnia and Herzegovina.³⁴ By August, NPA had deployed two national BAC teams totalling 16 operational staff, which were mentored by six staff members from Bosnia and Herzegovina.³⁵ NPA had planned to conduct a three-month pilot project using special detection dogs for targeted technical survey but KMAC did not permit the use of dogs in CMR operations so the two dogs were used for mine clearance instead.³⁶

KSF operated four platoons for BAC and one platoon for demining in 2017.³⁷

LAND RELEASE

A total of almost 0.9km² of CMR-contaminated area was cleared in 2017, while just over 0.5km² was reduced by technical survey and 2,290m² was cancelled by non-technical survey.³⁸

Survey in 2017

In 2017, NPA reduced 501,510m² by technical survey and cancelled 2,290m² by non-technical survey in Tovariste and reduced 350m² by technical survey in Boljetin Zvečan municipality, and reduced 4,836m² by technical survey in Berim, Zubin Potok municipality, northern Kosovo.³⁹ It was planned that all of these areas would be cancelled by non-technical survey but NPA conducted technical survey due to the quantity of submunitions it encountered in the area.⁴⁰ A total of seven submunitions were destroyed during technical survey.⁴¹

Clearance in 2017

Collectively, KSF, The HALO Trust, and NPA cleared almost 0.88km² in 2017, with the destruction of 64 submunitions (see Table 1).⁴² This represents a significant increase on the 0.47km² cleared in 2016.⁴³

In 2017, KSF cleared 189,325m² in five hazardous areas that were all suspended at the end of the demining season.⁴⁴ In the course of clearance, no submunitions were found but 714 other items of UXO were destroyed.⁴⁵ The KSF did, however, destroy five submunitions during EOD spot tasks in 2017.⁴⁶

The HALO Trust cleared 0.44km² of area containing CMR in 2017, during which 16 submunitions were destroyed.⁴⁷ HALO released five CHAs by clearance and worked on one other which was suspended at the end of the demining season.⁴⁸

NPA cleared 0.25km² of area and released two CHAs by clearance and worked on one other that was suspended at the end of the demining season.⁴⁹

Table 1: Clearance of CMR-contaminated area in 2017⁵⁰

Operator	Areas cleared	Area cleared (m ²)	Submunitions destroyed	Other UXO destroyed
KSF	0	189,325	0	714
HALO	5	441,180	16	1
NPA	2	249,384	*48	1
Totals	7	879,899	64	716

*Including the seven submunitions destroyed during technical survey.

According to KMAC, CMR-contaminated areas with high impact are prioritised for clearance. This is based on the number, location, and livelihoods of communities at risk.⁵¹ According to NPA, along with expected impact, political and cultural factors were also taken into account when assigning tasks.⁵² The nationwide socio-economic impact assessment being conducted in 2018 will re-assess the priority of tasks based on socio-economic need as well as on the Standardised Beneficiary Definitions of land use.⁵³ Clearance operations focus on areas confirmed as CMR contaminated rather than on suspected hazardous areas (SHAs).⁵⁴ In 2017, however, one area was partially cleared and then released as no submunitions were found.⁵⁵

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 is unconvinced that CMRS methodology presents advantages in the context of Kosovo.⁵⁶ NPA is now using a CMRS-inspired methodology which has been modified to take account of the conditions in Kosovo.⁵⁷

Clearance depth for BAC has been set at 50cm by KMAC.⁵⁸ In forested and stony areas NPA has found CMR at a maximum depth of 25cm.⁵⁹ A reduction in clearance depth to 30cm in these areas would enable detectors to be set to a medium rather than high sensitivity setting. This would be more efficient as it would result in fewer fake indicators being investigated.⁶⁰ The HALO Trust has reported that most items are not found below 30cm which also suggests that the clearance depth could be reduced in certain locations.⁶¹

Progress in 2018

Once the nationwide socio-economic impact assessment is completed in June 2018, The HALO Trust expects that the remaining dangerous areas will be reprioritised before subsequent tasks are assigned.⁶² NPA will continue to deploy two ethnically mixed cluster clearance teams in northern Kosovo in 2018.⁶³ NPA will also try to field an additional survey team if funding allows.⁶⁴

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 predict that clearance of CMR will be completed by 2024.⁶⁵ 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 provided approximately €135,000 in financial support to KMAC in 2017 up from approximately €125,000 in 2016.⁶⁶ The KSF received €980,000 for mine and CMR clearance in 2017 up from €960,000 in 2016.⁶⁷ The current funding from the US for BAC clearance by The HALO Trust is due to end in

August 2018, a proposal has been submitted for further funding.⁶⁸ The US funding for NPA will continue until the end of October 2018 and NPA has submitted a proposal for a continuation. Funding from TVA (NRK Telethon) ended in 2017, but NPA has a new three-year funding agreement with the Norwegian Ministry of Foreign Affairs.⁶⁹ KMAC, HALO and NPA expect to receive the same amount of funding for CMR clearance in 2018.⁷⁰

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.⁷¹

- 1 Email from Ahmet Sallova, Head, KMAC, 4 May 2018.
- 2 Email from Ahmet Sallova, KMAC, 20 February 2017.
- 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, 4 May 2018.
- 12 A. Moore, "Action on cluster munitions in Kosovo", Side event, First CCM Review Conference, Dubrovnik, 10 September 2015.
- 13 Email from Tom Welling, Programme Manager, HALO Trust, 7 May 2018.
- 14 NPA, *Cluster Munition Remnants in Northern Kosovo: non-technical survey of contamination and impact*, September 2015, pp. 7 and 18.
- 15 Ibid.
- 16 Email from Ahmet Sallova, KMAC, 4 May 2018; Email from Tom Welling, HALO Trust, 7 May 2018.
- 17 Email from Tom Welling, HALO Trust, 7 May 2018.
- 18 UNMIK, "OKPCC EOD Management Section Annual Report 2008", Pristina, 12 January 2009, p. 4.
- 19 Email from Ahmet Sallova, KMAC, 1 August 2012.
- 20 Ibid.
- 21 Emails from Ahmet Sallova, KMAC, 20 February 2017; and Andrew Moore, Regional Director Europe, HALO Trust, 2 June 2016.
- 22 Email from Ahmet Sallova, KMAC, 4 May 2018.
- 23 Email from Tom Welling, HALO Trust, 7 May 2018.
- 24 Email from Ahmet Sallova, KMAC, 4 May 2018.
- 25 Emails from Ahmet Sallova, KMAC, 16 June and 3 July 2017.
- 26 Emails from Ahmet Sallova, KMAC, 12 April 2016; and Andrew Moore, HALO Trust, 2 June 2016.
- 27 Emails from Ahmet Sallova, KMAC, 4 May 2018.
- 28 A. Moore, HALO Trust, "Action on cluster munitions in Kosovo", Side event, First CCM Review Conference, Dubrovnik, 10 September 2015.
- 29 Email from Ahmet Sallova, KMAC, 4 May 2018.
- 30 Ibid.
- 31 Email from Rhys Mansel, Capability Support Officer, HALO Trust, 28 May 2018.
- 32 Email from Tom Welling, HALO Trust, 7 May 2018.
- 33 Email from Rhys Mansel, HALO Trust, 28 May 2018.
- 34 Email from Terje Eldøen, Programme Manager, NPA, 7 May 2018.
- 35 Ibid.
- 36 Ibid.
- 37 Email from Ahmet Sallova, KMAC, 4 May 2018.
- 38 Ibid; and emails from Tom Welling, HALO Trust, 7 May 2018; and Terje Eldøen, NPA, 21 June 2018.
- 39 Email from Terje Eldøen, NPA, 11 June 2018.
- 40 Ibid.
- 41 Email from Terje Eldøen, NPA, 21 June 2018.
- 42 Emails from Ahmet Sallova, KMAC, 4 May 2018; Tom Welling, HALO Trust, 7 May 2018; and Terje Eldøen, NPA, 7 May 2018. The five submunitions destroyed by the KSF during spot tasks are added to the total in Table 1.
- 43 Email from Ahmet Sallova, KMAC, 20 February 2017.
- 44 Email from Ahmet Sallova, KMAC, 4 May 2018.
- 45 Ibid.
- 46 Ibid.
- 47 Email from Tom Welling, HALO Trust, 7 May 2018.
- 48 Ibid.
- 49 Email from Terje Eldøen, NPA, 11 June 2018.
- 50 Emails from Ahmet Sallova, KMAC, 4 May 2018; Tom Welling, HALO Trust, 7 May 2018; and Terje Eldøen, NPA, 7 May and 21 June 2018.
- 51 Email from Ahmet Sallova, KMAC, 20 February 2017.
- 52 Email from Terje Eldøen, NPA, 7 May 2018.
- 53 Email from Tom Welling, HALO Trust, 7 May 2018; see The HALO Trust, Mines Advisory Group (MAG), and NPA "Standardising Beneficiary Definitions", 1st Edn, October 2016. The HALO Trust, MAG and NPA came together in 2016 to establish common definitions of beneficiaries of mine action activities. For example, direct beneficiaries of land release are those who use/will use cleared and reduced land post-clearance for a productive and/or frequent and/or sustainable activity. The direct beneficiary definition for residential post-clearance land use is 'number of people in households who are/will be living or are/will be settled in existing or new settlements/compounds/housing/shelters on cleared/reduced land'.
- 54 Email from Ahmet Sallova, KMAC, 4 May 2018.
- 55 Ibid.
- 56 Email from Ash Boddy, Regional Director, HALO Trust, 5 May 2017.
- 57 Email from Terje Eldøen, NPA, 11 June 2018.
- 58 Email from Ahmet Sallova, KMAC, 4 May 2018.
- 59 Email from Terje Eldøen, NPA, 7 May 2018.
- 60 Ibid.
- 61 Email from Tom Welling, HALO Trust, 7 May 2018.
- 62 Ibid.
- 63 Email from Terje Eldøen, NPA, 7 May 2018.
- 64 Ibid.
- 65 Emails from Ahmet Sallova, KMAC, 4 May 2018; Tom Welling, HALO Trust, 7 May 2018 and Terje Eldøen, NPA, 7 May 2018.
- 66 Email from Ahmet Sallova, KMAC, 4 May 2018.
- 67 Ibid.
- 68 Email from Tom Welling, HALO Trust, 7 May 2018.
- 69 Emails from Terje Eldøen, NPA, 7 May 2018; and 11 June 2018.
- 70 Emails from Ahmet Sallova, KMAC, 4 May 2018; Tom Welling, HALO Trust, 7 May 2018; and Terje Eldøen, NPA, 7 May 2018.
- 71 A. Moore, The HALO Trust, "Action on cluster munitions in Kosovo", Side event, First CCM Review Conference, Dubrovnik, 10 September 2015.