



# TAJIKISTAN

## RECOMMENDATIONS FOR ACTION

- Tajikistan should accede to the Convention on Cluster Munitions (CCM) as soon as possible.
- The Tajikistan National Mine Action Centre (TNMAC) should conduct survey to clarify the extent of remaining cluster munition remnant (CMR) contamination, and ensure timely clearance and release of the contaminated area.

## CONTAMINATION

TNMAC has reported that, as at the end of 2017, seven of Tajikistan's eight recorded battle areas may contain CMR, totalling an area of 877,040m<sup>2</sup>.<sup>1</sup> An additional suspected area of CMR contamination was discovered in 2018 in Darvos District in the Central Region of Tajikistan. The area, of an estimated size of 138,500m<sup>2</sup>, was confirmed as CMR-contaminated during subsequent non-technical survey by Norwegian People's Aid (NPA) in June, and has been scheduled for clearance in 2018 before the summer window for access to the Central Region closes.<sup>2</sup> The battle areas in question are mainly recorded as hazardous areas due to past accidents involving unexploded ordnance (UXO) or reports from local communities, but for which the resulting survey did not specify the precise type of contamination. Re-survey of most of these areas is required to determine whether or not further evidence of explosive remnants of war (ERW) exists, including CMR in particular.<sup>3</sup>

Tajikistan had previously reported that while submunitions may still be encountered in the future during other survey and clearance operations, no known CMR contamination existed in Tajikistan other than the small area of contamination discovered by NPA during non-technical survey in August 2016.<sup>4</sup> This area was cleared in 2017, along with a separate area of CMR contamination discovered and cleared by the Swiss Foundation for Mine Action (FSD) in 2017.<sup>5</sup>

Tajikistan also referenced CMR contamination in its clearance statement at the Sixteenth Meeting of States Parties to the Anti-Personnel Mine Ban Convention (APMBC) in 2017, stating, "The level of mine contamination in Tajikistan remains relatively high, mainly on Tajik-Afghan Border, where the landmines and explosive remnants of war including cluster munition remnants are still affecting the lives of the people of Tajikistan."<sup>6</sup>

Cluster munitions were used during Tajikistan's civil war in the 1990s, though it is not known who dropped them. In total, since the start of the mine action programme in 2003 until the end of 2015, it is reported that approximately 750 submunitions were identified and destroyed in Tajikistan.<sup>7</sup>

## Other Explosive Remnants of War and Landmines

Tajikistan also has areas containing other UXO and anti-personnel mines (see Mine Action Review's *Clearing the Mines* report on Tajikistan for further information).

## PROGRAMME MANAGEMENT

The Commission for the Implementation of International Humanitarian Law (CIIHL) acts as Tajikistan's national mine action authority, responsible for mainstreaming mine action in the government's socio-economic development policies.<sup>8</sup>

In June 2003, the Government of Tajikistan and the United Nations Development Programme (UNDP) established the Tajikistan Mine Action Centre (TMAC) with a view to it becoming a nationally owned programme in the short term,<sup>9</sup> though this did not happen until more than ten years afterwards. TMAC was made responsible for coordinating and monitoring all mine action activities.<sup>10</sup> Since then, TMAC has acted as the secretariat for the CIIHL to which it reports.<sup>11</sup>

On 3 January 2014, TNMAC was established by government decree to replace TMAC.<sup>12</sup> Prior to this, lack of legal recognition had presented problems for TMAC,<sup>13</sup> including, for example, its inability to open a bank account to receive and disburse funds.<sup>14</sup> The importance of clarifying the centre's status had been highlighted in the 2012 evaluation of UNDP support to mine action in Tajikistan.<sup>15</sup> Since its nationalisation, TNMAC believes its cooperation with national ministries and agencies has improved.<sup>16</sup>

While transition to national ownership is considered to have been successful, UNDP's Support to Tajikistan Mine Action Programme (STMAP) project has continued to support the building of sustainable national structures and TNMAC's technical capacity.<sup>17</sup> However, lack of funding might result in of the project folding in 2018.<sup>18</sup>

The Ministry of Defence plays a significant role in Tajikistan's mine action sector. With its adoption in July 2013 of the Strategic Plan on Humanitarian Demining (2013–16), the Ministry has sought to focus on three main objectives: to further support demining; to enhance national capacities; and to create the conditions for a sound national mine action programme.<sup>19</sup> The OSCE Programme Office in Dushanbe supported the Ministry of Defence to develop an updated plan, entitled "Ministry of Defence of the Republic of Tajikistan Co-operation Plan for Humanitarian Demining 2018–23". The draft plan was developed in August and September 2017, through a joint working group, and as at early October, was with the Ministry of Defence.<sup>20</sup>

## Strategic Planning

The previous national mine action strategic plan (NMA SP) 2010–15 expired at the end of 2015.<sup>21</sup> A new National Strategy on Humanitarian Mine Action for 2017–20 was approved by government decree No. 91 on 25 February 2017.<sup>22</sup>

## Legislation and Standards

In 2015, Tajikistan drafted a Law on Humanitarian Mine Action, which covers all aspects of mine action. However, relevant non-governmental organisations (NGOs) are not believed to have been consulted during its drafting.<sup>23</sup> The law (number 1338), which was ratified by Tajikistan's Parliament on 23 July 2016,<sup>24</sup> was presented to mine action stakeholders in September 2016, during a workshop hosted by TNMAC.<sup>25</sup>

Tajikistan's National Mine Action Standards (TNMAS) have been revised, and were approved by decree No. 162 on 1 April 2017. The new standards have been translated into Russian and English.<sup>26</sup>

## Quality Management

TNMAC coordinates and monitors the Quality Management (QM) process in Tajikistan, and the TNMAS are said to cover all QM requirements, both from a process and from a final product (released land) perspective.<sup>27</sup>

## Information Management

In 2016, Tajikistan updated its mine action information management system to Information Management System for Mine Action (IMSMA) version 6.0.<sup>28</sup> According to TNMAC, one of the challenges it faces in information management is retention of experienced staff.<sup>29</sup>

## Operators

In 2017, overall operational capacity for mines and ERW included two FSD manual clearance teams; five NPA multi-purpose manual teams; five Ministry of Defence Humanitarian Demining Unit (H DU) multi-purpose manual teams; and two Union of Sappers of Tajikistan (UST) non-technical survey teams.<sup>30</sup> Only FSD and NPA undertook CMR land release operations in 2017.

Clearance capacity in 2018 was less than the previous year, with NPA deploying one fewer multi-purpose manual clearance team due to funding constraints and, as at May 2018, no funding had been secured for FSD survey or clearance operations in Tajikistan.<sup>31</sup>

## LAND RELEASE

In 2017, 19,568m<sup>2</sup> of CMR-contaminated area was released through technical survey and a further 248,581m<sup>2</sup> through clearance, during which a total of 164 submunitions were destroyed. An additional 109,566m<sup>2</sup> was cancelled by non-technical survey.<sup>32</sup>

### Survey in 2017

NPA reduced 19,568m<sup>2</sup> through technical survey in 2017, during demining operations in the Darvoz District in the Central Region of Tajikistan.<sup>33</sup>

In addition, FSD confirmed 150,000m<sup>2</sup> as CMR-contaminated during survey in Rasht Valley, in the Districts of Republican Subordination region of Tajikistan, some of which was subsequently cleared (see clearance section), while the remaining 109,566m<sup>2</sup> of the polygon was cancelled.<sup>34</sup>

### Clearance in 2017

In 2017, a total of 248,581m<sup>2</sup> was cleared of CMR in two separate tasks, during which 164 submunitions were destroyed. Of this, FSD cleared 40,434m<sup>2</sup> of CMR contamination in the Rasht District, during which 128 SHOAB-0.5 submunitions were destroyed,<sup>35</sup> and NPA cleared 208,147m<sup>2</sup> of CMR contamination in the Darvoz District in the Central Region, during which 36 AO-2.5 submunitions and 5 other items of UXO were destroyed.<sup>36</sup>

NPA's clearance occurred between 3 June and 5 August 2017, undertaken by a multi-task team of eight deminers.<sup>37</sup> The task had previously been confirmed as CMR-contaminated in August 2016, during NPA non-technical survey, during which an AO-2.5RT submunition was found, along with other evidence of contamination, including pieces of cluster bomb containers, pieces of further AO-2.5RT submunitions, and several recognisable blast locations.<sup>38</sup> The onset of winter, and adverse weather conditions at high altitude, had prevented NPA from conducting clearance of this area in 2016.<sup>39</sup>

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## ARTICLE 4 COMPLIANCE

Tajikistan is not a state party 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.

Previously, Tajikistan had reported that, while submunitions might still be encountered in the future during demining operations, once the small amount of previously undiscovered CMR contamination had been released in 2017, no known CMR contamination would exist in Tajikistan.<sup>40</sup> In April 2018, however, TNMAC reported that as at the end of 2017, seven of Tajikistan's eight battle areas may contain CMR, totalling almost 0.9km<sup>2</sup>.<sup>41</sup> Survey is required to determine whether or not these areas do indeed contain CMR and/or other ERW and TNMAC's plans to release them.

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- 1 Email from Muhabbat Ibrohimzoda, Director, TNMAC, 27 April 2018; and interview with Daler Eshonjonov, QA Officer, TNMAC and Erkin Huseinov, UNDP, Dushanbe, 29 May 2018.
- 2 Email from Melissa Andersson, Country Director, NPA, 4 July 2018.
- 3 Email from Muhabbat Ibrohimzoda, Director, TNMAC, 27 April 2018; and interview with Daler Eshonjonov, QA Officer, TNMAC, and Erkin Huseinov, UNDP, Dushanbe, 29 May 2018.
- 4 Interview with Muhabbat Ibrohimzoda, TNMAC, in Geneva, 10 February 2017; and email from Sasa Jelacic, NPA, 17 February 2017.
- 5 Email from Muhabbat Ibrohimzoda, TNMAC, 27 April 2018.
- 6 Statement of Tajikistan, APMBC 16th Meeting of States Parties, Vienna, 20 December 2017.
- 7 Statement of Tajikistan, APMBC 14th Meeting of States Parties, Geneva, 1 December 2015.
- 8 APMBC Article 5 deadline Extension Request, 31 March 2009, p. 4.
- 9 Rebecca Roberts, "Evaluation of UNDP Support to the Tajikistan Mine Action Programme", p. 12, at: [http://www.mineaction.tj/docs/plans/Evaluation of UNDP STMAP - Jan 2011.pdf](http://www.mineaction.tj/docs/plans/Evaluation%20of%20UNDP%20STMAP%20-%20Jan%202011.pdf).
- 10 Article 5 deadline Extension Request, 31 March 2009, p. 1; and TMAC, "About TMAC", 2012, accessed 10 March 2014 at: <http://www.mineaction.tj/about>.
- 11 Roberts, "Evaluation of UNDP Support to the Tajikistan Mine Action Programme", p. 12.
- 12 Email from Muhabbat Ibrohimzoda, TNMAC, 3 April 2015.
- 13 Roberts, "Evaluation of UNDP Support to the Tajikistan Mine Action Programme", pp. 12–13; and UNDP Users Guide, "Programme and Operations Policies and Procedures, at: [http://www.undp.org.at/Projects/Direct\\_Implementation.pdf](http://www.undp.org.at/Projects/Direct_Implementation.pdf).
- 14 Roberts, "Evaluation of UNDP Support to the Tajikistan Mine Action Programme", pp. 12–13.
- 15 Ibid., pp. 27–29.
- 16 Email from Muhabbat Ibrohimzoda, TNMAC, 12 May 2015.
- 17 TNMAC, Draft Article 5 Completion Plan 2016–20, 4 October 2016.
- 18 Emails from Erkin Huseinov, UNDP, 3 July 2018; and Muhabbat Ibrohimzoda, TNMAC, 5 July 2018.
- 19 Ministry of Defence, "Strategic Plan on Humanitarian Demining 2013–2016", Dushanbe, 17 July 2013; and Response to Landmine Monitor questionnaire by Luka Buhin, Mine Action Office, OSCE Office in Tajikistan, 8 April 2014.
- 20 Email from Luka Buhin, OSCE Office in Tajikistan, 9 October 2017.
- 21 Interview with Muhabbat Ibrohimzoda, TNMAC, and Ahad Mahmoudov, Programme Manager, UNDP, in Geneva, 23 June 2015.
- 22 "National Strategy of the Republic of Tajikistan on humanitarian mine action for 2017–2020", 25 February 2017; email from Muhabbat Ibrohimzoda, TNMAC, 22 May 2017; and Statement of Tajikistan, APMBC 16th Meeting of States Parties, Vienna, 20 December 2017.
- 23 Email from Aubrey Sutherland-Pillai, then Country Director, NPA, 18 October 2016.
- 24 Emails from Muhabbat Ibrohimzoda, TNMAC, 19 August 2016 and 22 May 2017; and Statement of Tajikistan, APMBC 16th Meeting of States Parties, Vienna, 20 December 2017.
- 25 Email from Aubrey Sutherland-Pillai, NPA, 18 October 2016.
- 26 Email from Muhabbat Ibrohimzoda, TNMAC, 22 May 2017; and Statement of Tajikistan, APMBC 16th Meeting of States Parties, Vienna, 20 December 2017.
- 27 TNMAC, "Draft Article 5 Completion Plan 2016–20", 4 October 2016.
- 28 Email from Muhabbat Ibrohimzoda, TNMAC, 22 May 2017.
- 29 "National Strategy of the Republic of Tajikistan on humanitarian mine action for 2017–2020", Decree No. 91, p. 24, 25 February 2017.
- 30 Email from Muhabbat Ibrohimzoda, TNMAC, 27 April 2018.
- 31 Statement of Tajikistan, APMBC 16th Meeting of States Parties, Vienna, 20 December 2017; and emails from Muhabbat Ibrohimzoda, TNMAC, 27 April 2018; and Melissa Andersson, NPA, 5 April 2018.
- 32 Emails from Muhabbat Ibrohimzoda, TNMAC, 27 April 2018; Melissa Andersson, NPA, 5 April 2018; and Chris Rennick, Operations Manager, FSD, 13 March 2018; and interview with Daler Eshonjonov, TNMAC and Erkin Huseinov, UNDP, Dushanbe, 29 May 2018.
- 33 Email from Melissa Andersson, NPA, 5 April 2018.
- 34 Email from Chris Rennick, FSD, 13 March 2018; and interview with Daler Eshonjonov, TNMAC and Erkin Huseinov, UNDP, Dushanbe, 29 May 2018.
- 35 Emails from Muhabbat Ibrohimzoda, TNMAC, 27 April 2018, and Chris Rennick, FSD, 13 March 2018; and interview with Daler Eshonjonov, TNMAC and Erkin Huseinov, UNDP, Dushanbe, 29 May 2018. Of the 150,000m<sup>2</sup> polygon, 40,434m<sup>2</sup> was released by clearance, and the remainder by survey.
- 36 Emails from Muhabbat Ibrohimzoda, TNMAC, 27 April 2018; and Melissa Andersson, NPA, 5 April 2018; and interview with Daler Eshonjonov, TNMAC, and Erkin Huseinov, UNDP, Dushanbe, 29 May 2018. There was a small discrepancy between the clearance data provided by TNMAC, which did not disaggregate technical survey from clearance, and NPA data which did.
- 37 Email from Melissa Andersson, NPA, 05 April 2018.
- 38 Email from Sasa Jelacic, NPA, 17 February 2017.
- 39 Ibid.
- 40 Interview with Muhabbat Ibrohimzoda, TNMAC, Geneva, 10 February 2017; and email from Sasa Jelacic, NPA, 17 February 2017.
- 41 Email from Muhabbat Ibrohimzoda, TNMAC, 27 April 2018.