

COLOMBIA



ARTICLE 5 DEADLINE: 1 MARCH 2021
(NOT ON TRACK TO MEET DEADLINE)

PROGRAMME PERFORMANCE	For 2015	For 2014
Problem understood	5	4
Target date for completion of mine clearance	6	7
Targeted clearance	6	6
Efficient clearance	6	6
National funding of programme	7	7
Timely clearance	6	5
Land release system in place	7	7
National mine action standards	7	7
Reporting on progress	6	6
Improving performance	8	8
PERFORMANCE SCORE: AVERAGE	6.4	6.3

PERFORMANCE COMMENTARY

Colombia's agreement with the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC) gave momentum to its demining efforts in 2015.

RECOMMENDATIONS FOR ACTION

- Colombia should take advantage of the peace process with the FARC to conduct a baseline survey of contamination and to significantly accelerate clearance of remaining mined areas in accordance with its obligations under the Anti-Personnel Mine Ban Convention (APMBC).
- As part of this process, Colombia should elaborate, in consultation with its demining partners, national mine action standards on mine detection dogs (MDDs) and land release.
- Colombia's mine action programme authorities urgently need to improve data management and planning procedures.

CONTAMINATION

Colombia's mine problem is the result of decades of conflict with non-state armed groups. The precise extent of contamination remains very uncertain, though 31 of Colombia's 32 departments may have a mine threat.¹ As of end 2015, Colombia still lacked a baseline for contamination, although its new strategic plan for 2016–21, which is based on a national estimate of 51.24km² of mined area, aims to elaborate a national baseline.²

Colombia continues to report on "events" included in its database that includes unconfirmed media reports, such as of victims and minelaying. Its Article 7 transparency report for 2015 reported that 671 suspected mined areas were recorded between 1990 and the end of 2015.³ Of these, more than 100 were in Antioquia, believed to be the most affected department. It attributed 5,000m² to each "confirmed hazardous area".⁴

HALO believes that Colombia's mine problem has certain unique features. Improvised mines were planted in isolated rural areas by non-state armed group (NSAG) factions to protect strategic positions; often coca cultivations that were used to fund operations. When the groups moved on, the mines were left behind, blocking access to roads, paths, schools, and other civilian infrastructure, preventing productive use of land.⁵

On 7 March 2015, negotiators for the government of Colombia and the FARC announced that agreement had been reached on demining.⁶ According to a joint statement, the government and the FARC would select

a number of pilot zones with the highest level of threat from anti-personnel mines, improvised explosive devices (IEDs), unexploded ordnance (UXO), or other explosive remnants of war (ERW). Following signature in August 2015 of an agreement with the European Union for support to the Pilot Project on Humanitarian Demining, Norwegian People's Aid (NPA) was overseeing non-technical survey (NTS) of suspected hazardous areas (SHAs) and technical survey and clearance of confirmed hazardous areas (CHAs).⁷

According to the HALO Trust, mines "continue to have a huge effect on the civilian population, causing physical harm, preventing farming and affecting livelihoods." HALO affirms that if "more areas were assigned for demining it would prevent needless accidents, allowing life to return to normal and creating safe conditions for people to come home."⁸ HALO believes that mine action is integral to efforts to rebuild the lives of the 6 million internally displaced people and 8 million registered victims of conflict in Colombia. This is because land restitution claims are unable to be processed if land is deemed to be dangerous. By declaring municipalities free from mine threat, HALO observes that it is providing the "fundamental first step" towards facilitating the safe return of the displaced.⁹

Colombia reported 217 new mine victims in 2015 of whom 186 were adult males.¹⁰

1 United Nations Mine Action Service (UNMAS), "UNMAS in Colombia", February 2016, at: <http://www.mineaction.org/programmes/colombia>.

2 APMBC Article 7 Report (for 2015), Form D.

3 Ibid.

4 Ibid.

5 Email from Chris Ince, Programme Manager, HALO Colombia, 28 May 2016.

6 See, e.g., C. Voelkel, "Demining the Path to Peace in Colombia", International Crisis Group, 10 March 2015, at: <http://blog.crisisgroup.org/latinamerica/2015/03/10/demining-the-path-to-peace-in-colombia/>.

7 "Acuerdo Sobre Limpieza y Descontaminación del Territorio de la Presencia de Minas Antipersonal (MAP), Artefactos Explosivos

Improvisados (AEI) y Municiones Sin Explotar (MUSE) o Restos Explosivos de Guerra (REG) en general" ("Agreement on clearance of areas contaminated with anti-personnel mines, IEDs, and ERW"), Joint Statement #52, Havana, 7 March 2015, at: <https://www.mesadeconversaciones.com.co/comunicados/comunicadoconjunto-52-la-habana-7-de-marzo-de-2015>; and email from Zlatko Vezilic, NPA, 5 November 2015. See also Tine Solberg Johansen, "Mine Action agreement with the EU for Colombia", 8 December 2015, at: <https://www.npaid.org/News/News-archive/2015/Mine-Action-agreement-with-the-EU-for-Colombia>.

8 HALO Trust, "Colombia: Problem", 2016, at: <https://www.halotruster.org/where-we-work/south-america/colombia/>.

9 Email from Chris Ince, HALO Colombia, 28 May 2016.

10 APMBC Article 7 Report (for 2015), Form D.

PROGRAMME MANAGEMENT

Since 2002, the national mine action programme has been overseen by the National Interministerial Commission on Anti-Personnel Mine Action (Comisión Intersectorial Nacional para la Acción contra Minas Antipersonal, CINAMAP).¹¹ CINAMAP serves as the national mine action authority. Two other institutions – the Victims Unit and the Land Restitution Unit – were established subsequently.

In September 2014, Decree 1649 created the Directorate for Comprehensive Mine Action (Dirección para la Acción Integral contra minas Antipersonal, DAICMA) to replace the earlier mine action body, the Presidential Programme for Comprehensive Mine Action (PAICMA).¹² DAICMA effectively serves as the national mine action centre.

Strategic Planning

Colombia's APMB Article 5 deadline extension request projected, improbably, that all mined areas would be released by 2020.¹³ Colombia's 2011–13 operational plan was to address 6,000 dangerous and mined areas in 14 of 660 mine-suspected municipalities covering an estimated 15km².¹⁴ Colombia did not reach its targets.

Colombia was due to submit an operational plan for 2014–20 at the Thirteenth Meeting of States Parties in December 2013, but did not do so. Colombia did present a demining "action plan" for 2014–16 at the APMB Third Review Conference in Maputo in July 2014.¹⁵ The plan foresees a first phase of mine action in 91 municipalities and steadily increasing national army demining capacity to 54 units, as well as the number of non-technical survey teams to 15 by 2016.¹⁶

As at early 2016, the United Nations Mine Action Service (UNMAS) was assisting Colombia to create a five-year mine action strategy so that Colombia can fulfil its obligations under the APMB.¹⁷ Subsequently Colombia announced in its Article 7 report for 2015 that it had developed a five-year strategic plan for 2016–21. Among the primary aims set out in the plan are consolidation of the mine action sector and the elaboration of a detailed baseline of contamination.¹⁸

Standards

New national mine action standards were being elaborated as of late 2015. HALO Trust has complained that the current interpretation of national standards is that once a municipality has been surveyed, the operator is obliged to clear any known minefields within that area. As a result, operators are often required to clear low-priority minefields, running the "risk that higher priority areas may not be addressed in a timely manner. A simple but much-needed reform would be to allow operators to prioritise areas for clearance according to the greatest humanitarian need, allowing donor resources to be more effectively employed."¹⁹

Operators

The Armed Forces Humanitarian Demining Battalion (Fuerzas Armadas del Batallón de Desminado Humanitario, BIDES) has been conducting humanitarian demining since 2005, when it began clearance of 35 military bases. It completed the clearance in 2010.²⁰

In 2013, HALO Trust became the first non-governmental organisation (NGO) to conduct demining in Colombia when it began clearance operations at the El Morro minefield, Nariño municipality, in Antioquia department.²¹ In 2015–16, HALO Colombia was conducting survey, mine clearance, risk education, and some victim assistance. Its main office was in Bogotá and operations were taking place in eight municipalities across three departments: Antioquia, Meta, and Tolima. As of late May 2016, plans were to imminently expand operations in Meta and Tolima and to deploy in the departments of Cauca and Valle del Cauca.²²

11 Law No. 759/2002, 30 July 2002.

12 APMB Article 7 Report (for 2014), Form A.

13 Revised Article 5 deadline Extension Request, 13 August 2010, p. 66.

14 Government of Colombia, *Plan de Acción de Desminado Humanitario 2014–2016*, undated but 2014 (hereafter, Humanitarian Demining Action Plan 2014–16).

15 Statement of Colombia, APMB Thirteenth Meeting of States Parties, December 2013.

16 Statement of Colombia, Third APMB Review Conference, June 2014.

17 UNMAS, "UNMAS in Colombia", February 2016.

18 APMB Article 7 Report (for 2015), Form D.

19 Email from Nick Smart, HALO Trust, 23 October 2015.

20 PAICMA, "Desminado Humanitario", undated but accessed 1 April 2014 at: <http://www.accioncontraminas.gov.co/accion/Paginas/Desminado.aspx>.

21 HALO Trust, "HALO starts humanitarian demining operations in Colombia", 24 September 2013, at: <http://www.halotrust.org/node/666>.

22 Email from Chris Ince, HALO Colombia, 28 May 2016.

NPA formally initiated a mine action programme in April 2015, having participated as an observer in the peace talks that concerned demining. The first step in the process of implementing the agreement on demining was to conduct NTS of suspected contamination in the departments of Meta and Antioquia. The parties chose two pilot projects, one in the village of El Orejón (Antioquia) and a second in the village of Santa Helena (Meta). NPA's role has been to lead and supervise a mine clearance project as a trust-building exercise between the Government of Colombia and the FARC-EP. The Colombian army has been conducting the mine clearance as such, and NPA has provided verification with two MDD teams, while the FARC has given information on contaminated areas.²³

The Organization of American States (OAS) serves as the monitoring body for humanitarian demining in Colombia. The OAS planned to transfer its responsibilities to DAICMA by the end of 2017.²⁴

Since 2010, UNMAS has been advising DAICMA (and its predecessor). Its aims for 2016 were threefold: to increase the capacity of the authorities to manage, coordinate, and regulate the mine action sector; to develop the sector to support peace and development initiatives ("particularly ensuring that civilian and humanitarian demining organizations are operating

under an adequate quality management framework"); and to support the peace process.²⁵ UNMAS is developing a transition plan to develop the capacity of the national authority to take national ownership over monitoring of demining operations conducted by the OAS.²⁶

Without a Colombian civilian humanitarian demining operator, the growth of the humanitarian demining sector will be hindered. UNMAS is working with prospective organisations so that this capacity will be created in the near future and that these organisations can be operating by the end of 2016.

Information Management

Poor information management has been a feature of Colombia's mine action programme since its inception. While lack of access has undoubtedly played a role in this, efforts to verify and consolidate meaningful mine action data have proved inadequate. Government decree 1649 of 2014 assigned to DAICMA responsibility for maintaining the IMSMA database and to "compile, systematise, centralise, and update relevant information" to serve as a basis for programme planning.²⁷ This remains a central challenge for the programme.

LAND RELEASE

Colombia cleared less than 0.36km² of mined area in 2015, a decrease on output in 2014 which amounted to 0.59km². Operations in 2015 included the destruction of 173 anti-personnel mines.

Survey in 2015

In 2015, HALO teams conducted survey in south-east Antioquia, and in November it began community liaison in San Juan de Arama in Meta and Ataco in Tolima. In Antioquia, 121,726m² of land was confirmed as mined area.²⁸

NPA's NTS in El Orejón resulted in seven CHAs of which four, totalling 14,518m², were cleared along with the destruction of 32 improvised anti-personnel mines. Three other areas totalling 45,546m² were identified for permanent marking (this was pending as of mid-June 2016). The NTS conducted in Santa Helena resulted in the identification of seven CHAs of which four totalling 20,874m², were cleared in February to May 2016, resulting in the destruction of 19 improvised anti-personnel mines and one item of UXO (a hand grenade). Two CHAs were permanently marked covering a total of 3,191m² and one previously identified CHA was cancelled (13,880m²).²⁹

23 Email from Fredrik Holmegaard, Project Manager, Humanitarian Disarmament – Colombia, NPA, 13 June 2016.

24 Email from Zlatko Vezilic, NPA, 5 November 2015.

25 UNMAS, "UNMAS in Colombia", February 2016.

26 Ibid.

27 APMB Article 7 Report (for 2014), Form C.

28 Email from Chris Ince, HALO Colombia, 28 May 2016.

29 Email from Fredrik Holmegaard, NPA, 13 June 2016.

Clearance in 2015

Colombia reported clearance of 355,432m² in 2015 across three departments: Antioquia, Bolivar, and Santander. Half of all clearance by area occurred in Antioquia, destroying in the process 173 anti-personnel mines and 10 items of UXO.³⁰ Of this, HALO Trust reported clearing 44 hazardous areas covering 96,961m² in south-east Antioquia, destroying in the process 90 anti-personnel mines.³¹

Progress in 2016

In July 2016, HALO was expecting to hand over two municipalities to communities in south-east Antioquia, thereby becoming the first NGO to declare Colombian municipalities free from the suspicion of mine contamination.³² DAICMA expected to initiate clearance operations in 20 new municipalities over the course of 2016.³³

ARTICLE 5 COMPLIANCE

Under Article 5 of the APMBC (and in accordance with the ten-year extension granted by states parties in 2010), Colombia is required to destroy all anti-personnel mines in mined areas under its jurisdiction or control as soon as possible, but not later than 1 March 2021. It is not on target to meet the deadline.

It remains to be seen how the peace process will lead to an enabling environment for demining.

30 APMBC Article 7 Report (for 2015), Form D.

31 Emails from Chris Ince, HALO Colombia, and from Dan Haddow, Colombia Programme Support Officer, HALO Trust, 28 May 2016.

32 Email from Chris Ince, HALO Colombia, 28 May 2016.

33 APMBC Article 7 Report (for 2015), Form D.