

## RECOMMENDATIONS FOR ACTION

- The Nagorno-Karabakh authorities should make a formal commitment to respect and implement the Convention on Cluster Munitions (CCM).
- Nagorno-Karabakh should comply with its obligations under international human rights law to clear cluster munition remnants (CMR) on territory under its jurisdiction or control as soon as possible.
- Survey and clearance of CMR should resume and the Nagorno-Karabakh authorities should provide funding for the work.

## CLUSTER MUNITION REMNANT CONTAMINATION

There is no national baseline of CMR contamination in Nagorno-Karabakh. While the exact extent is not determined with precision, it is known to be both significant and widespread.<sup>1</sup> At the end of 2018, CMR contamination (both surface and subsurface) was estimated to be 71.62km<sup>2</sup> across 212 confirmed hazardous areas (CHAs), in seven of a total of eight districts.

**Table 1: CMR contamination by district (at end 2018)<sup>2</sup>**

District	CHAs	Area (km <sup>2</sup> )
Askeran	56	21.29
Hadrut	28	10.54
Lachin	17	8.50
Martakert	45	11.70
Martuni	57	15.09
Shushi	8	4.00
Stepanakert	1	0.50
<b>Totals</b>	<b>212</b>	<b>71.62</b>

Cluster bombs were dropped extensively across Nagorno-Karabakh by the Azerbaijani Air Force during the 1988 conflict between Azerbaijan and Armenia. Following the cease fire in 1994 tensions flared up again in April 2016 when fighting broke out briefly along the Line of Contact (LOC). While ground fighting was confined to areas close to the LOC, artillery fire penetrated more than 10km into Nagorno-Karabakh, and included use of cluster munitions. The HALO Trust calculated the four days of hostilities added 2.4km<sup>2</sup> of CMR contamination, all of which has now been cleared.<sup>3</sup> The territory of Nagorno-Karabakh remains disputed and negotiations have so far failed to produce a permanent peace agreement, leaving the de facto independent state locked in a “frozen conflict”.<sup>4</sup>

### OTHER EXPLOSIVE REMNANTS OF WAR AND LANDMINES

Nagorno-Karabakh is also contaminated by other explosive remnants of war (ERW) and landmines. Mine contamination reportedly covered 5.14km<sup>2</sup> as at end 2018, of which 3.78km<sup>2</sup> was from anti-personnel mines, and 1.36km<sup>2</sup> from anti-vehicle mines (see Mine Action Review’s *Clearing the Mines* report on Nagorno-Karabakh for further information).<sup>5</sup>

## NATIONAL OWNERSHIP AND PROGRAMME MANAGEMENT

In 2000, The HALO Trust established the Nagorno-Karabakh Mine Action Centre (NKMAC), which is now moribund. In theory, its role is to consolidate all mine action-related information and to respond to requests from the government ministries, non-governmental organisations (NGOs), and local communities. In reality, there is no viable or tangible mine action centre in Nagorno-Karabakh.<sup>6</sup>

A mine action coordination committee was responsible for liaising between the local authorities and The HALO Trust.<sup>7</sup> Regular coordination committee meetings were held between the local authorities, The HALO Trust, and the International Committee of the Red Cross (ICRC) until 2018 when the head of the committee was moved to a new post. The position remains vacant, with HALO Trust continuing to lobby for a suitable candidate to fill the role.<sup>8</sup>

The Nagorno-Karabakh authorities do not provide The HALO Trust with any funding for clearance of CMR-contaminated or mined areas.<sup>9</sup>

## GENDER

The HALO Trust has an organisational gender policy which is incorporated into HALO's Nagorno-Karabakh programme. In addition to fully briefing new recruits, HALO also conducts regular refresher trainings on all its policies, including its gender policy, for all its national and international staff.<sup>10</sup>

All groups affected by CMR and anti-personnel mine contamination, including women and children are said to be consulted during survey and community liaison activities. However, the non-technical survey teams have been predominantly male with the first female team member recruited in 2019. Going forward HALO aims to recruit more female non-technical survey team members.<sup>11</sup>

Relevant mine action data is disaggregated by sex and age.<sup>12</sup> Gender is not taken into account in the prioritisation, planning, and tasking of survey and clearance activities.<sup>13</sup>

HALO is one of the largest civilian employers in Nagorno-Karabakh, with 270 Karabakhi Armenian staff.<sup>14</sup> And while there is equal access to employment for qualified women and men in survey and clearance, the number of women employed in operational roles is still quite low. In 2018, out of the total of 210 deminers only 15 were women of whom 2 were team leaders. In addition, three women were employed in managerial level/supervisory positions, and six of the support staff were women.<sup>15</sup>

## INFORMATION MANAGEMENT AND REPORTING

There is no national information management system in place. However, HALO operates its own country mine action database and is working to better tailor the database to its operations. For example, new fields were added to the database in 2018 to allow for further disaggregation of data. HALO Nagorno-Karabakh also continues to be supported by its United Kingdom-based specialist data management staff.<sup>16</sup>

The Nagorno-Karabakh Army Liaison Officer shares information with HALO Trust on items found, incidents, CHAs, and clearance on a regular basis. HALO is not authorised to share this data with others.<sup>17</sup>

## PLANNING AND TASKING

There is no national mine action strategy currently in place in Nagorno-Karabakh.<sup>18</sup>

HALO Trust's workplans for 2018 and 2019 do not include any CMR survey or clearance as per the request of the donors to prioritise mine clearance. CMR surface clearance is funded as a secondary activity, to be conducted when weather or other conditions do not permit safe mine clearance.<sup>19</sup> In 2019, HALO was planning to continue to destroy CMR found during explosive ordnance disposal (EOD) spot tasks and, if possible, to survey additional CMR-contaminated areas.<sup>20</sup>

## LAND RELEASE SYSTEM

### STANDARDS AND LAND RELEASE EFFICIENCY

No local mine action standards exist in Nagorno-Karabakh. However, as at April 2019, the Nagorno-Karabakh police were planning to lobby the government to develop standards and HALO will work closely with the authorities to support this process.<sup>21</sup>

The HALO Trust follows its own standing operating procedures (SOPs) for demining and battle area clearance, which comply with IMAS.<sup>22</sup> As at April 2019, HALO's survey and anti-personnel mine clearance SOPs were under review, with a view to incorporating best practice from other HALO country programmes.<sup>23</sup>

### OPERATORS

Since 2000, The HALO Trust has been the main organisation conducting land release in Nagorno-Karabakh. The Nagorno-Karabakh Rescue Service conducts EOD spot tasks and one Nagorno-Karabakh army unit conducts limited demining. Since the April 2016 conflict, The HALO Trust has collaborated with the Nagorno-Karabakh Rescue Services when gathering information about CMR and mines, and part of its quality assurance (QA) process involves participation in the official handover ceremony with community representatives.<sup>24</sup>

The HALO Trust does not field separate teams dedicated solely to either CMR clearance or mine clearance. Operational staff are trained and experienced in working

in both tasks.<sup>25</sup> However, as no survey or clearance of CMR took place in 2018 all its operational staff were engaged in mine clearance.<sup>26</sup>

HALO is currently working to increase its non-technical survey capacity in support of its mine clearance operations, while decreasing its technical survey capacity. HALO recruited 30 new deminers in 2018. It had hoped to recruit more but a demining accident in March 2018 (see below) is thought to have deterred many potential applicants.<sup>27</sup>

## OPERATIONAL TOOLS

HALO conducts both manual and mechanical clearance in Nagorno-Karabakh. Machines are used to clear roads with a plastic anti-vehicle mine threat and in areas with high levels of metal contamination which makes manual clearance extremely inefficient.<sup>28</sup>

## DEMINER SAFETY

In March 2018, a HALO vehicle with a technical survey team onboard detonated an anti-vehicle mine on their way to an anti-personnel mine clearance task, which killed three staff and injured two others.

The accident was internally investigated by HALO who also commissioned an external expert investigation. A further investigation by the Nagorno-Karabakh police was ongoing as at 1 May 2019. As a result of the internal investigation prodding was halted as a safety precaution until the exact causes of the accident were understood. Mechanical clearance and clearance with detectors have since superseded its use. Copies of HALO Trust's internal and external reports will be available once the police investigation is finalised.<sup>29</sup>

## LAND RELEASE OUTPUT AND PROGRESS TOWARDS COMPLETION

No survey or clearance of CMR-contaminated areas took place in 2018. This compares to the 1,056,000m<sup>2</sup> of clearance in 2017.<sup>30</sup>

In 2018, a total of 29 submunitions were destroyed during 21 EOD spot tasks.<sup>31</sup>

No target date has currently been set for the clearance of all CMR contamination in Nagorno-Karabakh.<sup>32</sup> Due to restrictions from its donors, HALO Trust currently prioritises clearance of mines over CMR. HALO continues to look for donors to support CMR clearance, but finds this is challenging due to the international isolation of Nagorno-Karabakh and the territorial restrictions that are often placed on funding.<sup>33</sup> While surface clearance of legacy CMR contamination within the within the former Soviet-era Nagorno-Karabakh Autonomous Oblast (NKAO) boundaries of Nagorno-Karabakh could potentially be completed within a few years, this would still leave sub-surface contamination within the NKAO boundaries of Nagorno-Karabakh, in

addition to CMR in areas outside the NKAO which are under the control of the Nagorno-Karabakh forces.<sup>34</sup>

As a result of the lack of funding progress in clearance of CMR has dropped dramatically in the years since 2014, as shown in Table 2.

**Table 2: Five-year summary of CMR clearance (2014–18)**

Year	Area cleared (km <sup>2</sup> )
2018	0
2017	1.06
2016	3.28
2015	2.91
2014	13.01
<b>Total</b>	<b>20.26</b>

1 Email from Andrew Moore, Caucasus and Balkans Desk Officer, HALO Trust, 29 May 2015.

2 Email from Asqanaz Hambardzumyan, HALO Trust, 10 April 2019.

3 Emails from Amasia Zargarian, Programme Support Officer, HALO Trust, 4 May 2018; and Asqanaz Hambardzumyan, HALO Trust, 26 April 2019.

4 The HALO Trust, "Our role in Nagorno Karabakh: History", at: <http://bit.ly/2GVkA09>; and BBC, "Nagorno-Karabakh profile", at: <https://bbc.in/2UTatxz>, both accessed 10 April 2019.

5 Email from Asqanaz Hambardzumyan, HALO Trust, 10 April 2019.

6 Emails from Andrew Moore, HALO Trust, 28 June 2013; and Asqanaz Hambardzumyan, HALO Trust, 26 April 2019.

7 Email from Andrew Moore, HALO Trust, 28 June 2013.

8 Emails from Andrew Moore, HALO Trust, 26 May 2016; and Asqanaz Hambardzumyan, HALO Trust, 26 April 2019.

9 Email from Asqanaz Hambardzumyan, HALO Trust, 10 April 2019.

10 Ibid.

11 Ibid.

12 Ibid.

13 Ibid.

14 The HALO Trust, "Our role in Nagorno-Karabakh", accessed 10 April 2019.

15 Email from Asqanaz Hambardzumyan, HALO Trust, 10 April 2019.

16 Ibid.

17 Ibid.

18 Ibid.

19 Email from Amasia Zargarian, HALO Trust, 4 May 2018.

20 Email from Asqanaz Hambardzumyan, HALO Trust, 10 April 2019.

21 Email from Asqanaz Hambardzumyan, HALO Trust, 26 April 2019.

22 Emails from Andrew Moore, HALO Trust, 26 May 2016; and Asqanaz Hambardzumyan, HALO Trust, 18 June 2019.

23 Email from Asqanaz Hambardzumyan, HALO Trust, 10 April 2019.

24 Email from Amasia Zargarian, HALO Trust, 4 May 2018.

25 Email from Andrew Moore, HALO Trust, 22 May 2015.

26 Email from Asqanaz Hambardzumyan, HALO Trust, 10 April 2019.

27 Ibid.

28 Ibid.

29 Emails from Asqanaz Hambardzumyan, HALO Trust, 10 and 26 April and 1 June 2019.

30 See *Clearing Cluster Munition Remnants* report for Nagorno-Karabakh for 2018.

31 Email from Asqanaz Hambardzumyan, HALO Trust, 10 April 2019.

32 Ibid.

33 The HALO Trust, "Our role in Nagorno-Karabakh", accessed 10 April 2019.

34 Emails from Andrew Moore, HALO Trust, 26 May 2016; and Ash Boddy, HALO Trust, 14 April 2017.