NAGORNO-KARABAKH

KEY DATA

CLUSTER MUNITION CONTAMINATION:

BASED ON HALO TRUST ESTIMATE

11.27KM²

SUBMUNITION CLEARANCE IN 2021

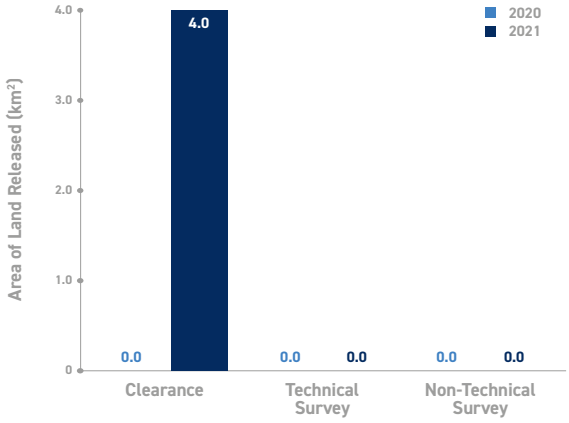
4KM²

SUBMUNITIONS DESTROYED IN 2021

1,860

(INCLUDING 1,715 DESTROYED DURING SPOT TASKS)

LAND RELEASE OUTPUT



KEY DEVELOPMENTS

A six-week armed conflict between Armenia and Azerbaijan over the Nagorno-Karabakh region broke out in September 2020 and ended with Azerbaijan regaining control over most of its internationally recognised territories, including about a third of Nagorno-Karabakh.[1] In the course of the fighting, both Armenia and Azerbaijan are reported to have used cluster munitions, unlawfully killing and injuring civilians,[2] and adding to existing CMR contamination. In 2021, 9.8km² of new contamination was discovered in Nagorno-Karabakh as a result of the conflict, although the overall extent of CMR in Nagorno-Karabakh decreased, due to Azerbaijan regaining much of the territory which had existing CMR contamination. Clearance of cluster munitions was 4km² in 2021 in contrast to 2020 when there was no clearance, as the focus that year had been on clearing landmines.[3]

RECOMMENDATIONS FOR ACTION

- **Nagorno-Karabakh authorities should make a formal commitment to respect and implement the Convention on Cluster Munitions (CCM) and never to use cluster munitions.**
- **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.**
- **Nagorno-Karabakh authorities should set up a mine action centre to coordinate survey and clearance, introduce mine action standards and work on mobilising resources.**
- **Nagorno-Karabakh authorities should provide funding for the work.**

1 Thomas De Waal, "Unfinished Business in the Armenia-Azerbaijan Conflict", Carnegie Europe, 11 February 2021, at: https://bit.ly/3PFvARz.

2 Amnesty International, "In the Line of Fire", 14 January 2021; Human Rights Watch, "Technical Briefing Note: Cluster Munition Use in the Karabakh Conflict", July 2021.

3 Email from Miles Hawthorn, Programme Manager, HALO Trust, 5 May 2022.

CLUSTER MUNITION SURVEY AND CLEARANCE CAPACITY

MANAGEMENT

- The Nagorno-Karabakh de facto Authorities

NATIONAL OPERATORS

- The Nagorno-Karabakh Emergency Service
- The Nagorno-Karabakh Armed Forces
- Centre for Humanitarian Demining (CHD) FUND (previously The Humanitarian Demining Centre (HAK))

INTERNATIONAL OPERATORS

- The HALO Trust

OTHER ACTORS

- Russian peacekeeping forces

UNDERSTANDING OF CMR CONTAMINATION

The 2020 conflict was brought to an end by a Russian-brokered ceasefire agreement that came into effect on 10 November 2020.[4] Azerbaijan regained control of a substantial part of Nagorno-Karabakh (approximately one-third of the territory previously controlled by Armenia). The de facto Nagorno-Karabakh authorities retain control over the remainder of Nagorno-Karabakh, which is patrolled by a Russian peacekeeping force, including along the new Line of Contact (LOC).[5] Areas now under Azerbaijan's control include Nagorno-Karabakh's former second town of Shushi; Hadrut; and Lachin, with Russian peacekeepers monitoring part of Lachin district.[6]

Nagorno-Karabakh already had extensive CMR contamination prior to the 2020 conflict, with pre-existing CMR-contaminated area estimated to total 71.3km^2.[7] Extensive use of cluster munitions in the 2020 conflict then added considerable CMR contamination to territory that continues to be controlled by the Nagorno-Karabakh authorities.[8] A rapid assessment by The HALO Trust found that contamination affected nearly three-quarters of all Nagorno-Karabakh settlements, including 20% of Stepanakert, 21% of Martuni, and 34% of Martakert.[9] However, overall cluster munition-contaminated area in Nagorno-Karabakh has decreased significantly since the 2020 conflict, with the cluster munition-contaminated area in territory remaining under the control of the Nagorno-Karabakh authorities standing at 11.27km^2 as at April 2022 (see Table 1).[10] This is due to the fact that Azerbaijan regained control of much of the territory of Nagorno-Karabakh which had pre-existing CMR contamination.

Table 1: Cluster munition-contaminated area (in areas of Nagorno-Karabakh not under Azeri control) (at April 2022)[11]

District	CHAs	Area (m^2)
Askeran	16	1,281,791
Martakert	42	4,178,101
Martuni	77	5,811,592
Totals	**135**	**11,271,484**

CHA = Confirmed hazardous area

The HALO Trust discovered 9,877,473m^2 of new CMR contamination in 2021, all as a result of the six-week conflict, the details of which were added to the database. This comprised 674,825m^2 in 11 confirmed hazardous areas (CHAs) in Askeran; 3,718,438m^2 in 38 CHAs in Martakert; and 5,484,210m^2 in 73 CHAs in Martuni.[12]

Loss of territory has increased population pressures on available land, raising the humanitarian threat posed by explosive remnants of war (ERW), including submunitions, on land that may previously have been considered low-threat areas. LAR-160 rockets containing M095 submunitions and 9M55K Smerch rockets containing 9N235 submunitions were both found.[13] The HALO Trust also identified Russian-made ShOAB and PTAB submunitions.[14]

OTHER EXPLOSIVE REMNANTS OF WAR AND LANDMINES

Nagorno-Karabakh is also contaminated by other ERW and anti-personnel and anti-vehicle mines (see Mine Action Review's *Clearing the Mines* report on Nagorno-Karabakh for further information).

4 "Armenia, Azerbaijan and Russia sign Nagorno-Karabakh peace deal", *BBC*, 10 November 2020; and Thomas De Waal, "Unfinished Business in the Armenia-Azerbaijan Conflict", Carnegie Europe, 11 February 2021.

5 International Crisis Group (ICG), "The Nagorno-Karabakh Conflict: A Visual Explainer", Last updated 7 May 2021, at: https://bit.ly/3uiOou2.

6 ACAPS, "Azerbaijan: Pre-existing situation and impact of the 2020 Nagorno-Karabakh conflict", 21 December 2020.

7 Email from Miles Hawthorn, HALO Trust, 18 April 2021.

8 Amnesty International, "In the Line of Fire", 14 January 2021; Human Rights Watch, "Technical Briefing Note: Cluster Munition Use in the Karabakh Conflict", July 2021.

9 Email from Miles Hawthorn, HALO Trust, 18 April 2021.

10 Email from Miles Hawthorn, HALO Trust, 5 May 2022.

11 Ibid.

12 Ibid.

13 Human Rights Watch, "Technical Briefing: Note Cluster Munition Use in the Karabakh Conflict", 21 July 2021.

14 Email from Miles Hawthorn, HALO Trust, 18 April 2021.

NATIONAL OWNERSHIP AND PROGRAMME MANAGEMENT

Nagorno-Karabakh does not have a national mine action centre. Nagorno-Karabakh's security chief, Major-General Vitaly Balasanyan, set up a working group in early 2021 to coordinate clearance of ERW. The working group meets weekly with participation from the Rescue Service and humanitarian mine clearance organisations.[15] In August 2021, by presidential decree, the group became the "Mine Action Coordination Council" (known as the Mine Action Council), with high-level representation from the authorities, Centre for Humanitarian Demining (CHD FUND), and The HALO Trust.[16]

The HALO Trust established the Nagorno-Karabakh Mine Action Centre (NKMAC) in 2000 but the project did not attract local support and stalled.[17] Discussions on the issue were held with Nagorno-Karabakh's Ministry of Foreign Affairs in 2019 and 2020 as well as with the State Emergency Services and the Ministry of Agriculture, but did not lead to any decision.[18] A mine action coordination committee responsible for liaising between the local authorities and The HALO Trust ended in 2018.[19]

The HALO Trust provided capacity-building support in Nagorno-Karabakh in 2021, training eight members of the Rescue Service and CHD FUND (a national non-governmental organisation funded by the authorities in Nagorno-Karabakh) to explosive ordnance disposal (EOD) Level 1. Another course for eight personnel was planned in 2021 but was abandoned due to a spike in COVID-19 infections.[20]

The Nagorno-Karabakh authorities do not provide The HALO Trust with funding to clear affected areas.[21]

ENVIRONMENTAL POLICIES AND ACTION

The HALO Trust does not have a programme-level environmental management standard operating procedures (SOPs) for Nagorno-Karabakh, but does adhere to an organisational SOP set at its headquarters. There is a new "Global Environment and Nature Conservation" lead in post at The HALO Trust and the programme anticipates having a local SOP in place in 2022.[22] In line with its commitment to protecting the environment, when conducting EOD, HALO Trust ensures that safe land is not contaminated by explosive kick-outs, and all scrap metal is cleared and disposed of appropriately.[23]

GENDER AND DIVERSITY

HALO's Nagorno-Karabakh programme follows the organisation's gender and diversity policies, providing equal access to employment for women and engaging them in management and operational roles.[24] Overall, 14% of HALO Trust staff in Nagorno-Karabakh in 2021 were women. This comprised 14% of supervisory positions and 9% working in field operations.[25] HALO's most senior national staff member is a woman,[26] and women have been employed in both survey and clearance. HALO appointed the first woman for non-technical survey in 2019 and by 2021 all HALO survey teams included at least one woman.[27]

All groups affected by CMR and anti-personnel mines, including women and children, are said to be consulted during survey and community liaison activities, and HALO Trust prioritises survey and clearance activities in areas where children play and women go to forage.[28] Relevant mine action data are disaggregated by sex and age.[29]

INFORMATION MANAGEMENT AND REPORTING

Nagorno-Karabakh does not have a mine action information management system. The HALO Trust operates its own database.[30] In 2020, HALO switched to an online server (cloud system) that it refers to as the Global Operations Information Management System (GO-IMS).

No central mechanism exists for systematic sharing of data on mine clearance, underscoring the value of a mine action authority. There is the working group, known as the Mine Action Council, comprising The HALO Trust, the local Rescue Service, CHD FUND, the military, and Russian peacekeepers. The Council meets weekly to facilitate information and data sharing,

15 Email from Miles Hawthorn, HALO Trust, 20 May 2021.
16 Email from Fiona Kilpatrick-Cooper, Head of Region – Europe (South Caucasus), HALO Trust, 6 May 2022.
17 Emails from Andrew Moore, HALO Trust, 28 June 2013; and Asqanaz Hambardzumyan, Field Officer, HALO Trust, 26 April 2019.
18 Emails from Rob Syfret, HALO Trust, 13 May and 4 September 2020; and Miles Hawthorn, HALO Trust, 18 April 2021.
19 Emails from Andrew Moore, HALO Trust, 26 May 2016; and Asqanaz Hambardzumyan, HALO Trust, 26 April 2019.
20 Email from Miles Hawthorn, HALO Trust, 5 May 2022.
21 Ibid.
22 Ibid.
23 Ibid.
24 Email from Asqanaz Hambardzumyan, HALO Trust, 10 April 2019.
25 Email from Miles Hawthorn, HALO Trust, 18 April 2021.
26 Email from Miles Hawthorn, HALO Trust, 5 May 2022.
27 Emails from Rob Syfret, HALO Trust, 7 May 2020; and Miles Hawthorn, HALO Trust, 29 July 2021.
28 Email from Miles Hawthorn, HALO Trust, 5 May 2022.
29 Ibid.
30 Email from Rob Syfret, HALO Trust, 7 May 2020.

coordination of activities, and discussion of security and other safety issues. In general, while the mine action authorities in Nagorno-Karabakh share some information about CMR contamination, survey, and clearance, more detail is required to conform to recognised international standards.[31]

PLANNING AND TASKING

Prior to the outbreak of the conflict in September 2020, The HALO Trust focused on survey and clearance of mined areas in line with donor wishes, giving priority to areas where confirmed accidents indicated the greatest humanitarian threat and where cleared areas were most likely to be put to use. Starting in 2019, HALO embarked on a survey of mine contamination throughout Nagorno-Karabakh.

After the 2020 conflict, HALO Trust put the mine survey on hold and has given priority to a baseline survey of CMR and other unexploded ordnance (UXO) resulting from the war as well as conducting battle area clearance (BAC) and EOD. It had aimed to complete the survey, covering all villages, by the end of September 2021[32] but by the end of 2021 it had completed the survey of 105 out of 128 inhabited settlements. Explosive ordnance risk education (EORE) was another of HALO Trust's priorities in 2021.[33] In 2022, the priority for the organisation is to complete the survey and to focus clearance efforts on Martakert and Martuni, the second and third most populated towns in Nagorno-Karabakh.[34] HALO Trust selects tasks according to its own prioritisation matrix but working closely with local authorities, and applying its own prioritisation process to tasks allocated to it by the authorities.[35]

LAND RELEASE SYSTEM

STANDARDS AND LAND RELEASE EFFICIENCY

Nagorno-Karabakh has no local mine action standards. The HALO Trust follows its internal SOPs but it updated its SOPs on BAC in 2020 to address the threat from urban contamination.[36]

OPERATORS AND OPERATIONAL TOOLS

Since it started working in Nagorno-Karabakh in 2000, HALO Trust has been and remains the main organisation conducting land release. Clearance is conducted mostly in the summer months between May and October. The HALO Trust's overall staff numbers have fluctuated in recent years, falling from 159 at the start of 2020 to 137 by September after support from the United States Agency for International Development (USAID) ended in April 2020. In February 2021, HALO recruited new staff bringing the total complement to 155, increasing the number of survey teams from five to seven and the number of clearance teams from eight to ten.[37] By the end of 2021, HALO Trust employed a total of 135 staff in Nagorno-Karabakh.[38] It still had seven non-technical survey teams with a total of 28 personnel, but the number of operational clearance teams had fallen back to eight, with a total of 56 personnel.[39] An overall decrease in the number of survey and clearance personnel from March to December 2021 was due to staff who had been displaced and others leaving for Armenia or Russia as well as decreased funding. The number of non-technical survey staff was likely to decrease again in 2022 due to the reduced amount of survey outstanding and less funding.[40]

The Nagorno-Karabakh Emergency Service, formerly known as the Rescue Service, conducts EOD spot tasks and has reportedly conducted some BAC. HALO works very closely with the Rescue Service and has provided many of its staff with EOD and area clearance training.[41] One Nagorno-Karabakh army unit conducts limited demining.[42] Russian peacekeepers have conducted area clearance and spot EOD since the conflict. The units have not shared details of clearance operations but coordinated with HALO Trust on carrying out demolitions.[43]

31 Email from Miles Hawthorn, HALO Trust, 5 May 2022.
32 Email from Miles Hawthorn, HALO Trust, 18 April 2021.
33 Email from Miles Hawthorn, HALO Trust, 5 May 2022.
34 Ibid.
35 Email from Fiona Kilpatrick-Cooper, HALO Trust, 6 May 2022.
36 Emails from Rob Syfret, HALO Trust, 7 May 2020; and Miles Hawthorn, HALO Trust, 18 April 2021.
37 Emails from Rob Syfret, HALO Trust, 7 May 2020; and Miles Hawthorn, HALO Trust, 18 April and 20 May 2021.
38 Email from Fiona Kilpatrick-Cooper, HALO Trust, 6 May 2022.
39 Email from Miles Hawthorn, HALO Trust, 5 May 2022.
40 Email from Miles Hawthorn, HALO Trust, 5 May 2022.
41 Email from Asqanaz Hambardzumyan, HALO Trust, 26 April 2019.
42 Ibid.
43 Email from Miles Hawthorn, HALO Trust, 18 April 2021.

A new local mine clearance organisation, HAK (now CHD FUND), was established in 2020, initially with one clearance team. In 2020, it was mainly focused on getting established and learning about contamination and was not reportedly very active operationally. In 2020, the HALO Trust provided CHD FUND with information and equipment, including detectors and personal protective equipment (PPE)[44] and in 2021, provided EOD training (Level 1) to two CHD FUND staff.[45]

COVID-19 had a significant impact on survey and clearance operations in 2021 as there was widespread vaccine hesitancy in Nagorno-Karabakh, including among HALO Trust staff, and the national vaccine uptake rate is estimated at only 2% of the population.[46] Despite HALO's robust internal COVID SOPs, there were spikes in infections in the middle of the year and then again in November and December. In conformity with national and international regulations, infected staff and their close contacts, including their HALO teams, were stood down, resulting in a considerable number of lost team days in both survey and clearance.[47]

LAND RELEASE OUTPUTS AND PROGRESS TOWARDS COMPLETION

LAND RELEASE OUTPUTS IN 2021

Prior to the 2020 war, HALO Trust had focused on landmine clearance and cleared no cluster munition contaminated land in 2020. It switched focus to CMR clearance after the war ended in November 2020 to address the threat posed by unexploded submunitions. In 2021, HALO Trust cleared 4,001,259m^2 of CHA.[48] No land was cancelled through non-technical survey or reduced through technical survey by HALO in 2021.

HALO Trust has to date only conducted surface CMR clearance.[49] As was the case following the 2016 war, minimal items have been found subsurface since the 2020 war ended, despite numerous areas being ploughed since. The HALO Trust will conduct subsurface clearance when the number of items found on the surface starts to decrease. It has recently purchased two new large-loop detectors with funding from Norway and further tests on soft ground in highly contaminated areas were planned for 2022.[50]

Table 2: CMR clearance by The HALO Trust in 2021[51]

District	Area cleared (m²)	Submunitions destroyed	Other UXO destroyed during CMR clearance
Askeran	2,342,246	28	203
Martakert	245,670	10	18
Martuni	1,413,343	107	171
Totals	**4,001,259**	**145**	**392**

HALO conducted 505 EOD call-outs in 2021, and destroyed 1,715 submunitions and 3,117 other items of explosive ordnance (in addition to those listed in Table 2).[52] This compared to 2020, when HALO destroyed 73 submunitions in EOD call-outs.[53] HALO Trust completed 16 BAC tasks in 2021 and in only two of them found no remnants. The total size of tasks cleared in 2021 which contained cluster munition remnants was 3,398,570m^2.[54]

Table 3: Five-year summary of CMR clearance

Year	Area cleared (km²)
2021	4.00
2020	0
2019	0.05
2018	0
2017	1.06
Total	**5.11**

PROGRESS TOWARDS COMPLETION

Until 2021, productivity had dropped sharply in recent years, which HALO ascribed to donor hesitancy. Despite the sharply increased humanitarian threat posed by cluster munitions and other ERW since the 2020 war and an increase in CMR clearance in 2021, prospects for scaling up clearance continue to be limited by funding constraints.[55]

44 Ibid.
45 Email from Fiona Kilpatrick-Cooper, HALO Trust, 13 June 2022.
46 Email from Miles Hawthorn, HALO Trust, 5 May 2022.
47 Ibid.
48 Ibid.
49 Ibid.
50 Ibid.
51 Ibid.
52 Email from Miles Hawthorn, HALO Trust, 5 May 2022.
53 Email from Miles Hawthorn, HALO Trust, 20 May 2021.
54 Ibid.
55 Emails from Miles Hawthorn, HALO Trust, 18 April 2021 and 5 May 2022.