

## RECOMMENDATIONS FOR ACTION

- Tajikistan should accede to the Convention on Cluster Munitions (CCM) as a matter of priority.
- Tajikistan 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.
- The Tajikistan National Mine Action Centre (TNMAC) should conduct survey to clarify the extent of remaining CMR and ensure timely clearance and release of the contaminated areas.

## CLUSTER MUNITION REMNANT CONTAMINATION

TNMAC has reported that, as at end 2018, a total of 937,040m<sup>2</sup> was suspected to contain CMRs: seven of Tajikistan's eight recorded battle areas totalling an area of almost 877,040m<sup>2</sup> and one shooting range of 60,000m<sup>2</sup> in Shamsiddin Shohin district.<sup>1</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, in particular CMR.<sup>2</sup>

In addition, and not included in the above total, there is a further 430,000m<sup>2</sup> of previously unknown CMR contaminated area in the Sagirdasht municipality of Darvos district in the Central Region, discovered through non-technical survey by NPA in 2018, and planned for clearance in 2019.<sup>3</sup> As CMR contamination

continues to be found each year in the Sagirdasht municipality of Darvos district, NPA and TNMAC have concluded that technical survey/cluster munition remnant survey (CMRS) should be undertaken of the Khaburabod mountain pass in 2019 to identify and, if possible, also address the full extent of any remaining contamination.<sup>4</sup>

Cluster bombs were dropped during Tajikistan's civil war in 1992–97,<sup>5</sup> though it is not known who used the munitions.<sup>6</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 on the mine problem).

## NATIONAL OWNERSHIP AND PROGRAMME MANAGEMENT

The Commission for the Implementation of International Humanitarian Law (CIIHL), chaired by the first deputy of the Prime Minister, and containing key representatives from relevant line ministries, acts as Tajikistan's national mine action authority, responsible for mainstreaming mine action in the government's socio-economic development policies.<sup>7</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>8</sup> though this did not happen until more than ten years later. TMAC was made responsible for coordinating and monitoring all mine action activities.<sup>9</sup> Since then, TMAC has acted as the secretariat for the CIIHL to which it reports.<sup>10</sup>

On 3 January 2014, TNMAC was established by government decree to replace TMAC.<sup>11</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>12</sup> In 2018, UNDP assisted TNMAC in elaboration of Tajikistan's plan for Article 5 completion under the Anti-Personnel Mine Ban Convention (APMBC). UNDP plans to transfer assets, knowledge, and expertise directly to TNMAC.<sup>13</sup>

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>14</sup> The law (number 1338), which was adopted by Tajikistan's Parliament on 23 July 2016,<sup>15</sup> was presented to mine action stakeholders in September 2016, during a workshop hosted by TNMAC.<sup>16</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 (for 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 an effective national mine action programme.<sup>17</sup> The Organization for Security and Co-operation in Europe (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 2018–2023.<sup>18</sup>

## GENDER

In September 2017, experts from the Geneva Mine Action Programme (GMAP) prepared and submitted to TNMAC a draft of a national gender strategy in mine action for 2018–22. The strategy was approved by TNMAC in October 2018.<sup>19</sup> Gender in Tajikistan is also addressed by a number of laws and documents, including the national development strategy through to 2030, approved by the parliament on 1 December 2016.<sup>20</sup>

## INFORMATION MANAGEMENT AND REPORTING

In 2016, Tajikistan updated its mine action information management system to Information Management System for Mine Action (IMSMA) version 6.0.<sup>21</sup> In 2018, TNMAC planned to implement IMSMA Core, with support from the Geneva International Centre for Humanitarian Demining.<sup>22</sup>

## PLANNING AND TASKING

The previous national mine action strategic plan for 2010–15 expired at the end of 2015.<sup>23</sup> A new National Strategy on Humanitarian Mine Action 2017–2020 was approved by government decree No. 91 on 25 February 2017.<sup>24</sup>

## LAND RELEASE SYSTEM

### STANDARDS AND LAND RELEASE EFFICIENCY

Tajikistan's revised National Mine Action Standards (TNMAS) were approved by decree No. 162 on 1 April 2017. The revised standards have been translated into Russian and English.<sup>25</sup>

NPA has proposed the application of CMRS as an effective methodology for technical survey of CMR contamination in Darvos district. As at June 2019, NPA had submitted a set of standing operating procedures (SOPs) to TNMAC for final approval so that methodology could be applied in July 2019 during the summer clearance season in Darvos.<sup>26</sup>

### OPERATORS

In 2018, overall operational capacity for demining and battle area clearance (BAC) comprised four multi-tasking manual NPA teams; five military multi-purpose manual teams (four from the Ministry of Defence Humanitarian Demining Company (HDC) and one from the Committee of Emergency and Civil Defence); and

two Union of Sappers of Tajikistan (UST) non-technical survey teams.<sup>27</sup> NPA undertook both survey and clearance in 2018 while UST conducted non-technical survey, identifying two mined areas.<sup>28</sup> No funding was secured for Swiss Foundation for Mine Action (FSD) survey or clearance operations in Tajikistan in 2018.<sup>29</sup>

NPA planned to conduct BAC training for all its staff in 2019, in preparation for any CMR operational needs that might arise. NPA did not have dedicated non-technical survey personnel in 2018 and any non-technical survey activities were conducted by an NPA technical advisor and a task supervisor, in areas in which NPA operated. In 2019, NPA established one non-technical/targeted technical survey team, consisting of four surveyors, one paramedic, and one task supervisor, as support to TNMAC's efforts to survey the remaining areas for which minefield records existed but that had not yet been surveyed and to help support other survey/resurvey needs, as required. NPA's survey team, which began deployment in April 2019, will be used to survey CMR-contaminated areas as well.<sup>30</sup>

# LAND RELEASE OUTPUT AND PROGRESS TOWARDS COMPLETION

## LAND RELEASE OUTPUT IN 2018

In 2018, 407,571m<sup>2</sup> of CMR-contaminated area was released through clearance, during which 63 submunitions and 100 other items of UXO were destroyed.<sup>31</sup>

## SURVEY IN 2018

A total of 568,500m<sup>2</sup> was identified as contaminated in the Sagirdasht municipality of Darvos district of the Central Region through NPA non-technical survey in 2018: 138,500m<sup>2</sup> in June 2018,<sup>32</sup> and a further 430,000m<sup>2</sup> in August 2018. Subsequent clearance of the 138,500m<sup>2</sup> polygon in 2018 revealed the area of CMR contamination to be larger than recorded (407,571m<sup>2</sup> when clearance was suspended at the end of the clearance season in 2018). The second 430,000m<sup>2</sup> polygon is planned for clearance in 2019.<sup>33</sup>

No technical survey was conducted in 2018, but NPA believes that CMRS should be considered in 2019 in the Sagirdasht municipality of Darvos district, in order to determine the full extent of CMR contamination in this area.<sup>34</sup>

## CLEARANCE IN 2018

In 2018, NPA cleared 407,571m<sup>2</sup> of CMR-contaminated area in Darvos district of GBAO, in the central region, during which 63 CMR and 100 other items of UXO were destroyed.<sup>35</sup> This is an increase on the 248,581m<sup>2</sup> released through clearance in 2017.

## PROGRESS TOWARDS COMPLETION

Tajikistan needs to complete clearance of the two recently discovered areas of more than 0.4km<sup>2</sup> confirmed to contain CMR in Sagirdasht municipality of the Darvos district and should conduct CMRS to determine whether further CMR contamination exists in this municipality.

In addition, the seven other battle areas suspected to contain CMR should be re-surveyed and cleared, recording any submunitions found. Survey should also be conducted of the 60,000m<sup>2</sup> firing range in Shamsiddin Shohin district, to determine whether or not it contains unexploded submunitions.<sup>36</sup>

- 1 Email from Muhabbat Ibrohimzoda, TNMAC, 14 June 2019.
- 2 Email from Muhabbat Ibrohimzoda, TNMAC, 27 April 2018; and interview with Daler Eshonjonov, TNMAC, and Erkin Huseinov, United Nations Development Programme (UNDP), Dushanbe, 29 May 2018.
- 3 Email from Muhabbat Ibrohimzoda, TNMAC, 14 June 2019.
- 4 Email from Melissa Andersson, NPA, 27 March 2019.
- 5 Second Anti-Personnel Mine Ban Convention (APMBC) Article 5 deadline Extension Request (draft), 31 March 2019, p. 6.
- 6 Statement of Tajikistan, APMBC 14th Meeting of States Parties, Geneva, 1 December 2015.
- 7 APMBC Article 5 deadline Extension Request, 31 March 2009, p. 4; and Second APMBC Article 5 deadline Extension Request (draft), 31 March 2019, p. 20.
- 8 Rebecca Roberts, "Evaluation of UNDP Support to the Tajikistan Mine Action Programme", p. 12, at: <http://bit.ly/2VrxVY8>.
- 9 APMBC Article 5 deadline Extension Request, 31 March 2009, p. 1; and TMAC, "About TMAC", 2012, accessed 10 March 2014 at: <http://bit.ly/2LvPub1>.
- 10 Roberts, "Evaluation of UNDP Support to the Tajikistan Mine Action Programme", p. 12.
- 11 Email from Muhabbat Ibrohimzoda, TNMAC, 3 April 2015.
- 12 TNMAC, "Draft Article 5 Completion Plan 2016–20", 4 October 2016.
- 13 Second APMBC Article 5 deadline Extension Request (draft), 31 March 2019, p. 27.
- 14 Email from Aubrey Sutherland-Pillai, (then) Country Director, NPA, 18 October 2016.
- 15 Second APMBC Article 5 deadline Extension Request (draft), 31 March 2019, p. 22.
- 16 Email from Aubrey Sutherland-Pillai, NPA, 18 October 2016.
- 17 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.
- 18 Email from Luka Buhin, OSCE Office in Tajikistan, 9 October 2017.
- 19 Email from Muhabbat Ibrohimzoda, TNMAC, 14 June 2019.
- 20 Ibid.; and Second APMBC Article 5 deadline Extension Request (draft), 31 March 2019, p. 28.
- 21 Email from Muhabbat Ibrohimzoda, TNMAC, 22 May 2017.
- 22 Second APMBC Article 5 deadline Extension Request (draft), 31 March 2019, p. 29.
- 23 Interview with Muhabbat Ibrohimzoda, TNMAC, and Ahad Mahmoudov, Programme Manager, UNDP, in Geneva, 23 June 2015.
- 24 "National Strategy of the Republic of Tajikistan on humanitarian mine action for 2017–2020", 25 February 2017; and Second APMBC Article 5 deadline Extension Request (draft), 31 March 2019, p. 21.
- 25 Email from Muhabbat Ibrohimzoda, TNMAC, 22 May 2017; and Second APMBC Article 5 deadline Extension Request (draft), 31 March 2019, p. 21.
- 26 Email from Muhabbat Ibrohimzoda, TNMAC, 14 June 2019.
- 27 Second Article 5 deadline Extension Request (draft), 31 March 2019.
- 28 Email from Muhabbat Ibrohimzoda, TNMAC, 14 June 2019.
- 29 Ibid.
- 30 Email from Melissa Andersson, NPA, 27 March 2019.
- 31 Ibid.; and email from Muhabbat Ibrohimzoda, TNMAC, 14 June 2019.
- 32 Email from Melissa Andersson, Country Director, NPA, 4 July 2018.
- 33 Email from Muhabbat Ibrohimzoda, TNMAC, 14 June 2019.
- 34 Email from Melissa Andersson, NPA, 27 March 2019.
- 35 Ibid.; and email from Muhabbat Ibrohimzoda, TNMAC, 14 June 2019.
- 36 Email from Muhabbat Ibrohimzoda, TNMAC, 14 June 2019.