

EVALUATION OF EC-FUNDED MINE ACTION PROGRAMMES IN SOUTH EAST EUROPE – 2002-2007

This evaluation is funded by
The European Union



The Geneva International Centre for Humanitarian Demining (GICHD) strives for a world free of anti-personnel mines and from the threat of other landmines and explosive remnants of war, and where the suffering and concerns of populations living in affected areas are addressed. The Centre is active in research, provides operational assistance and supports the implementation of the Anti - Personnel Mine Ban Convention.

Evaluation of EC-Funded Mine Action Programmes in Latin America, GICHD, Geneva, July 2008

This project has been managed by Ted Paterson, Head of Evaluation and Policy Research, GICHD,
t.paterson@gichd.org

This document has been produced with the financial assistance of the European Union. The contents of this document are the sole responsibility of the GICHD and can under no circumstances be regarded as reflecting the position of the European Union.

© **Geneva International Centre for Humanitarian Demining**

The views expressed in this publication are those of the authors and do not necessarily represent the views of the Geneva International Centre for Humanitarian Demining. The designation employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the GICHD concerning the legal status of any country, territory or armed groups, or concerning the delimitation of its frontiers or boundaries.

FOR FURTHER INFORMATION PLEASE CONTACT

Geneva International Centre for Humanitarian Demining
Centre International de Déminage Humanitaire | Genève

7 bis, av. de la Paix | P.O. Box 1300 | 1211 Geneva 1 | Switzerland | t. + 41 (0)22 906 16 60
f. + 41 (0)22 906 16 90 | info@gichd.org | www.gichd.org

CONTENTS

ACRONYMS	i
EXECUTIVE SUMMARY	ii
Introduction	ii
Key findings and recommendations	ii
1. INTRODUCTION	1
Overall objective of the evaluation	2
The definition of south east europe	2
Development evaluation criteria	3
2. GENERAL FINDINGS	4
Size of the problem	4
Albania	4
Belarus	5
Bosnia and Herzegovina	6
Croatia	6
Cyprus	6
Kosovo	8
Macedonia	8
Montenegro	9
Russia/Chechnya	9
Serbia	10
Ukraine	10
Casualties	11
EC support for APMBBC compliance	11
Introduction	11
Amount of support	12
Countries supported	12
Type of organisation supported	12
Mine action components supported	12
Evaluation of EC strategy	13
Country strategy papers (CSP)	13
Country selection criteria	14
Sustainability	14
Framework for evaluation of projects with political objectives	14
International trust fund for demining and mine victims assistance (ITF)	15
Reforms to EC foreign policy and the impact on mine action	16
Introduction	16
Deconcentration and the implementation of the paris declaration	17
Mine action strategy within the three pillars of the EU	17
Impact of the reforms on mine action	18
Fragmentation and isolation	19
Conclusions regarding the new instruments	20
Key issues arising	21
Fragmentation of EC personal resources	21

Strategy development	21
Delegation staff responsible for project selection and implementation	21
Contract issues	22
Recent initiatives	22
3. CONCLUSIONS AND RECOMMENDATIONS	24
Conclusions	24
Recommendations	24
Annex 1 Terms of Reference	i
Annex 2 Summary of EC Contributions to Mine Action in SE Europe 2002-2006	iii
Annex 4 Analysis of Casualty Statistics	vi

Tables

Table 1 – Country missions	2
Table 2 – The mine action situation in South East Europe.....	4

ACRONYMS

AMAE	Albania Mine Action Executive
APL	Anti Personnel Landmine
APMBC	Anti Personnel Mine Ban Convention
AREA	Agenda for Regional Action
AXO	Abandoned Explosive Ordnance
BHMAC	Bosnia and Herzegovina Mine Action Centre
BiH	Bosnia and Herzegovina
CARDS	Community Assistance for Reconstruction, Development and Stabilisation
CCM	Convention on Cluster Munitions
CFSP	Common Foreign and Security Policy
CROMAC	Croatian Mine Action Centre
CSP	Country Strategy Paper
DCECI	Development Co-operation and for Economic Co-operation
DG	Directorate General
EC	European Commission
ERW	Explosive remnants of war
EU	European Union
EUR	Euro
ENPI	European Neighbourhood and Partnership Instrument
FRY	Former Yugoslavia
GICHD	Geneva International Centre for Humanitarian Demining
ICBL	International Campaign to Ban Landmines
IPA	Instrument for Pre-accession Assistance
ITEP	International Trust & Evaluation Programme
JNA	Jugoslovenska Narodna Armija
km	kilometre
kg	kilogram
MAC	Mine Action Centre
MACG	Mine Action Co-ordinating Group
mm	millimetre
MOU	Memorandum of Understanding
NATO	North Atlantic Treaty Organisation
NGO	Non governmental organisation
NPA	Norwegian Peoples Aid
NSA	Non State Actor
OECD	Office for Economic Co-operation and Development
OKPCC	Office of the Kosovo Protection Corps Co-ordinator
PFF	Partnership for the Future
RCUD	Regional Centre for Divers' Training and Underwater Demining
SAA	Stabilisation and Association Agreements
SAP	Stabilisation and Association Process
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNFICYP	United Nations Forces in Cyprus
UNICEF	United Nations Children's Fund
UNMAC	United Nations Mine Action Centre
UNMAS	United Nations Mine Action Service
UNMIK	United Nations Mission in Kosovo
USD	United States Dollar
USDoS	United States Department of State
UXO	Unexploded Ordnance

EXECUTIVE SUMMARY

INTRODUCTION

The EC Anti-Personnel Landmine Regulation of 2001 mandated evaluation of EC Mine Action strategy every three years. The first report was a Global Evaluation published in 2005, this report forms one part of the 2008 evaluation by regions and covers South East Europe, 2002-2007.

The approach used for the evaluation was desk research visits to two mine-affected countries (Bosnia and Herzegovina and Croatia) and further contact with EC Delegations by phone and internet. Face-to-face discussions with RELEX and EuropeAid staff in Brussels were only possible after the country visits.

KEY FINDINGS AND RECOMMENDATIONS

The selection of countries to receive funding was appropriate and relevant. The allocation of funding was also generally relevant.

The transition from the old to the new Instruments has not been especially smooth, creating some uncertainty within Delegations. EC funding that once seemed reasonably certain suddenly 'disappeared', leaving those expecting its continuation disappointed.

Communication between EC Delegation staff (working in isolation on mine action issues) throughout South East Europe should be strengthened.

There are some problems with fragmentation and isolation of the EC mine action efforts and the staff responsible for implementing them. These were noted in the 2005 Global report but have been exacerbated in some ways by deconcentration, the ending of the anti-personnel landmine horizontal budget line and other impacts of the new Instruments.

Much of this could be overcome by:

- Reinstating a clear and effective focal point in Brussels.
- Creating a mine action strategy that reflects the change in Instrument.
- Bringing the Country Strategy Plans up to date.
- Creating a budget mechanism to permit funding of regional or worldwide actions that are outside the responsibility of Delegations.

The very recent publication of two EC-funded guidance documents will go a long way to remedying these concerns if certain aspects of the documents are properly implemented.

1. INTRODUCTION

In 2001 the Council of Ministers and the European Parliament adopted a Regulation¹ in two parts as the basis of the European Community response to the problem of Anti-Personnel Landmines (APL). The Regulation laid the foundation of a Europe-wide integrated and focused policy.

Article 13, paragraph 1 of the European Commission (EC) Regulation states:

“The Commission shall regularly assess operations financed by the Community in order to establish whether the objectives of the operations have been achieved and to provide guidelines for improving the effectiveness of future operations”.
 The APL Regulation goes on to state: *“Every three years after entry into force of this Regulation, the commission shall submit to the European Parliament an overall assessment of all Community mine actions [...]”* (Article 14).

The EC Mine Action Strategy and Multi-annual Indicative Programme, 2005-2007² further specified that *“more specific, geographic, evaluations of EC-funded mine actions, analysing the results and their impact”* will be undertaken to complement the overall assessment.

To implement these provisions, the EC:

- Commissioned a global assessment of EC mine policy and actions over the period 2002-2004;
- Entered into an agreement with The Geneva International Centre for Humanitarian Demining (GICHD) to, inter alia, manage the programme of regional evaluations to identify lessons learned within EC-funded mine action projects in the following regions:

Africa	Caucasus-Central Asia	Latin America
Asia-Pacific	Europe	Middle East

The Report from the Global Assessment was issued in March 2005³ while the agreement with the GICHD was concluded in December that year.

The objective of the Global Assessment is to determine to what extent the objectives and means set in the APL Regulation had been complied with and used in terms of strategy, programming, commitments and implementation. The regional evaluations will complement the Global Assessment by focusing on:

- relevant conclusions and recommendations from the Global Assessment;
- EC mine action strategy and programming issues at the country and regional levels.

Thus, the evaluation will not assess the efficiency, effectiveness, and impact of individual projects, except to illustrate changes since the Global Assessment or critical programming

¹ Regulation (EC) 1724/2001 of the European Parliament and of the Council of 23 July 2001 concerning action against anti-personnel landmines in developing countries (OJ L 234, 1.9.2001, p.1) and Regulation (EC) 1725/2001 of the European Parliament and of the Council of 23 July 2001 concerning action against anti-personnel landmines in third countries other than developing countries (OJ L 234, 1.9.2001, p 6). The provisions are nearly identical. The two regulations are collectively known as “The APL regulation”.

² This is the second strategy and multi-year indicative programme since the adoption of the EC Regulation: the first covered the period 2002-04.

³ Gasser, Russell and Keeley, Robert, *Global Assessment of EC Mine Policy and Actions: 2002-2004*.

issues.

OVERALL OBJECTIVE OF THE EVALUATION

To provide systematic and objective assessments of EC-funded mine actions in South East Europe to generate credible and useful lessons for the EC, to support the improved planning and management of existing and future mine action projects, programmes, and policies.

For more detail see the TOR at Annex 1.

The evaluation entailed:

- preliminary planning and research;
- initial contact with EC staff in Brussels;
- missions to the focus countries (Bosnia and Herzegovina (BiH) and Croatia);
- additional contact with EC delegation staff in one further country (Cyprus);
- meetings in Brussels with EC staff to discuss the initial findings;
- analysis and reporting.

The Evaluation Team comprised Alistair Craib, Director of Baric (Consultants) Ltd and Sean Moorhouse, an independent consultant. Both have considerable experience of mine action. The country missions were organised as follows:

Table 1 – Country missions

Country	Timing	Team Members
BiH	17 - 23 August 2008	Alistair Craib
Croatia	23 - 30 August 2008	Sean Moorhouse

Reporting included a country report on each of the two countries visited, and this overall strategic evaluation report.

THE DEFINITION OF SOUTH EAST EUROPE

There was some discussion whether the report should cover all Europe but it was agreed that this was unnecessary and the report should cover only South East Europe. However, it is worth making clear what countries are covered here since, arguably, there is some confusion over what constitutes South East Europe. There were two over-arching documents seen by the Study Team.

Firstly, the ‘*Western Balkans Regional Strategy Paper. 2002-2006*’. The countries shown in the European list are:

Albania, BiH, Bulgaria, Croatia, Macedonia, Montenegro, Romania, and Serbia.

Secondly, ‘*The EC Mine Action Strategy 2005-2007*’. Here the countries are:

Albania, Belarus, BiH, Croatia, Macedonia, Montenegro, Russia/Chechnya, Serbia, and Ukraine.

From the first list only Bulgaria and Romania are not shown in the second and are therefore no longer considered. The TOR for this study specifically mentions Cyprus, which is on neither list. Only the Turkish part of Cyprus attracts EC funding for mine action and as Turkey is a pre-accession country for European Union (EU) membership, Cyprus is included on that basis.

The list of countries considered in this report is in Table 2.

DEVELOPMENT EVALUATION CRITERIA

The standard development evaluation criteria promoted by the Office for Economic Co-operation and Development (OECD) of Relevance, Effectiveness Efficiency, Impact and Sustainability will be used in this evaluation, in line with the Terms of Reference (ToR). For the purpose of this report these are defined as:

- **Relevance**: The extent to which the aid activity is suited to the priorities and policies of the target group, recipient and donor.
- **Effectiveness**: A measure of the extent to which an aid activity attains its objectives.
- **Efficiency**: An economic term which signifies that the aid uses the least costly resources possible in order to achieve the desired results.
- **Impact**: The positive and negative changes produced by a development intervention, directly or indirectly, intended or unintended.
- **Sustainability**: Whether the benefits of an activity are likely to continue after donor funding has been withdrawn. This includes environmental as well as financial sustainability.

2. GENERAL FINDINGS

SIZE OF THE PROBLEM

Europe suffered two world wars in the last century which impacted on all but very few countries on the continent and on many outside it. From the end of the Second World War until the collapse of the Soviet Union, very large areas of land were used for military training, equipment development and testing, and stockpiling of munitions. This has left an enormous legacy of land contaminated with explosive remnants of war (ERW) – some going back to the First World War – and, in some countries, vast stockpiles of munitions which will now never be used and need to be destroyed.

Despite its relative wealth and high technology base Western Europe is still contaminated 90 years after the First World War and 63 since the Second World War. Casualties are very rare and there is extremely limited impact on any form of development or economic activity. Some countries, such as Germany, actively seek large air-drop bombs but others, such as the United Kingdom (UK), do not and simply wait until they are found (usually by construction contractors). The Netherlands requires an explosive ordnance disposal (EOD) check prior to intrusive construction work to ensure that the site is clear of unexploded bombs or other ERW. There is a body of opinion which, as a consequence of this situation, believes that if the same level of clearance can be achieved in other European countries – including those listed in the table below – then success is achieved. It was stated in Kosovo in 2000 that the aim of the large scale clearance at that time was to reduce contamination to the level of Western Europe. At least one international NGO is trying to have that position changed but it was widely accepted by donor countries in 2001 as the correct position.

South East Europe has 11 countries with current mine and/or other ERW problems. The countries reviewed in this report are indicated in the table below.

Table 2 – The mine action situation in South East Europe

Country	State Party Since	Deadline for Article 5	Mined area left (km ²)	Likelihood of meeting	Deadline for Article 4	Likelihood of meeting	Extension request made?
Albania	1 Aug 00	1 Aug 10	1.6	High	1 Aug 04	Met	No
Belarus	1 Mar 04	N/A (none declared)	N/A	N/A	1 Mar 08	Missed	No
BiH	1 Mar 99	1 Mar 09	1,573	Low	1 Mar 03	Met	Yes (1 Mar 19)
Croatia	1 Mar 99	1 Mar 09	997	Low	1 Mar 03	Met	Yes (1 Mar 19)
Cyprus	1 Jul 03	1 Jul 13		High	1 Jul 07	Met	No
Kosova	No	N/A	2.75	N/A	N/A	N/A	No
Macedonia	1 Mar 99	1 Mar 09	N/A	Completed	1 Mar 03	Met	No
Montenegro	1 Apr 07	1 Apr 17	0.39	High	1 Apr 11	Met	No
Russia/Chechnya	No ⁴	N/A	60+	N/A	N/A	N/A	N/A
Serbia	1 Mar 04	1 Mar 14	3.5	High	1 Mar 08	Met	No
Ukraine	1 Jun 06	1 Jun 16	N/K	High	1 Jun 10	Low	No

ALBANIA

Albania has two main explosive threats. The northeast is contaminated by mines and ERW arising largely from the Kosovo crisis of 1998-1999, when forces of the former Federal Republic of Yugoslavia (FRY) laid extensive minefields in the border districts. In addition to

⁴ Still using landmines (Landmine Monitor 2007, page 1042).

anti-personnel and anti-vehicle mines, the area contains unexploded sub-munitions and other unexploded ordnance (UXO) resulting from FRY artillery, and at least six NATO cluster strikes which fell within Albanian territory.

A general survey by the Albanian Armed Forces in 1999-2000 identified 102 affected border areas totalling some 15 km². The international NGO (DanChurchAid) identified five new hazardous areas in 2006 but, by the end of the year, estimated that just over 2 km² of contamination remained. This was one-third less than the end-2005 estimate of over 3 km².

Central Albania is also believed to be contaminated by mines and ERW resulting from widespread looting of military depots in 1997. Albania had identified 15 hotspots of contamination with abandoned explosive ordnance (AXO) covering some 2.2 square kilometres. In April 2004 it reported these had been cleared but, in 2005, 16 ERW incidents caused 21 casualties. In April 2006, six magazines exploded in military storage tunnels in the southern Albanian village of Dhemblaj, scattering shells to other villages as far as five kilometres away.

There have been no mine victims in the north-east for several years but mine contamination has hampered development of infrastructure in this isolated, mountainous and impoverished area. The contamination has blocked access to land and water resources needed by a population that is mostly dependent on subsistence farming and animal husbandry.

Under the previous Multi-Annual Strategy and Programming, the EC supported mine clearance and technical survey of the mined areas of Albania, especially in the north-east. A large number of mines needed to be cleared. The Country Strategy Paper (CSP) and the Community Assistance for Reconstruction, Development and Stabilisation (CARDS) indicate that these hindered the development of the country. It was expected that the EC funding, from the thematic budget line, would help Albania meet its anti-personnel mine ban convention (APMBC)⁵ obligation within ten years.

Since 1999 14.7 km² has been released by various forms of survey and by clearance. At present 1.6 km² remains outstanding after which Albania will achieve Article 5 compliance.⁶ The policy and procedures used in Albania have been developed by the Albanian Mine Action Executive (AMAE) almost entirely without external assistance.

BELARUS

Belarus has 4.5M stockpiled landmines of which 3.6M are PFM-1 and PFM-1S mines. Under the previous Multi-Annual Strategy and Programming, the EC pledged to support PFM-1 destruction upon identification of an appropriate technology and on progress towards acceding to the APMBC. A competitive tender was issued but the project was then cancelled in December 2006 after an evaluation committee concluded that a technically compliant bidder could not be identified (there are suggestions that the tendering process itself was flawed). The funds were therefore 'decommitted' and the process to secure new EC funds will need to begin all over again. The collapse of this project will likely result in Belarus not being able to fulfill its obligations under Article 4 of the Mine Ban Treaty to destroy all stockpiled antipersonnel mines by 1 March 2008.

No EC-funded mine action intervention has taken place in Belarus despite discussions since 2005. EUR 4M has been earmarked to assist with the destruction of Belarus's stockpile of PFM-1 antipersonnel mines and discussions are presently taking place to agree ToR and a Memorandum of Understanding (MoU). The funding must be committed by the end of this

⁵ Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction.

⁶ To clear all known mined areas.

year (2008). Since the project has yet to start, there is nothing to evaluate.

BOSNIA AND HERZEGOVINA

The origins of BiH's mine and ERW contamination lie in the wars resulting from the break-up of the FRY in 1992-1995. All sides in the conflict used mines. The nature of the fighting, in which confrontation lines and alliances were fluid, resulted in widespread contamination of the country.

Most of the minefields remaining today are in the zone of separation between the two entities. This is approximately 1,100 kilometres in length and up to four kilometres wide. In the north, the fertile agricultural belt in Brčko District is one of the most heavily contaminated areas. Mines are denying farmers access to this formerly productive land.

Professional military units mapped the minefields they laid. However, the numerous militias laid mines with few or no records. This is especially the case in central and southern BiH.

In its 2009-2019 strategy, the BiH Mine Action Centre (BHMIC) states that it assumes that 1,573 km² of land will remain contaminated by mines and UXO at the beginning of 2009.

CROATIA

Anti-personnel mines (and other mines) were emplaced in Croatia's territory during the conflict that took place between 1991 and 1995. During these four years, mines were laid by all warring parties along lines of confrontation, which changed frequently. Mines were also laid in areas of strategic importance, including railway lines, power stations, pipelines and military installations.

The use of anti-personnel mines, added to the general consequences of war which resulted in significant numbers of other ERW, left Croatia severely contaminated. This contamination was located in 14 of Croatia's 21 counties. Large agricultural areas, parts of infrastructure facilities, forest areas and riverbanks were made, and remain inaccessible due to known, or suspected, emplacement of mines and the presence of ERW. During the period between March 1996 and June 1998 the United Nations Mine Action Centre (UNMAC) office in Croatia played a leading role in collecting data on contaminated areas. UNMAC assessments resulted in an estimate that approximately 13,000 km² of Croatian territory was suspected to contain mines⁷. This was later considered to be a gross overestimation of the actual amount of potentially dangerous areas.

Following the creation of the Croatian Mine Action Centre (CROMAC) in late 1999 it was able to reduce the original UNMAC estimate to 5,980 km². This included the total area represented by 11,228 minefield records obtained by CROMAC. This was further reduced to 4,000 km² in 2001 and then to 1,700 km² by the beginning of 2002. This has been further reduced to 997 km² and all suspect land is now comprehensively marked with 14,500 mine warning signs.

CYPRUS

During the conflict in Cyprus both parties laid defensive minefields. Following a *de facto* cease-fire, the UN Force in Cyprus (UNFICYP) inspected the deployment of the Cyprus National Guard and the Turkish/Turkish Cypriot forces and a buffer zone was established. The defensive minefields laid by both parties were located within and outside of the buffer zone. At the launch of the project, 101 minefields were recorded on the island; 53 outside the buffer zone and 48 inside. The EC-funded Partnership for the Future (PFF) Mine Action Centre (MAC) was established in Nicosia to carry out de-mining activities. Four projects have

⁷ The estimate was based on a safety zone 2 km wide on either side of the former confrontational line.

been financed by the EC so far.

One project is financed by the EC Aid Programme for the Turkish Cypriot community. The Contribution Agreement was signed between the United Nations Development Programme (UNDP) and the EC on 28 March 2007. However, due to Turkish Army's denial of access to both the relevant information and to the minefields, it was impossible to undertake an effective project and it was being considered for suspension. In August 2007 the Turkish Army agreed to co-operate and the project resumed with minefield clearance operations commencing on 13 August 2007. This resulted in five months delay with budgetary implications. In December 2007 UNFICYP and the Turkish Army agreed to extend the demining areas to cover 26 more minefields in 16 areas within the buffer zone containing mines of Turkish origin.

Additionally several new suspect dangerous areas have also been reported since the start of the project, which would have given a starting total of 71 in the buffer zone, an increase of 67%, and a total of 122 on the island. The Turkish Forces records indicate that the remaining minefields contain approximately 20,000 landmines; an increase of over 50% on all previous estimates. The types of mines are divided into two main categories: anti-tank (5,000) and anti-personnel (15,000). Furthermore, the minefield records shows that a total of 81 booby-traps were laid in three minefields. These records do not provide accurate information as to which mines have been booby-trapped. These developments slowed down the de-mining activities and increased the costs.

To date the project has released over four km² of land. Top priority has been placed on clearing minefields related to the opening of future crossing points, followed by land for agricultural purposes. Agreed tasks include 20,000 Turkish mines to be cleared, releasing 8 km². The current funding is not sufficient to finish these tasks. The MAC foresees that demining activities may continue only until December 2008 with the current funds clearing 18 of the 26 minefields.

EUR 5M is required to complete the mine clearance activities in an efficient and effective manner, allowing a mine-free buffer zone to be delivered by the end of 2010. If the funding is not provided then the overall cost and time to complete the project will increase considerably.⁸

The June 2002 United Nations Mine Action Service (UNMAS) mission to Cyprus found that the minefields in the buffer zone pose a minimal threat to communities. Farmers are currently using the land adjacent to the mined areas and, in most cases, farmers have cultivated land to within 2m of the minefield/force protection perimeter fence. While there are some reports of livestock losses due to mine accidents, the physical danger to local inhabitants is relatively minor, with the last reported human casualty occurring in March 2008.

When two parties agree to remove the lethal barriers between them, as both sides have agreed and are doing in Cyprus, it is a promising sign of their intentions for the future. In addition to the humanitarian, and development aspects, the political impact of mine clearance in Cyprus is significant, both through the elimination of physical barriers that divide the two sides and as a confidence building measure for other bi-communal initiatives. Mine action has proven to be one of the most important and successful confidence-building measures taken since 1975. Mine action facilitates the opening of new crossing points while paving the way for economic integration of the two sides, and is consistent with the Green Line regulation approved between the Government of Cyprus and the European Council. The project also assists both sides in fulfilling their legal obligations towards the APMBC to which both Turkey and the Republic of Cyprus are signatories.

⁸ Correspondence from the EC Delegation on 28 July 2008.

KOSOVO

Kosovo became contaminated by landmines and ERW, primarily unexploded UXO, during the conflict between Serbian forces and ethnic Albanian fighters in the late 1980s, and in the war between the FRY and NATO in 1999. A major demining operation by international NGOs and commercial companies was co-ordinated by UNMAS from June 1999 to December 2001. Since then clearance capacity has been reduced significantly. The extent of residual contamination is the subject of dispute.

The Office of the Kosovo Protection Corps Co-ordinator (OKPCC) reported that, as of March 2007, there were 11 dangerous areas requiring clearance and 47 other areas requiring technical survey and possibly clearance. According to the OKPCC, both contamination records and the pattern of recent incidents indicated that UXO such as hand-grenades and sub-munitions posed the main threat, and the threat from anti-personnel mines was limited.

HALO Trust, however, believes the extent of contamination significantly exceeds the OKPCC's current estimates and that Kosovo still faces a significant threat from ERW, particularly anti-personnel landmines. In a survey started in late 2006, HALO Trust identified 86 suspected mine hazards and 23 suspected hazards requiring battle area clearance in addition to those recorded by the OKPCC. Around 1 in 5 of these areas was not previously suspected to be contaminated; the remainder were areas not fully cleared in earlier operations. HALO Trust believes that a further 10 years of clearance is required to reduce the threat to that of Western European levels.

GICHD conducted an assessment of information management practices and controls in Kosovo at the request of OKPCC, in large part to assess HALO Trust's claims that problems in management practices were leading to a significant underestimate of the extent of remaining contamination. GICHD found some minor problems with information management practices in the OKPCC EOD Management Section, but concluded that these did not significantly affect the estimate of remaining contamination. The report stated that, "*there does not seem to be a large scale unknown problem with mines/UXO in Kosovo.*" It pointed out there has not been a mine casualty in more than two years.

UN Mission in Kosovo (UNMIK) personnel report that, although Kosovo does not have a significant mine/ERW problem, the real or perceived threat of residual contamination continues to deny people use of agricultural land and access to resources such as firewood. It has also led the population to abandon traditional grazing of herds on high pastures and to transfer arable land to pasture in order to maintain herds, resulting in reduced crop production.

MACEDONIA

In September 2006 Macedonia reported having cleared the mine threat previously identified on its north western border with Kosovo and Albania, leaving it free to concentrate on a bigger problem of ERW, both UXO and AXO, most of it dating back to the First and Second World Wars.

In the north-western border regions, conflict in 2001 between government forces and ethnic-Albanian insurgents resulted in contamination that affected about 80 villages. In the south, the 250 km-long border with Greece from is affected by UXO from the two World Wars. The district of Bitola has an estimated 8.2 km² of contaminated land. Past discoveries of significant quantities of ERW also indicate the risk of further contamination in other districts.

Up to 2004, some 200,000 different pieces of ERW were found and destroyed in Macedonia, mostly 75 to 120 mm artillery shells. But the discovery in 2006 of a 200 kg air-dropped bomb in the centre of the capital and a 300 kg bomb on farmland in the Prilep area illustrated the presence of a wider range of contamination.

The Protection and Rescue Directorate says UXO has rendered significant areas of land unusable and have had a negative impact on economic development, disrupting road communications, hampering tourism and affecting cross-border communications.

MONTENEGRO

Montenegro is contaminated by landmines and ERW, mainly as a result of conflicts during the break-up of the former FRY in the 1990s.

Two sections of the border with Albania are contaminated mainly by mines. One area is 81 km long and was mined by the Army in 1991; another area is a 5.9 km stretch of the border with 65 smaller areas containing 613 landmines laid by Serbian forces during the 1999 conflict.

Two other areas are contaminated with UXO, mainly sub-munitions from NATO air strikes in 1999. One is on the border with Kosovo, where there are two contaminated locations. A survey jointly managed by the CROMAC and Montenegro's Regional Centre for Divers' Training and Underwater Demining (RCUD) in July 2006 found 394,700 m² of land affected by sub-munitions. The other suspected area is located near the capital, affecting four villages surrounding the airport.

The communities affected by mines and ERW are among the least economically developed in the country. Firewood collection and trade in lumber are the main sources of income for some inhabitants of affected villages and survival pressures force people to use forested areas that are known to be contaminated. However, most of the casualties of sub-munitions since the air strikes have been children.

The Adriatic Sea adjoining Montenegro is also contaminated with underwater UXO, most of it dating back to the two World Wars and the 1991-95 conflict in the FRY. About 75 tonnes of missiles and grenades were cleared from the sea in 2002. The location of residual underwater UXO contamination is unknown as most of it was dumped in the sea by local inhabitants. Most underwater clearance results from reports of UXO spotted by tourist divers or fisherman.

RUSSIA/CHECHNYA

Chechnya is heavily contaminated by landmines ERW, but there are no official estimates of the full extent of the contamination. In April 2007 a media report quoted the Ministry of Emergencies for Chechnya as claiming that "6,000 hectares of land [60 km²] constitute a threat to the population." The UN Portfolio of Mine Action Projects 2007 quotes the Engineering Department of the North Caucasus Military District as confirming that "123 formal minefields of all types have been laid in Chechnya since the start of the conflict" and that "all parties to the conflict have used mines around checkpoints, temporary positions and military bases." The report also estimates that 15% (about 40 tonnes) of all ammunition used in the fighting for Grozny did not explode. Improvised explosive devices were also found.

According to media reports, Russian and Chechen officials from the Ministry of Emergencies and experts have estimated that it will take at least 10 years to clear Chechnya of all mines, because they lack both technical experts and records of mined areas.

The impact of mines and ERW is said to go beyond the physical harm to include "serious economic and psychosocial effects on residents and internally displaced persons." Contamination is said to be also found on farmland, including cultivated areas and pastures. Adverse conditions force some people to engage in risky activities such as collecting food or firewood from the forest and scrap metal from UXO. UNICEF reported that some 3,061

civilians (including 753 children) had been killed or injured by landmines and UXO in Chechnya between 1995 and the end of October 2006.

SERBIA

Serbia is contaminated with anti-personnel and anti-vehicle mines and also has extensive areas affected by cluster sub-munitions, large air-dropped bombs and other ERW. The extent of mine contamination is relatively small; a legacy of the armed conflict associated with the break-up of the former FRY in the early 1990s.

Minefields with a mixture of anti-personnel and anti-vehicle mines are located on the border with Croatia, extending from where Serbia, Croatia and Bosnia and BiH meet to the Belgrade-Zagreb highway.

In addition, UXO from previous wars, mainly unexploded sub-munitions from NATO air strikes in 1999, remain a problem. Many traces of cluster-munition use are still evident but some areas adjoin the Ground Safety Zone bordering Kosovo, and therefore fall under military jurisdiction instead of the Serbian MAC.

The 1999 NATO air strikes also scattered unexploded air-dropped bombs across Serbia. In March 2006 the Serbian MAC reported that some 60 930-kg air-dropped bombs and other large projectiles were believed to be in the ground at a depth of up to 20 m in 43 locations, as well as in the Danube and Sava rivers.

An explosion at the Ministry of Defence ammunition storage facility in Paracin on 19 October 2006 resulted in contamination of surrounding areas with UXO and led to classification of Paracin and Cuprija as suspected hazardous areas.

The mine/ERW contamination remaining in Serbia affects pastures, gardens, orchards, woods and agricultural land; much of it in already impoverished rural communities as well as in rivers and irrigation channels. People are said to be fearful as it has caused casualties among residents and their livestock, and damage to farm equipment. The presence of sub-munitions in some of the country's ski resorts and national parks affects tourism, wildlife and the environment.

UKRAINE

The situation for Ukraine is very similar to that explained above for Belarus. EUR 6M was allocated to assist in the destruction of the stockpile of 6M PFM-1 mines. The EC launched a study in 2002 to prepare the destruction of the mines and some trials were undertaken by the Science and Technology Institute of Ukraine.⁹ In June 2005 the EC announced that it had concluded the negotiation with the government of Ukraine and in late June 2005 the EC announced a tender for the destruction of the mines with work to begin in January 2006 and completion within 36 months. A contractor was appointed in December 2005¹⁰ to undertake the work. There are varying stories why the contract was terminated.

- One is that the Ukraine demanded the money first and the EC demanded accession first. However, the APMBC entered into force for Ukraine on 1 June 2006 and it was not until April 2007 that the project was terminated by the contractor.

⁹ P Krejsa. *EC Project for the Destruction of PFM-1 Stockpiles in Ukraine*. Presented to the Standing Committee Meetings (Stockpile Destruction) on 12 February 2004.

¹⁰ A consortium including Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) GmbH (Germany), GRV Luthé Kampfmittelbeseitigung GmbH (Germany), DYNASAFE AB (Sweden) and Ingenieurbüro Döring GmbH (Germany).

- Another is that GTZ (part of the contracting consortium) sub-contracted to a Ukrainian firm the development of a system to dismantle certain PFM canisters. The GTZ consortium was responsible for obtaining the necessary permits and it was expected that the Ukrainian Ministry of Defence would grant all necessary permits and provide a suitable location for the destruction activities. On 18 April 2007 the contract was terminated by GTZ on the grounds of “*non-fulfilment by the government of Ukraine of their obligations, which have made it impossible for GTZ consortium to fulfil their contractual obligations.*”

There are a number of explanations for the failure of the project, which vary according to the different actors involved. The primary problems seem to revolve around the selection of a suitable location for the destruction and the issuance and revocation of environmental permits by local authorities. However, negotiations have started again and the Ukraine has started destroying part of its stockpile with its own money.

CASUALTIES

It has not been possible to obtain detailed casualty statistics for all the countries shown in Table 2 and those data that exist can be confusing. Some countries – such as Montenegro – do not keep a relevant database¹¹. The Table at Annex 4 sets out what information is available, most of which comes from the Landmine Monitor 2007. Some general trends can be identified.

- The number of casualties due to landmines in South East Europe is small and, generally, falling. BiH has the highest number at present but again the trend is downward.
- There is an increase in casualties due to tampering with ERW either for fun or in order to sell for its scrap metal value. This is especially true in the Ukraine but it appears to happen more widely.
- Cluster munitions appear to be a reducing problem in all the countries shown.

There are other countries and regions of the world where the casualties are many time higher than in South East Europe.

EC SUPPORT FOR APMBC COMPLIANCE

INTRODUCTION

Of the countries listed in Table 2, only Macedonia and Belarus (the latter has never declared any minefields) have met their Article 5 obligations.¹² Five others are likely to do so before their deadlines expire. BiH and Croatia will not meet their deadlines and both have submitted an extension request, each for an additional ten years. The situation for Kosovo and Russia/Chechnya is irrelevant from the Treaty perspective since neither is a States Party and Landmine Monitor shows mines still being used in Chechnya.

So far as the Article 4 obligation¹³ is concerned (and ignoring Kosovo and Russia/Chechnya again), all countries have met their deadlines with the exception of Belarus and the Ukraine who are unlikely to meet their deadlines because of the PFM-1 problem. Neither has submitted a request for an extension.

¹¹ Landmine Monitor 2007, page 526.

¹² To clear all known minefields.

¹³ To clear all stockpiles of anti-personnel landmines.

The evaluation team notes that full compliance with the APMBC in its present form includes achieving “*clearance of all known mined areas*” status. However, the EC Mine Action Strategy 2005 to 2007 has as its title “*Towards zero victims*”, and in most affected countries in South East Europe victim rates are already low. Article 6 of the Convention places an expectation on those countries “...*in a position to do so...*” to assist those with fewer resources in achieving clearance. Nevertheless this is not a full obligation and clearing all known mined areas, especially within a short time period, is prohibitively expensive in some countries. Use of scarce resources to do this where there is little or no socio-economic impact is difficult to justify unless there are overriding political considerations.

AMOUNT OF SUPPORT

Based on the information the Study Team has been able to collect, a little over EUR 38M has been spent over the review period. In addition, EUR 10M has been earmarked but not spent (Belarus and Ukraine). Another EUR 2M may have been spent (in Russian/Chechnya and Serbia) but that has not been confirmed.

A list of known expenditure is at Annex 2.

COUNTRIES SUPPORTED

Since 2002 the EC appears to have supported mine action in countries of South East Europe (see Table 2) with BiH and Croatia receiving the most support.

It should be noted that once a country becomes an EU member state it is no longer eligible for any of these funds. It is an issue well recognised by Croatia and it is hoped that pre-accession funds will be available. It is, perhaps, a paradox of EC rules that as the EU expands, fewer countries will be eligible for this financial support. This is especially important for Croatia which has requested a ten year extension to its APMBC Article 5 obligation (to 2019) but it seems very likely that it will be an EU member state long before its mine contamination is cleared.

TYPE OF ORGANISATION SUPPORTED

Mine clearance in South East Europe is a mixture of national military, police and civil defence organisations, national and international NGOs, and commercial companies. At one time, funds to these organisations were channelled through the International Trust Fund (ITF) which is discussed later.

There appears to be a clear preference given to NGOs, and national – rather than international – organisations (including commercials) seem well supported. That makes sense from a capacity development perspective so long as the organisations can demonstrate both quality and value for money.

MINE ACTION COMPONENTS SUPPORTED

All components of mine action have been supported in South East Europe. All the ‘five pillars’ of mine action have been supported.

- **Demining.** The majority of the projects funded by the EC have focussed on clearing land of landmines and other forms of UXO. For Bosnia and Croatia, it remains their greatest need. All other countries listed in Table 2 are less affected.
- **Advocacy.** The EC has funded both the International Campaign to Ban Landmines (ICBL) which works with governments and the Geneva Call which works with Non State Actors (NSA).

- MRE. Is often conducted as part of a demining project but it can be done as a separate activity as may have been the case in Russia/Chechnya through UNICEF.¹⁴
- Victim Assistance. Apart from the 2006 project in BiH, victim assistance does not appear to be well supported by the EC. This is slightly surprising given the secondary title of the 2005 – 2007 mine action strategy of “towards zero victims”.
- Stockpile destruction. By far the highest value projects the EC is prepared to fund is the destruction of the stockpiles of PFM-1 Landmines in Belarus and the Ukraine. If they were to actually take place, EUR 10M has been allocated. It remains to be seen whether, and when, this money is actually spent.

EVALUATION OF EC STRATEGY

COUNTRY STRATEGY PAPERS (CSP)

The inclusion of mine action in the national (or regional) CSP, which itself is based on national government priorities, has assumed increasing importance in recent years, due to:

- the commitment of the EC to the Paris Declaration;
- the ending of thematic budget lines and start of the four new Instruments the basis for funding development co-operation by the EC.

The very limited inclusion of mine action in the CSPs of South East Europe countries with ERW contamination suggests that the problem is not a critical issue for many countries.

The CSP for Bosnia makes mention of anti-personnel landmines only briefly:

“Other EC instruments

The activities are designed to complement the other support being provided to Croatia and FRY in the area of return under CARDS. Demining in BiH is also undertaken with other funds from the General Budget of the European Union specifically allocated for actions against anti-personnel landmines.”¹⁵

The CSP for Croatia is not too dissimilar:

“Other EC instruments

Assistance under the regional CARDS programme will be given to measures for refugee return that involve more than one country in the region . . . Demining in Croatia is also undertaken with other funds from the general budget of the EU, specifically allocated for actions against anti-personnel landmines”.¹⁶

In contrast the regional strategy paper makes no mention at all of landmines.¹⁷

To put this sparse mention of mine action in context, under the new financial instruments the EC can allocate money to mine action only when it is mentioned in one of the national strategic plans. That can be a national development plan, a poverty reduction strategy paper and so on.

¹⁴ www.unicef.org/russia/media_4224.html

¹⁵ *Bosnia and Herzegovina Country Strategy Paper, 2002-2006*, page 35.

¹⁶ *Croatia Country Strategy Paper, 2002-2006*. CARDS. Page 37.

¹⁷ *CARDS Assistance Program to the Western Balkans Regional Strategy Paper, 2002-2006*.

This appears not to be a problem for Croatia, but there is a real risk that the BiH government will fail to explicitly mention the problem of landmines in any of its strategic documents. This was quite clearly brought to the attention of the Director of BHMIC by the Delegation and by the Study Team but he seemed little interested in making sure this happened. This is not a case of lack of clarity; it is a simple lack of concern. However, the Delegation in BiH is confident that mine action will be mentioned in the relevant documents.

COUNTRY SELECTION CRITERIA

In the 2005 Global Review of EC mine action, the criteria and mechanism for selecting countries to receive support to mine action were discussed in some detail. In selecting which countries to focus on, and also the actions to be supported in each country, the use of Resilience-Impact Matrix (RIM) was proposed. “*Resilience*” is the term used in risk and disaster management for the ability to recover from a disabling event, this attribute is very much the same as that usually described by the term “*Capacity*” for development potential, and either resilience or capacity could be used in developing this visual approach.¹⁸ There is a clear need to set objective and verifiable selection criteria in terms of relevance – i.e. select which actions in which places will most contribute to realising the overall strategic goals.

Not unreasonably, the EC requires some action by the country it seeks to support. The two key actions are:

- “*EC assistance for mine clearance will only be provided to States Parties to the Treaty.*”¹⁹ This statement also applies to stockpile destruction. “*This restriction can be lifted for situations of “serious humanitarian risk”.* A relaxation is also possible where “...*there is evidence of a country’s serious willingness to take responsibility for the mines problem ...*”.
- The need to recognise mine action in the national strategic policy documents has been mentioned above.

These relaxations have allowed funding to be provided in Russia/Chechnya and in Kosovo (covered initially under Serbia’s accession to the APMBC but only after 2004).

SUSTAINABILITY

Many EC-funded projects had a very strong emphasis on training and equipping deminers, so might be expected to have strong sustainability. Given the definition that “*Sustainability is concerned with measuring whether the benefits of an activity are likely to continue after donor funding has been withdrawn*”, all of these projects had good sustainability so far as it was possible to confirm. There is no doubt that Croatia has a sustainable programme and, to some extent, all the other country programmes are sustainable. The exception might be BiH with its high level of mistrust and poor transparency.²⁰

FRAMEWORK FOR EVALUATION OF PROJECTS WITH POLITICAL OBJECTIVES

It could be argued that all mine action projects in South East Europe have a political dimension. Given its proximity to the present borders of the EU, the region is of considerable

¹⁸ The RIM diagram is based on the concept of “*Resilience*” as applied to a country contaminated with ERW – a typical dictionary definition of resilience is Merriam-Webster’s “*an ability to recover from or adjust easily to misfortune or change*”. In mine action an example is the name of the “Cranfield Resilience Centre”, part of Cranfield University.

¹⁹ *The European Roadmap towards a Zero Victim Target. The EC Mine Action Strategy and Multi-Annual Indicative Programming 2005-2007.*

²⁰ See the BiH country report.

strategic importance. Many of the countries in the region are hoping for, or actively seeking, EU membership and there is obvious value in assisting states to clear the explosive residue of recent conflicts. Whilst there may have been a political imperative behind the support initially, it is now clear that the projects being funded are selected on merit.

INTERNATIONAL TRUST FUND FOR DEMINING AND MINE VICTIMS ASSISTANCE (ITF)

ITF is a humanitarian, non-profit organisation devoted to the eradication of landmines.²¹ It was established by the Slovenian Government in March 1998 with significant support from the US Department of State (USDoS). ITF's original objective was to help countries in South East Europe to solve their landmine problems, while also helping landmine survivors with their physical and socio-economic rehabilitation. It did this by acting as a channel for donor funding and undertaking the contact and project supervision and monitoring. Its unique selling points were two-fold.

- Firstly, for every dollar (or equivalent) provided by a donor, the USDoS would match it with another dollar. There is a limit to this matching facility which is decided by the US Congress on a yearly basis. Although the matching funds will be spent in the country attracting the initial donor funding, it might not be spent on the same project.
- ITF offers project management and financial management of mine action projects. It charges 3% of the project value for carrying out these functions although this is only possible because ITF receives a subsidy from the Slovenian Government.

ITF's activities have spread to other mine affected countries in the region and it is now working in Albania, BiH, Croatia, Macedonia, Serbia and Montenegro. It is also operating in the Caucasus, and elsewhere, and has ambitions to work further afield.

UNDP offers a similar project management capability to ITF but charges up to 13% for its service. Thus ITF appears to offer much better value for money, especially when linked to the US government matching fund.

ITF is a parastatal Slovenian, organisation with diplomatic status. As Slovenia has acceded to the EU, it is no longer possible for the EC to channel funds for mine action through an organisation that forms part of a government of the EU. Prior to Slovenia's accession to the EU in 2004, some of the EC funding for mine action was channelled through the ITF. The ITF handled the tendering process and sought to ensure that the locations targeted for clearance were appropriate and met the donor's criteria.

One of authors of this report has been part of a team undertaking a strategic review of ITF which recommended a range of future strategic options. It was clear during the review that donors were very comfortable with the role played by ITF and had no concerns about its competence, transparency and honesty. That is not a view entirely shared by the national mine action authorities in the region and the BHMACH, in particular, was vocal in its criticisms. It is, perhaps, worthy of note that the BiH Ministry of Justice is investigating allegations of corruption in the mine action sector in BiH using international investigators.

There is a paradox with the matching funds in Croatia. The US Embassy there allocates about USD 2M to mine action in Croatia, all of it channelled through the ITF. However, because not enough other donors are putting their funding via ITF more than half of the USD 2M remains unspent because there was not enough non-US funding to be matched.

²¹ <http://www.itf-fund.si/dokumenti/dokument.asp?id=2>

ITF is currently evaluating its status and it is likely to transform itself into an international organisation. Should this happen, it would once again become eligible to be a channel for EC funding to mine action. Given the matching fund possibility and the 3% overhead charge, it should be considered by the EC as a partner, as it was prior to 2004. Perhaps more importantly, it is an effective way of reducing the problems of fragmentation and isolation felt by some Delegations.

REFORMS TO EC FOREIGN POLICY AND THE IMPACT ON MINE ACTION

INTRODUCTION

The response of the European Institutions to “*the antipersonnel landmine problem*” has had three principal dimensions:

- A political response, principally in support of the APMBC and its implementation and universalisation.
- An aid and development response to the impact of landmines (or suspected mines) on local people, and also on development activities, in mine affected countries. This includes MRE, demining, victim assistance and other activities. There is also emergency aid (humanitarian aid) administered by ECHO, principally emergency mine awareness training and emergency mine clearance.
- A security response, principally where the presence of mines or ERW could lead to instability in a country or region (typically by initiating or prolonging a conflict) or where the presence of stockpiles or dumps of abandoned munitions could create security problems.

The APL regulation was developed by the EC for the 2002-2004 and subsequently 2005-2007 strategies. The regulation established a thematic or horizontal budget line for mine action of roughly EUR 15M per year 2002-2004 rising to about EUR 19M per year 2005-2007, which complemented the mine action funding available from geographic (national or regional) and other EC and EDF budget lines, as well as bilateral donations from EU member states. In the entire period 2002-7, the thematic budget line comprised about 40% of the EC contribution and about 10% of the total if Member States’ bilateral donations are included.

The horizontal budget line opened up two possibilities in addition to funding geographically based mine action:

- Funding non-geographic activities such as the global support for ‘universalisation’ of the APMBC.
- Creating a small core group of staff in Brussels who could provide a focal point of knowledge and information about mine action and would also provide the resources to generate the EC-wide mine action strategy and ensure the agreement of all relevant directorates general (in itself a significant task).

The process of enlargement of the EU from 15 to 25, then 27, members led to the need for a re-think of the entire Foreign Policy structures and instruments. The previous approach was no longer viable for a much larger community. Reorganisation led to a significant streamlining which had significant impacts on both the Common Foreign and Security Policy (CFSP) and the way that foreign development aid was to be addressed, including mine action. Essentially, a multiplicity of old instruments and many small individual thematic budget lines were to be replaced by just four new instruments:

- Instrument for Stability (IfS)²²;
- Development Co-operation Instrument (DCI)²³;
- European Neighbourhood and Partnership Instrument (ENPI)²⁴;
- Instrument for Pre-accession Assistance (IPA)²⁵.

Mine action is only partly covered by the new Instrument for Stability as it can only be triggered in certain circumstances and with certain constraints. This is discussed in detail in the new guidance document produced by DG RELEX which was seen as the final draft of this evaluation was being completed²⁶.

DECONCENTRATION AND THE IMPLEMENTATION OF THE PARIS DECLARATION

The process of ‘*deconcentration*’ in EuropeAid which moved programming and project management from Brussels to the EC Delegations in the partner countries or regions, was both an essential early stage of the reforms to the instruments, and was also one step of several in moving to aid delivery based on partnership between the countries involved, rather than donor policy alone.

The strong commitment of the EU to the Paris Declaration of March 2005 is part of the overall reform of development aid and the move towards development co-operation. Article 16, paragraph 1, of the Paris Declaration is perhaps the key:

“Donors commit to: Base their overall support ... country strategies, policy dialogues and development strategies and periodic reviews of progress in implementing these strategies.”

EC support for mine action is thus to be based on the established CSPs written by the EC Delegations in partner countries, in close co-ordination with national authorities and governments. The CSPs will reflect the development strategies of the national governments, including poverty reduction strategies and other plans. This is a significant change in some areas which had previously relied in part on funding through thematic budget lines, one of which was for mine action. This may provide an opportunity for mine action to benefit from synergies with other funding areas.

MINE ACTION STRATEGY WITHIN THE THREE PILLARS OF THE EU

The 1993 Treaty of Maastricht which established the EU, divided EU policies into three main areas, called pillars.

- The first or ‘Community’ pillar concerns economic, social and environmental policies.
- The second or CFSP pillar concerns foreign policy and military matters.
- The third or ‘Police and Judicial Co-operation in Criminal Matters’ (PJCC) pillar concerns co-operation in the fight against crime.

The aid and development aspects of mine action are first pillar responsibilities and the security aspects are second pillar. Generally, mine action has been considered to be within

²² Regulation (EC) 1717/2006 was adopted on 15 November 2006.

²³ Regulation (EC) 1905/2006 was adopted on 18 December 2006.

²⁴ Regulation (EC) 1638/2006 was adopted on 24 October 2006.

²⁵ Regulation (EC) 1085/2006 was adopted on 17 July 2006.

²⁶ See Commission Staff Working Document. *Guidelines on European Community Mine Action 2008-2013*.

the first pillar, so the procedures are that the Parliament would enact legislation, and the EC would be responsible for development and implementation of mine action strategy. The APL horizontal budget lines provided a mechanism to fund some of the aspects of mine action not associated with geographic budget lines.

For the second pillar, the relevant bodies are usually the Council Secretariat proposing projects, which are implemented by joint action at an inter-governmental level by Member State ministries (possibly by a sub-group of member states) after agreement by consensus in the European Council.

This may appear a small difference, but currently, since the reforms of 2006 which removed the thematic budget lines and introduced the four new Instruments, it has the potential to impact on EC mine action. Firstly, it further increases already serious fragmentation by bringing in an entire new “pillar” with different procedures. Secondly it could mean mine action is regarded more as a security issue than a development issue.

IMPACT OF THE REFORMS ON MINE ACTION

The new EC instruments appear to have taken the mine action community by surprise in 2006. Inside the EC, staff who worked on the APL horizontal budget line do not appear to have issued an advance warning to the mine action community and the longer term implications were not addressed in time.

The overall effect is that the new instruments have some negative consequences and now require attention in time for the review of the instruments in 2009. The changes could lead to a reduction of the funding for mine action by the EC in the short term as all mine action has to be funded from geographic budget lines. This requires the inclusion of mine action in CSPs at their next review. In practice this may not matter much in South East Europe, with the possible exception of BiH for reasons explained earlier.

The areas of mine action that, it appears, cannot easily be funded from geographic (country or regional) budget lines as they have no clearly identifiable geographic component are:

- Support for universalisation of the APMBC including linkage to ERW or cluster munitions, as well as its general geographical extension to countries that are not yet states parties. Arguably this is less important than before but it still remains a policy objective.
- Support for testing demining equipment and development of European Standards for testing demining equipment, which in 2005-2007 received EUR 350,000. This was previously through the International Test and Evaluation Programme (ITEP). The EC has now withdrawn from ITEP but there are still important occasions when the EC could help considerably.
- Support for extending or revising International Mine Action Standards (IMAS) and similar issues with application in many countries. These are very important and form the basis of the self-regulation within the mine action industry. All donors accept them as statements of best practice and most governments of mine-affected countries have adapted them. These are ‘living documents’ are require regular re-assessment and revision.
- Support for multi-country initiatives where there is either no regional mechanism available (e.g. the countries are from different regions) or the regional mechanism has not identified a role in mine action and hence has not included it in a regional strategy

paper. This use of regional mechanisms in South East Europe is both limited and fragile.

- Support to organisations involving and committing non-state actors (NSAs) to abide by the principles of the APMBC (which in 2005-7 received EUR 400,000) will now have to be geographically based. Given that many NSAs who use mines are engaged in armed conflict with national governments, it is most unlikely that the respective governments would wish to see formal recognition of the NSAs in a CSP, which is now the route to funding. Alternative funding routes have still to be developed, and may require careful use of regional initiatives if funding for such organisations as Geneva Call is to continue.
- Donor funding for mine action is fragmented and the EC helped transparency by holding Meetings of EU Mine Action Experts. It was at one of these that the new Instrument – and the loss of the thematic budget line – was explained to other Member State donors (even though, apparently, it was less well explained to colleagues within the EC). As the EU expands and as explosive remediation issues increase,²⁷ this facilitating role will be missed and EU actions the poorer for its absence.

FRAGMENTATION AND ISOLATION

Key issues already identified in the 2005 Global Review of EC Mine Action, as having a negative impact, are:

- wide dispersion (fragmentation) of funding and isolation of personnel resources working on planning and implementing projects;
- the increase in isolation due to deconcentration;
- the difficulty in accessing technical support for improved contracting and monitoring.

With the possible exception of the dispersion of funding, these issues are further negatively affected by the introduction of the new Instrument for Stability and may have negative consequences for the following of the standard five development evaluation criteria: efficacy, efficiency, and impact.

Fragmentation in this report is used to include all of the following:

- Spreading limited resources thinly so that many countries receive small amounts of support.
- The relative scale of mine action resources being very significantly smaller than other development aid budgets, meaning that there can never be a strong focus on mine action, which has to be integrated as a small part of a larger portfolio.
- The possibility that funding will be entirely project based so that repeat funding may not be available before the end of a previous project, leading to a loss of efficiency.

Isolation is a corollary to fragmentation. Most project officers responsible for mine action projects, whether in the Delegations or regional desk officers in Brussels, cannot be expected to have specialist mines knowledge. There are several aspects to isolation:

²⁷ The clarity of the APMBC message has been lost amidst an increasing number of new international treaties, such as Protocol V to the CCW covering ERW, and the Convention on Cluster Munitions (CCM).

- The limited number of projects covered by one Delegation means that there is little or no accumulated knowledge and know-how.
- The small proportion of the workload means that staff cannot expend the significant time required to become proficient or expert in mine action.
- There are at present only very limited co-ordination mechanisms to permit staff from different Delegations to share knowledge and experiences on mine action.
- The normal turnover of staff in Delegations means that it is likely that most projects will see a change of the project officer during the project duration, so the learning process will be repeated and know-how lost.

Apart from Croatia, where there was a very experienced staff member overseeing mine action,²⁸ for most EC staff members, mine action comprises only a very small part of their responsibilities. There is no point in having mine action specialists in the delegations for this small workload.

The loss of a clear focal point in Brussels has had a negative impact in terms of building a central knowledge base, as well as in areas of strategy development and support to non-geographic priorities. In an attempt to correct this, DG RELEX has prepared a ‘guidance’ document which, it is hoped, will address many of these problems. Unfortunately the document had not been released by the time this report was finalised, so its value is unknown. No doubt it will be a help but, by itself, it is unlikely to replace the value of a clear – human – focal point in Brussels. The main concern is not the complexity of mine action (in its expanded meaning²⁹) – although it can be technically complex – it is the political profile it enjoys. The EC has long been one of the key architects of the international response to the problems caused by landmines and other ERW and that response will be weaker without a better co-ordinated approach than is presently the case.

CONCLUSIONS REGARDING THE NEW INSTRUMENTS

The loss of the APL budget line is modest when compared to the whole of EU support to mine action, and mine action is a very small part of the overall EC aid budget. The challenge is to make the reforms work better for mine action and to continue funding activities which are still important but have been excluded. A total return to the *status quo ante* is clearly not possible but, given its cross-cutting importance across many sectors, consideration should be given to creating a special budgetary mechanism for mine action.

There was a lack of information in most of the mine action community prior to the EC aid reforms, and no dialogue with the EC Delegations in South East Europe to ensure a smooth transition. The Delegation staff appeared to have been taken by surprise by a financial instrument which had been published only as a proposal some two years earlier. Improved communication within the EC would appear to be necessary. If work with national governments and organisations had started earlier, there would have been time to ensure that CSPs of some mine affected countries more adequately reflected the need for mine action. There is a need to initiate co-ordination of experiences and opinions in time for the mid-term review of the CSPs and the first review of the new Instruments.

The Global Review in 2005 made a number of recommendations regarding the selection of countries, selection of projects, and selection of implementers which have not been

²⁸ He has now retired.

²⁹ Mine action is being used as a collective term to include ERW, cluster weapons and, to some extent the clearance of military munition depots whose contents are becoming unsafe.

implemented. These recommendations were – and still are – highly pertinent to the current situation in South East Europe.

KEY ISSUES ARISING

FRAGMENTATION OF EC PERSONAL RESOURCES

This has been discussed at length already.

STRATEGY DEVELOPMENT

The ending of the thematic APL budget line has removed a clear focal point for developing a multi-annual mine action strategy. It is understood that such a strategy will continue to be developed within RELEX. However, there are some communication issues the identification of who is responsible for what within RELEX and, especially, between RELEX in Brussels and the Delegations. Staff in Delegations in South East Europe responsible for mine action projects were not always well aware of who in Brussels would be able to provide further information on strategy or who was responsible for developing future strategy.

Mine action is an area of considerable political sensitivity, and has a significantly higher political profile than many other development activities. The European Parliament continues to show interest in the topic of mines and ERW:

- On 16 January 2006, reference was made to landmines in the European Parliament resolution on disability and development.
- On 23 May 2007 in the discussion on the annual report from the Council to the European Parliament on the main aspects of basic choices of the CFSP a reference to universalisation of the APMBC was proposed.
- On 12 December 2007 passed a resolution calling for continued support for mine action, including the reinstatement of the horizontal budget line.

There is a real risk that the future strategy could be clear on the political aspects, including developmental approaches, to the detriment of a sound technical foundation. All three aspects (political, developmental, and technical) are important in an overall strategy and it is far from clear that there is an adequate focus on the technical, nor the resources available to support this aspect.

DELEGATION STAFF RESPONSIBLE FOR PROJECT SELECTION AND IMPLEMENTATION

Without concerted action, EC staff responsible for mine action projects will continue to be isolated and without easy access to enough information or to knowledgeable colleagues who could provide guidance. An initiative is required urgently to provide delegation staff with, at the very least:

- a comprehensive set of briefing and reference documents so that they can retrieve essential information readily;
- strategy guidance;
- practical guidance on what can, and cannot be expected as an outcome of the mine action project.

There is a clear need for EC co-financed mine action projects throughout the region (and

preferably throughout the world) to be based on common standards and to learn from each others' experience. Regular (though not necessarily frequent) contact between all staff working on mine action projects in EC Delegations in South East Europe would be helpful. Even if such contact is no more than a regular conference phone call the impact could be significant both in information exchange and reduction of fragmentation.

CONTRACT ISSUES

EC Delegation staff, who are development specialists with little or no experience of mine action and no specialist technical knowledge about demining, are negotiating project contracts with specialist staff of the mine action centres or potential contractors who have detailed technical knowledge, and considerable experience in the field. They may, very likely, have their own vested interests.

EC staff do not have the time or resources to be able to become fully informed about the technicalities of demining, but increased access to core information would help to alleviate this. Identifying and using a mechanism to bring in even a small amount of independent expert guidance at the contract preparation stage might offer significant benefits.

RECENT INITIATIVES

Perhaps in recognition of the concerns expressed in this, and earlier, reports, the EC has very recently published two documents which should go a long way to alleviate many of the concerns expressed in this section. One provides guidance to staff members³⁰ and the other provides advice to donors³¹ of which, of course, the EC is one. The first was written internally and the latter was commissioned through an external consultancy company. Both should be of interest and helpful to Delegation staff and others having to manage mine action issues.

The former merits some comment. Firstly it is a very good document providing the EC logic behind what could be done in the future in light of the changes within the EC explained earlier in this report. It provides clear guidance on what instruments can be used and any difficulties with them. It looks to the period 2009-2013 and whilst it stops short of claiming to be a new strategy it "... sets out to provide valid follow-up to the previous EC Mine Action Strategy 2005-2007 and to give guidance to steer Commission's Desk Officers and Programmers both at Headquarters and in EC Delegations in mine-affected countries in their mine Action programming"³². The document seeks to "... provide a basis for building synergy within the peace/security and development/co-operation nexus ..."³³.

A concern expressed above is that of the isolation felt by Delegation staff and the new guidance mentions three ways in which this may be overcome:

- To improve co-ordination it recognises the need for "... regular inter-service meetings and reporting on mine action funding among the external services involved ..."³⁴. This is likely to be through the medium of the Mine Action Co-ordination Group (MACG) but it is very unlikely that many Delegations will ever be able to attend the meetings. The outcomes from the meetings should be shared with Delegations.

³⁰ Commission Staff Working Document. *Guidelines on European Community Mine Action 2008-2013*. Published on 25 September 2008.

³¹ *Advice for Donors on Setting up and Running Mine Action Programmes*. Lot No 4 – Sectorial and project evaluations – Contract for Services 2006/128168 Version 1. ECORYS Nederland BV, 25 February 2008.

³² Commission Staff Working Document. *Guidelines on European Community Mine Action 2008-2013*. Page 3.

³³ *Ibid*, page 4.

³⁴ *Ibid*, page 9.

- Because of the complexities of co-ordination, reporting mechanisms need to be improved and this is discussed at length³⁵. Although it is mainly to help identify lessons learned and create institutional memory, its implementation should create additional information streams. Care will be needed in Brussels to ensure that it does not just receive information but that it disseminates information back to Delegations.
- “Whereas DG RELEX (Unit A4) will have the overall lead and co-ordination role, it is to each DG (RELEX, DEV, ELARG, ECHO and AIDCO) to monitor the effective integration of EC mine action into development policies ...”³⁶. The clarity this brings is helpful but there is a significant risk that Delegations will get different messages from different DGs.

Any improvement in co-ordination is to be welcomed and whilst the DGs in Brussels clearly need to co-ordinate effectively, the needs of the Delegations for clear information and guidance must not be forgotten.

³⁵ Ibid, page 17.

³⁶ Ibid, page 20.

3. CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

Although landmines and ERW are far from the largest problem facing humankind, the EC has a proud history of mitigating this particular problem. The EC alone was recognised as the second largest single donor to mine action, and the EU collectively is the biggest donor. That response has not happened by accident but has evolved – mostly successfully – allowing significant benefits in very many countries. The EC is rightly seen as a very bureaucratic institution but, despite often heard criticisms, it functioned well and its complexities were reasonably well understood. It is one outcome of the law of unintended consequences that attempts to reduce bureaucracy are a significant threat to the (now expected) value of EC support to mine action.

There may be much that needs improving in EC procedures and processes, but there are some that would benefit from being left alone. The new financial instrument is unlikely to be reversed, but there are issues listed under the recommendations that merit consideration at the next review. The end of the first ten years of the APMBC is fast approaching but, given its political momentum, mine action (as well as ERW and cluster munitions) will continue to be a high profile topic. It is very much hoped that the EC will continue to be a large and effective partner.

RECOMMENDATIONS

1. The issue of fragmentation of EC mine action in South East Europe and the isolation of EC staff responsible for mine action projects should be addressed with some urgency.
2. A clear and effective focal point for guiding EC-funded mine action should be re-established in Brussels.
3. CSPs must be brought up-to-date to reflect the requirements of the new instrument.
4. A new budgetary mechanism is required to fund those actions which are not the responsibility of the Delegations.
5. A new global mine action strategy is required.
6. Lack of mine action expertise within the EC Delegations in South East Europe is a problem, but it could be mitigated by using external expertise such as the ITF. It could manage the competitive contracting process of behalf of the EC, as was once the case.

ANNEX 1 TERMS OF REFERENCE

Regional evaluation of EC-funded mine actions in South East Europe 2002-2007

1. OVERALL OBJECTIVE

To provide systematic and objective assessments of EC-funded mine actions in Europe to generate credible and useful lessons for decision-makers within the EC, allowing them to improve the planning and management of existing and future mine action projects, programmes, and policies.

2. SPECIFIC OBJECTIVES

- To assess the relevance of EC-funded mine activities vis-à-vis:
the geographic and thematic priorities defined in the Strategies for 2002-2004 and 2005-2007;
national and regional needs, strategies, and priorities;
EC Country Strategy Papers and National Indicative Programmes for mine affected countries in Europe 2002-2006;
EC strategy documents for Europe, including enlargement strategies and progress reports for candidate and potential candidate countries, etc.
- To analyse the allocation of EC funds among mine-affected states in Europe, and across the various components of mine action (survey, clearance, MRE, etc.);
- To assess the effectiveness of EC-funded mine action support in:
addressing the landmine & UXO problems in mine-affected partner countries
fostering national ownership and the development of local capacities;
supporting the overall development and rehabilitation priorities/ programmes of the beneficiary countries;
supporting local mine action organisations;
- To assess the coordination among the EC and other agencies supporting mine action in a country (regional; national; UN; donors; international NGOs; etc.);
- To assess the impact of deconcentration on the planning and delivery of EC support to mine action in Europe, including the capacity of EC delegations to assess proposals for mine action projects and to monitor/evaluate the implementation of these projects;
- To assess the adequacy of the EC national strategies and plans, and the effectiveness of implementation;
- To assess the existence of an ‘exit strategy’ for the country to graduate from donor assistance (including plans for sustainability);
- To assess the linkages between mine action and other issues, such as humanitarian assistance, development, and armed violence reduction
- To assess the impact of the end of the specific budget line for anti-personnel landmines and the introduction of the new “stability instrument” on future mine action support from the EC to Europe;
- To make recommendations to improve the identification, design, and implementation of EC-funded mine projects;
- To generate recommendations to enhance the opportunities for cross-fertilisation among mine action programmes in Europe and globally.

3. EXPECTED RESULTS

The evaluation report shall give an overview of EC mine action support to Europe, and to particular mine-affected countries in Europe, since 2002. It shall incorporate more detailed assessments of EC mine action support in a limited number of ‘focus country’ cases to illustrate and support its findings, conclusions, and recommendations. Recommendations will aim in particular to guide EC personnel in designing and implementing programmes of

support to mine action that complement the actions of other actors, including national authorities, other donors, and UN agencies for the next years.

4. OUTPUTS

An evaluation work plan will be prepared and distributed following the preliminary planning and data collection stage (late October 2007).

A debriefing of preliminary findings and conclusions will be provided to EC officials and other stakeholders at the end of each country mission.

Within one month of the end of the country missions, a draft report will be prepared and distributed to the GICHD and EC delegations for comments, and subsequently distributed to other stakeholders. For both comments the deadline is two weeks.

A final report will be submitted to the GICHD and EC Brussels.

All reports will be in English, with the final Executive Summary translated into Spanish as well.

All reports will clearly indicate on the cover page that the evaluation was financed by the European Union and managed by the Geneva International Centre for Humanitarian Demining (GICHD). The reports should display the logos of both the EU and the GICHD.³⁷

³⁷ http://europa.eu.int/comm/europeaid/visibility/index_en.htm.

ANNEX 2 SUMMARY OF EC CONTRIBUTIONS TO MINE ACTION IN SE EUROPE 2002-2006

Country	Year	DG	Via	Dates	Instrument	Amount (EUR)	Remarks
Albania	2005	AIDCO?	UNDP	N/K	CARDS	2,570,000	Project reference: MAP/2005/108-103
Belarus				2005-2007		[4,000,000]	Earmarked but not spent
BiH	2002	Delegation	HELP UDT Sarajevo	150202-150203	CARDS 2001	327,939	
		AIDCO	ITF	160202-140204		2,163,157	
		Delegation	FCPA	271102-271003		1,447,821	Federal Administration of Civil Protection
		AIDCO	ITF	091202-080104		947,535	
		Delegation	CPA RS	271102-281003		1,100,593	Civil Protection Administration of Republika Srpska
	2003	Delegation	ITF	110403-010704	B7-661	753,095	
		Delegation	CPA RS	141103-311004	CARDS 2002	493,092	
		Delegation	FCPA	201103-201204	CARDS 2002	997,102	
	2004	Delegation	CPA RS	281204-311205	B7-541 CARDS 2003	338,103	
	2005	AIDCO / Delegation	STOP Mines	260405-271206	19 02 04	1,995,079	
		ENLARG / Delegation	TRIO d.o.o	040105-041006	B7-541 CARDS 2003	8,529	
		ENLARG /	SHOT d.o.o	070105	B7 541	38,125	

Country	Year	DG	Via	Dates	Instrument	Amount (EUR)	Remarks
		Delegation		070705	CARDS 2003		
		ENLARG / Delegation	CEIA	260105-261105	B7-541 CARDS 2003	170,884	
		Delegation	FCPA	050105-050106	B7-541 CARDS 2003	648,507	
		ENLARG / Delegation	FCPA	161205-171206	B7-541 CARDS 2003	313,279	
		ENLARG / Delegation	CPA RS	081205-081206	B7-541 CARDS 2003	164,881	
	2006	Delegation	ASB	201206-201208		750,000	
Croatia	2002	RELEX	ITF	120802-120204	CARDS 2002	2,000,000	Mine clearance
	2003	RELEX	ITF	111204-111206	CARDS 2002	2,000,000	Mine clearance
	2005	ENLARG	CROMAC	261005-261006	CARDS 2003	1,010,000	Mine clearance
	2006	ENLARG	CROMAC	130406-130407	CARDS 2003	990,000	Mine clearance
		ENLARG	CROMAC	201206-200608	CARDS 2004	1,000,000	Mine clearance
	2007	ENLARG	CROMAC	280607-290607	CARDS 2004	2,319,788	Mine clearance
		Delegation	CROMAC	170407-180408	CARDS 2004	1,200,000	Mine clearance (In Croatia; part of a cross-border project)
Cyprus	2005		UNOPS	171104-311205	PFF	2,500,000	
	2006		UNOPS	010106-311206	PFF	1,500,000	
		PFF			1,000,000		
2007		UNOPS	010107-	PFF	4,000,000		

Country	Year	DG	Via	Dates	Instrument	Amount (EUR)	Remarks
				311208			
Kosova	2006		OKPCC	011106-201107		500,000	Project reference: MAP/2006/123-594
Macedonia							
Montenegro							
Russia/Chechnya				2006-2007		[1,000,000]	Mentioned in the mine action strategy 2005-2007 possibly spent through UNICEF on victim assistance
Serbia				2006-2007		[2,000,000]	Mentioned in the mine action strategy 2005-2007
Ukraine						[6,000,000]	Earmarked but not spent

Region	Year	DG	Via	Dates	Instrument	Amount (EUR)	Remarks
SE Europe (BiH, Croatia, Serbia & Montenegro and Albania)	2002	Delegation In Bosnia	ITF	140403-151206	B7-661	2,791,320	Support to the demining activities in the region of South-eastern Europe Clearance of the Borderline projects

ANNEX 4 ANALYSIS OF CASUALTY STATISTICS

	1944/5	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007		
Albania					272																
Belarus	6,173															16	4	2	3		
Bosnia																43	19	35	30		
Croatia					1,280					55	23	29	24	9	16	13	10	8			
Cyprus					5											1	0	0	0		
Kosovo									533												
Kosovo																		11	14		
Macedonia	1,083																				
Macedonia																1	0	0			
Montenegro									4				2					0	0		
Chechnya																25	45	52			
Serbia																2	0	2			
Ukraine											92										
Ukraine																6	10	17			

NOTES:

1. With the exception of Albania and Croatia, the remainder of the information came from Landmine Monitor 2007.
2. If a cell is blank, no data were found. If a '0' is shown it indicated no casualties for that year or period.
3. The numbers indicate the total number of casualties; injured or dead.