

# Fourth Review Conference of the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction

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Item 11 of the provisional agenda

**Consideration of submissions of States Parties as provided for in Article 5**

## **Analysis of the request submitted by Tajikistan for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention**

### **Submitted by the Committee on Article 5 Implementation (Austria, Canada, Colombia and the Netherlands)**

1. Tajikistan ratified the Convention on 12 October 1999. The Convention entered into force for Tajikistan on 1 April 2000. In its initial transparency report submitted on 3 February 2003, Tajikistan reported areas under its jurisdiction or control containing, or suspected to contain, anti-personnel mines. Tajikistan was obliged to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control by 1 April 2010. Tajikistan, believing that it would be unable to do so by that date, submitted, on 31 March 2009 to the President of the Ninth Meeting of the States Parties (9MSP), a request for an extension of its deadline, until 1 April 2020. The Second Review Conference unanimously agreed to grant the request.

2. In granting the request the Conference noted that, while no demining had taken place until more than four years after entry into force, since that time significant progress had been made, particularly by the release of land through resurvey. The Conference further noted that, while the plan presented was workable as concerns two of the three regions of Tajikistan in which antipersonnel mines were known or suspected to be emplaced, differing views on the extent to which mechanical demining assets may be applicable suggest that Tajikistan may find itself in a situation wherein it could proceed with implementation much faster than that suggested by the amount of time requested. In this context, the Conference noted that doing so could benefit Tajikistan in ensuring that the dire humanitarian, social and economic impacts outlined in its request were addressed as quickly as possible.

3. On 31 March 2019 Tajikistan submitted to the Committee on Article 5 Implementation (“the Committee”) a request for extension of its 1 April 2020 deadline. On 14 June 2019, the Committee wrote to Tajikistan to request additional clarification on information provided in its request for extension. On 3 August 2019, Tajikistan submitted to the Committee additional information in response to the Committee’s questions. The Committee noted with satisfaction that Tajikistan has submitted its request in a timely manner and had engaged in a cooperative dialogue with the Committee. Tajikistan’s request is for 5 years and 8 months, until 31 December 2025.

4. The request indicates that during the extension period until the end of 2018, Tajikistan released 246 mined areas measuring 17,565,639 square metres, (124% against target), including 3,592,449 square metres cancelled through non-technical survey, 4,053,982 square metres reduced through technical survey, and 9,919,208 square metres

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addressed through clearance. In the process, Tajikistan identified and destroyed 58,997 anti-personnel mines, 1,319 items of unexploded ordnance (UXO), and 19.4 kg of explosive charges. The Committee noted the importance of Tajikistan continuing to report on its progress in a manner consistent with International Mine Action Standards (IMAS), disaggregating by area cancelled through non-technical survey, reduced through technical survey and addressed through clearance.

5. The request indicates that during the initial extension period, Tajikistan identified 10,485,815 square metres of new mined areas. The Committee wrote to Tajikistan requesting further information on how additional suspected hazardous areas were identified and if additional discoveries are expected in the future. Tajikistan responded by indicating that initial desktop assessment conducted on minefield records received by the Government of Tajikistan at the start of the initial extension under-estimated the level of contamination. Tajikistan indicated that the Tajikistan National Mine Action Centre (TNMAC) does not expect to receive any additional minefield records and that current estimates presented to the States Parties are considered to be complete. The Committee highlighted the importance of Tajikistan ensuring an evidence-based approach to the classification of land as suspected or confirmed in accordance with IMAS.

6. The request indicates the following factors, which in Tajikistan's view, acted as impeding circumstances during Tajikistan's initial extension period: (a) mountainous terrain, (b) security situation on the Tajik-Afghan border, (c) limited seasonal window to operate in high altitudes, (d) mine migration, (e) location of mined areas on river islands, (f) identification of additional area, and (g) under performance of animal detection systems.

7. The request indicates that anti-personnel mines continue to have humanitarian, socio-economic impacts in Tajikistan, with an estimated 456,790 people, (70% women and children), living in mine-affected areas. The presence of anti-personnel mines and explosive remnants of war (ERW) continue to pose significant blockages to the development of agriculture, environment and reduce investments in the mining sector and infrastructure. The Committee noted that progress in the implementation of Article 5 during the requested extension period had the potential of making a significant contribution to improving human safety and socioeconomic conditions in Tajikistan.

8. The request indicates a remaining challenge of 249 hazardous areas measuring 12,098,210 square metres, including 154 confirmed hazardous areas measuring 7,907,210 square metres and 95 suspect hazardous areas measuring 4,191,000 square metres. As noted, Tajikistan's request is for 5 years and 8 months, until 31 December 2025. The request indicates that there are four key components for its work plan: (i) survey all suspected areas in the Central Region by the end of 2019, (ii) address all known and suspected areas in the Central Region by 2023, (iii) complete survey of 41 remaining suspected hazardous areas located on the Tajik-Afghan Border by 2023, and (iv) address all known and suspected areas in the Tajik-Afghan Border by 2025.

9. The work plan indicates that during the period of extension Tajikistan will address 195 mined areas measuring 8,848,210 square metres, including 154 confirmed hazardous areas (CHA) measuring 7,907,210 square metres and 41 suspect hazardous areas (SHA) measuring 941,000 square metres. The work plan indicates that Tajikistan will address 1,388,819 square metres in 2020, 1,218,722 square metres in 2021, 1,284,655 square metres in 2022, 1,277,666 square metres in 2023, 1,138,919 square metres in 2024 and 1,170,000 square metres in 2025.

10. The request indicates several factors that could positively or negatively impact on the request timeframe, including: (a) projected clearance ratios, (b) projected clearance rates; (c) prioritisation of tasks, (d) access to the Tajikistan – Uzbekistan border, (e) increased capacity, and (f) the deployment of mechanical assets.

11. The Committee wrote to Tajikistan indicating that the request would benefit from a more detailed work plan containing additional details on the deployment of available survey and clearance capacities, which teams will be deployed and when, together with the methodologies to be employed in addressing these areas. Tajikistan responded by annexing a detailed work plan, including annual survey and clearance milestones for the period of the extension, noting an increased capacity in survey from three to five teams. Tajikistan

further indicated its plan to survey 41 SHA measuring 941,000 square metres in 9 districts by the end of 2021, with 9 SHA measuring 240,000 square metres projected for survey in 2019, 24 SHA measuring 511,000 in 2020, 8 SHA measuring 190,000 square metres in 2021. The detailed work plan also indicated that 30 CHA measuring 2,770, 557 square metres in 8 districts will be re-surveyed by the end of 2023, including 10 CHA measuring 178,338 square metres in 2019, 5 CHA measuring 320,000 square metres in 2020, 7 CHA measuring 114,800 square metres in 2021, 7 CHA measuring 1,618,919 square metres in 2022, and 1 area measuring 538,500 square metres in 2023.

12. Tajikistan further indicated in its response to the Committee that survey resources will be deployed in response to accidents, or community reports of mined areas. The Committee highlighted the importance of Tajikistan undertaking non-technical and technical survey activities to better define the precise perimeters of mined areas as well as to continue clearance operations. The Committee noted that, while it is unfortunate that after almost two decades of intensive humanitarian demining efforts Tajikistan does not have a precise definition of its remaining challenge, it is positive that Tajikistan is aiming to complete survey operations by 2023, with a view to develop a meaningful forward-looking work plan taking into consideration the impact of results of survey for the remaining period of the extension request.

13. The work plan indicates that Tajikistan has identified a potential 15-20% of its remaining contaminated areas suitable for mechanical assets. The Committee wrote to Tajikistan requesting a detailed plan concerning the deployment of mechanical assets, including the location to which mechanical clearance teams will be deployed and when. Tajikistan responded by indicating that unfortunately three mechanical mine assets have not been deployed since 2014 due to security concerns. Tajikistan further indicated that based on a desktop survey an estimated 1,398,813 square metres in 5 districts is potentially suitable for mechanical mine assets and that Tajikistan has tasked the Operations technical working group to conduct a feasibility study on the reactivation of the assets, with the outcome to be shared at the Fourth Review Conference. The Committee welcomed the commitment of Tajikistan to report on the outcome of its assessment of mechanical assets and highlighted the importance of Tajikistan using all available methods for the full and expedient implementation of its Article 5 obligation, and that Tajikistan may find itself in a situation wherein it could proceed with implementation much faster than that suggested by the amount of time requested. The Committee further highlighted the importance of Tajikistan continuing to report on progress of efforts to utilise mechanical assets in its annual work plans.

14. The request indicates that Tajikistan will need to double its current capacity, from 90 to 180 deminers to reach its 2025 deadline. The Committee wrote to Tajikistan requesting further information on the timeline for recruitment, training and equipping of additional deminers, with further information on the resources and organisational arrangements required and how such efforts will support objectives of Tajikistan's Gender and Diversity Mine Action Strategy. Tajikistan responded that equipment, such as vehicles, and detectors will be required prior to the training and deployment of new demining teams, with costs estimated at US\$ 800,000. Tajikistan further indicated that a concept note had been shared during Tajikistan's individualised approach event held on the margins of the 2019 intersessional meetings, outlining the resources required to support additional demining teams. Tajikistan further responded that while it will be a challenge to maintain gender balance within military demining teams, it will seek Government approval for further training and involvement of women in support of land release operations. The Committee noted the strong support from the government regarding the recruitment of deminers and noted the importance of Tajikistan continuing to report on its efforts to ensure the implementation of its gender mainstreaming plan.

15. The request indicates that an estimated 3,250,000 square metres has been excluded from the work plan based on the location of contaminated areas on the Tajikistan-Uzbekistan border. The request further indicates the need for an agreement between the Governments of Tajikistan and Uzbekistan in order to address mined areas near the border, and that a joint commission will investigate these minefields and schedule their clearance. The Committee wrote to Tajikistan requesting further information on the joint commission,

including the national entities involved, progress between the Governments of Tajikistan and Uzbekistan on demining, including milestones, key steps and timeline. Tajikistan responded that the Ministry of Foreign Affairs has been tasked to start negotiations with Uzbekistan, with an agreement between TNMAC and relevant members of the Commission for the Implementation of International Humanitarian Law (CIIHL) to conduct initial survey along the Tajik-Uzbek border. Tajikistan further responded that it will provide updates on progress to Meetings of the States Parties and in Tajikistan's Article 7 Transparency reports on progress in negotiations. The Committee noted the importance of cooperation in addressing mined areas near common border areas. The Committee noted positively Tajikistan's commitment in keeping the States Parties informed by reporting on information on and plans to deal with mined areas along Tajikistan's common border with Uzbekistan.

16. The request indicates that Tajikistan projects US\$ 3 million will be required annually to maintain its current capacity for the implementation of Article 5 during the five-year extension period. The request further indicates that Tajikistan will require an additional US \$3 million, (for an annual estimated budget of US\$ 6 million) to cover projected increases in capacity of Tajikistan's mine action program. The Committee wrote to Tajikistan requesting further information regarding Tajikistan's resource mobilisation strategy in order to diversify and increase its resource base together with a communications plan to assist in generating interest amongst key national and international stakeholders. Tajikistan responded that with the support of the Committee on the Enhancement of Cooperation and Assistance, Tajikistan hosted an Individualised approach event on the margins of the 2019 Intersessional Meetings that brought together the donor community with implementing partners for an open exchange on the current status of Tajikistan's national programme. Tajikistan further responded that a strategy workshop was convened in July 2019 to discuss coordination of the sector including resource mobilisation, with a high level mine action forum planned to take place in Dushanbe, October 2019. Tajikistan responded that a detailed analysis of the resource mobilisation plan will be undertaken and shared at the Fourth Review Conference. The Committee noted highlighted the importance of Tajikistan continuing to keep the Committee and the States Parties informed of any funding challenges it faces for the implementation of Article 5.

17. The request indicates that implementation of the work plan will require US \$30 million for the period of the extension, based on an average price of US\$ 3.28 per square metre. The Committee wrote to Tajikistan requesting clarity on the budget rationale and allocation of resources for managerial, administration and demining operations. Tajikistan responded that a total of US \$ 31.3 million will be required over the extension period. The Committee wrote to Tajikistan requesting information on how Tajikistan structure its organisational capacities to respond to residual contamination following completion, and contingency plans in place to mitigate negative impacts of rapid demobilisation of staff. Tajikistan responded that the development of a national capacity to respond to residual threats after 2025 will be included in the new National Mine Action Strategy, (2020-2025).

18. The Committee noted that the request includes other relevant information that may be of use to the States Parties in assessing and considering the request, including further detail on socio-economic implications of remaining contamination, further information on landmine victims and response to accidents undertaken by the Government of Tajikistan, additional detail on planning and prioritisation, information on current demining capacity, maps and tables relating to land addressed during the initial extension period, post clearance outcomes, and financial considerations, as well as links to annexes pertaining to the request.

19. In recalling that the implementation of Tajikistan's national demining plan may be affected by outcomes of agreements on survey and clearance in border areas, the impact of results from survey to be completed on 41 SHA by 2020, and the resurvey of 30 CHA to be completed by 2023, as well as the feasibility of deploying mechanical assets, the Committee noted that the Convention would benefit from Tajikistan submitting to the Committee an updated detailed work plan by 30 April 2021, and the 2023 Nineteenth Meeting of the States Parties, (19MSP), for the remaining period covered by the extension. The Committee noted that these work plans should contain an updated list of all areas

known or suspected to contain anti-personnel mines using terminology consistent with IMAS, annual projections of which areas and what area would be dealt with during the remaining period covered by the request and by which organisation, matched to a revised detailed budget.

20. The Committee noted with satisfaction that the information provided in the request and subsequently in responses to the Committee's questions is comprehensive, complete and clear. The Committee further noted that the plan presented by Tajikistan is workable, lends itself well to be monitored, and states clearly which factors could affect progress in implementation. The Committee also noted that the plan is ambitious and that its success is based on significant co-contribution from international funding and the recruitment of additional manual clearance teams. In this regard, the Committee noted that the Convention would benefit from Tajikistan reporting annually, by 30 April, to the States Parties on the following:

(a) Progress made relative to the commitments contained in Tajikistan's annual survey and clearance plan during the extension period disaggregated by area cancelled, reduced and cleared and their impact on annual targets as given in Tajikistan's work plan;

(b) Progress on the agreement between the Governments of Tajikistan and Uzbekistan regarding survey and clearance of areas on their common border, including information on the national institutions involved in the effort;

(c) Updates regarding the identification, recruitment, training and deployment of an additional 90 deminers and support personnel, including information on the gender and diversity of newly recruited personnel;

(d) Updates regarding resource mobilisation efforts, including resources made available from Tajikistan's state budget and external financing received to support implementation efforts;

(e) Updated information on its full range of practical methods used to release land, including reporting outcomes concerning the feasibility and deployment of mechanical assets;

(f) Updates regarding the structure of Tajikistan's mine action program, including existing and new organisational and institutional capacities to respond to residual contamination following completion.

21. The Committee noted the importance, in addition to Tajikistan reporting to the States Parties as noted above, of keeping the States Parties regularly apprised of other pertinent developments regarding the implementation of Article 5 during the period covered by the request and other commitments made in the request at intersessional meetings, Meeting of the States Parties and Review Conferences as well as through its Article 7 reports using the Guide for Reporting.

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