

**REQUEST FOR AN EXTENTION OF THE DEADLINE FOR COMPLETING
THE DESTRUCTION OF ANTI-PERSONNEL MINES IN ACCORDANCE WITH
ARTICLE 5 OF THE CONVENTION
EXECUTIVE SUMMARY**

Submitted by Ukraine

The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (hereinafter - the Ottawa Convention) entered in force for Ukraine on 01 June, 2006. Having joined the Ottawa Convention Ukraine obliged to destruct all the then stockpiled anti-personnel mines (APM), inherited from the former Soviet Union times, which were stockpiled at the Armed Forces of Ukraine's arsenals. In 2007 Ukraine declared its full compliance with Article 5 of the Ottawa Convention by submitting its first national report under Article 7 of the Ottawa Convention. It showed the absence of areas, being under Ukraine's jurisdiction and control, polluted with the APM. Later on this was confirmed in yearly national reports from 2007 through 2013. Thus, Ukraine fulfilled its obligations under Article 5 of the Ottawa Convention in full.

1. The explanation of reasons for the extension of the deadline under Article 5.

Despite significant challenges in the security area caused by the Russian military aggression, Ukraine remains committed to its international obligations in the field of mine action, including the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction.

By ratification the Ottawa Convention in 2005 and its enter into force for Ukraine in 2006 there were no mined areas, subject for demining activities. The first yearly report of Ukraine covering the period of 01 June 2006 - 31 December 2006 stated that Ukraine did not have mined areas. This fact was repeatedly confirmed in following reports until 2014.

The aggression of the Russian Federation against Ukraine, which started in 2014, created a situation, when Ukraine is faced with the legal obligation to fulfil the provisions of Article 5 of the Ottawa Convention, therefore it requests the extension of the relevant deadline. The reason for that is that armed groups subordinated to the Russian occupation administration, the armed forces of the Russian Federation in temporary occupied territories started planting the APM in Donetsk and Luhansk regions. Such contaminated areas were indicated in national reports of Ukraine in 2014, 2015, 2016, 2017, 2018 and 2019.

Preliminary estimates show that about 8% of the lands (totalling to 7 000 км²), which were liberated from the occupation administration in Donetsk and Luhansk regions contain or suspected to contain the APM, unexploded ordnance (UXO) and explosive remnants of war (ERW). The areas contaminated with the APM are located along the contact line, where daily intensive fire takes place, which significantly obstructs the demining activities.

In view of the above, a request was submitted to extend the deadline under Article 5 of the Ottawa Convention for five years until June 1, 2021.

Currently, most of the areas contaminated with APM are along the demarcation line and they are shelled daily by the armed forces of the occupation administration of the Russian Federation in Donetsk and Luhansk regions, which greatly complicates the demining process.

Besides founding the industrial-made APM in liberated areas, there are also many cases of use of improvised explosive devices (IED) as well as a large number of UXO. The sappers of the Armed Forces of Ukraine discovered PMN-2 mines in the liberated areas in Donetsk and Luhansk regions, formerly occupied by the Russian Federation. It is known that APM of that particular type is a regular ammunition used by the Russian Federation's Armed Forces. Ukraine fully destroyed such kind of mines which was reflected in its annual reports.

Starting from 2014 Ukraine repeatedly presented to the international community facts of APM discovered in liberated territories of Ukraine.

Some examples of APM detection:

- on January 30, 2020, the village of Orikhove (Donetsk region), 240 units;
- on July 13, 2019, the village of Maryanka (Donetsk region), 40 units;
- on July 21, 2018, the village of Vodiane (Donetsk region), serial number: 583-26-87;
- on April 2, 2017, the village of Taramchuk (Donetsk region), serial number: 15-69-85 (583-38-85);
- on September 14, 2016, the village of Taramchuk (Donetsk region), serial number: 15-60-87;
- on September 15, 2016, the village of Vodiane (Donetsk region), serial number: 15-65-87.

Areas suspected to contain mines (Annex A).

2. The preparation status of work under national demining programs.

On January 25, 2019, the Law of Ukraine “On Mine Action in Ukraine” came into force and the process of implementation of legislation in the field of mine action is going on. In particular, a draft Law on Amendments to the Law of Ukraine “On Mine Action in Ukraine” was submitted to the Verkhovna Rada of Ukraine in order to improve the existing Law and create a legal basis for the development of a national mine action program.

So far, the functions of the national authority for mine action are performed by the Ministry of Defense of Ukraine (the Regulation on the Ministry of Defense of Ukraine of 26.11.2014, № 671, para 4, subpara 100).

In order to have common approaches to the implementation of demining tasks in accordance with international mine action standards, the national standard DSTU P 8820-1: 2018 “Mine action. Management processes. Basic Provisions” was developed and entered into force on April 1, 2019.

In order to properly organize the management, control and coordination of demining activities, the Ministry of Defense of Ukraine together with the interested authorities prepares annually a Plan of measures for the organization of humanitarian demining of the liberated territories of Donetsk and Luhansk regions (Decree of the Cabinet of Ministries of 10.11.2015, № 41726/0/1-15).

In order to coordinate mine action activities, the Ministry of Defense of Ukraine develops an Action Plan for the organization of humanitarian demining of the liberated territories of Donetsk and Luhansk regions. The main objectives of the Plan are to conduct non-technical and technical inspections of potentially dangerous areas for mines and ERW, as well as demining of settlements, to provide security during restoration of infrastructure and clearing of agricultural areas from mines and explosive remnants of war.

In order to increase the efficiency of the mine action system in Ukraine, the Ministry of Defense of Ukraine creates an effective demining quality management system, which includes certification of mine action operators and demining quality control.

To implement quality management measures, the National Accreditation Agency of Ukraine accredited the Demining Center of the Armed Forces of Ukraine as a certification body for demining operators in the field of "Humanitarian demining: non-technical inspection, technical inspection, clearing of combat areas, manual demining" and created a humanitarian inspection body.

A number of Ukrainian authorities are involved in mine action, including the MOD, the State Emergency Service of Ukraine, as well as the non-governmental organizations. Other relevant state agencies also deal with demining activities: the Security Service of Ukraine, the National Police of Ukraine, the State Border Guard Service of Ukraine, the State Service for Special Transport of Ukraine and the National Guard of Ukraine.

Apart of the overall coordination of the humanitarian demining in the Donetsk and Luhansk regions, the MOD is responsible for the survey of all the territories, where military contingents of the Joint Forces Operation are deployed. The State Emergency Service of Ukraine fulfils demining activities on land and in the sea in the regions out of combat areas, the State Border Guard Service of Ukraine conducts demining in the regions under its direct control. The State Service for Special Transport of Ukraine is responsible for demining of the transport infrastructure (i.e. railways and roads). The Security Service of Ukraine and the National Police of Ukraine undertake counter-IED measures.

The main efforts are aimed at demining of critical infrastructure in Donetsk and Luhansk regions, including power lines, gas and water pipelines, thermal power plants, as well as agricultural lands, roads and railways.

Since the beginning of the plan, as well as in response to requests from the population and local authorities, demining groups and pyrotechnic units of central executive bodies have destroyed (neutralized) more than 460000 explosive devices, inspected more than 35000 hectares, 1754 km of roads, 938 km of railway tracks.

The main task of the State Emergency Service of Ukraine is humanitarian demining of territories in Donetsk and Luhansk regions outside of combat areas. As a part of the Joint Forces Operations, units of the State Emergency Service of Ukraine being, conduct demining activities in order to restore the vital objects and provide security for the OSCE Special Monitoring Mission and for representatives of the international organizations, nearby combat areas and in the so-called “grey zone”.

About 60 local administrations are annually involved in demining in the Donetsk and Luhansk regions (up to 300 people).

There are 5 non-governmental organizations working in Ukraine in the sphere of humanitarian demining: «The Halo Trust», «The Danish Demining Group (DDG)» and «Fondation Suisse de Déminage (FSD)». Since 2019 Ukrainian non-governmental operators «Demining Solutions» and «Demining Team of Ukraine» have joined mine action (organizations operate solely through donor funding).

41 demining groups with a total number of more than 500 people were involved from the mentioned organizations. Since the beginning of their activities, non-governmental organizations have identified 250 suspicious and dangerous areas with a total area of almost 2000 hectares, cleared about 500 hectares and found more than 1500 explosive devices.

As a result of demining work in 2019, the inspection body conducted quality control in 36 demined areas with a total area of 250,7 hectares. Inspections of these areas were conducted to confirm their compliance with the norms of the national mine action standards. According to the results of the inspections, 24 demined areas with a total area of almost 170 hectares were handed over to the representatives of local authorities.

The Halo Trust started its work in Ukraine in November 2015. DDG is active in Ukraine since 2014. FSD started its work in Ukraine in the beginning of 2015. Since then these organizations made significant input in demining process including by non-technical survey.

3. Financial and technical resources that can be used to destroy APM in mined areas. The spendings regarding the demining and destruction of the APM in the mined areas are provided

by budget expenses allocated to the relevant state authorities and military detachments, during the fiscal year.

The MOD works to equip the engineers corps of the Armed Forces of Ukraine with the modern tools for the detection of explosive objects. They are provided at the expense of centralized procurement, as well as by the technical aid of donor states and international organizations. As a result of the relevant work, the detachments of the Armed Forces of Ukraine currently have a range of modern handheld mine detectors (123 mine detectors Vallone VMC-1, 9 mine detectors Vallone L-1302, 40 mine detectors Ceia CMD, 34 mine detectors Garet GTI-2500).

There is a need for additional 250 mine detectors Vallone VMC-1 to replace technically outdated USSR-made mine detectors that are currently used by demining units. Besides this, the demining units of the Armed Forces of Ukraine, which take part in the Joint Forces Operation, badly need armoured vehicles with reinforced anti-mine protection (more than 20 pieces).

Funding for demining activities performed by the SES is carried out within the budget allocations from the State Budget of Ukraine, local budgets and other sources of funding not prohibited by law.

The SES is taking measures to re-equip (replace obsolete machinery and equipment) pyrotechnic units that perform humanitarian demining tasks through centralized procurement, as well as logistical assistance from donor states and international organizations.

The SES projects provide support in the field of mine action by training personnel, providing logistical support for surveys, clearing from explosive objects (demining) and transferring areas for further use. The State Emergency Service of Ukraine needs more than 60 sets of equipment to survey explosive objects (search depth up to 6 m), 10 armoured vehicles for mine detection and explosive objects transportation as well as equipment for mechanical demining.

With the support of the OSCE and the Geneva International Centre for Humanitarian Demining (GICHD) an automated information management system for mine action IMSMA has been implemented by the SES since 2014.

The IMSMA system is installed on the SES server, which is connected to 27 regional operators (territorial divisions) with the ability to enter information online into a common database. At present, about 47 thousand reports from all regions of Ukraine have been submitted to the IMSMA system on the completed tasks of clearing the area of explosives, conducting non-technical and technical inspections of territories.

4. Circumstances, which impede the ability of Ukraine to destroy all the APM in the mined areas. Currently Ukraine doesn't have control over the temporary occupied territories in Donetsk and Luhansk regions, as well as over the Autonomous Republic of Crimea and the city of Sevastopol. At the same time, the ongoing military standoff in Donbas and continuous hostilities cause further contaminations of the territories along the contact line. The irregularity and nonselectivity of the use of APM by the Russian occupation forces in Donetsk and Luhansk regions do not allow to estimate the scale of contamination with APM and identify all mined areas. Thus, it is impossible to arrange relevant national programs for their demining, to determine the required resources and to carry out demining works in full.

Demining of these territories will begin after the end of hostilities, withdrawal of the Russian occupation forces, restoration of constitutional order and return of Ukraine's control over all its territory, including over the state border with the Russian Federation.

Moreover, the Russian Federation refuses to provide any information regarding blasting booms in the Crimean Isthmus and in the territory of the Autonomous Republic of Crimea.

5. Time requested for an extension of the deadline. Ukraine is requesting a 2 year extension of its deadline under Article 5 of the Ottawa convention (i.e. until 1 December 2023) provided completion of hostilities, restoration of the constitutional order and gaining the full control over the occupied territories, including over the state border between Ukraine and the Russian Federation. It is suggested on the basis of the analysis of current and potential challenges, including the extend of the problems, human, materiel and financial resources expected and availability of survey and demining capacities.

6. Humanitarian, social, economic and environmental implications of the proposed extension. Fulfilment of the set of tasks aimed at complete destruction of the APM will promote:

- reduction of risks associated with mines and ERW for civilians in Ukraine;
- creating a safe environment, reducing the impact of explosive objects on the environment;
- further safe use of mine-cleared areas and infrastructure for economic purposes;
- essential decreasing of casualties among the civil population and unimpeded delivery of humanitarian cargos, in particular, to persons, who reside near the contact line and on the temporary occupied territories in Donetsk and Luhansk regions;
- improvement of the civil population's access to essential goods and services, agricultural lands, infrastructural objects, forests, rivers, recreational facilities, that will have positive impact on the internal migration of population;
- growth of economic indicators, in particular, increase in agricultural production and livestock;
- unimpeded access of workers to enterprises, institutions and organizations, to communications and other objects of special importance and environmental security;
- clearance of soils and waters, polluted as a result of explosions of shells, explosives and mines;
- decrease of risks of emergencies in connection with mines and explosive objects.