

Ninth Meeting

Geneva, 24 – 28 November 2008

Item 11 of the provisional agenda

**Informal presentation of requests
submitted under Article 5 and of
the analysis of these requests**

**ANALYSIS OF THE REQUEST SUBMITTED BY BOSNIA AND
HERZEGOVINA 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 President of the Eighth Meeting of the States Parties on behalf of the States Parties mandated to analyse requests for extensions*

1. Bosnia and Herzegovina ratified the Convention on 8 September 1998. The Convention entered into force for Bosnia and Herzegovina on 1 March 1999. In its initial transparency report submitted on 1 February 2000, Bosnia and Herzegovina reported areas under its jurisdiction or control containing, or suspected to contain, anti-personnel mines. Bosnia and Herzegovina is obliged to destroy or ensure the destruction of all anti-personnel mines under its jurisdiction or control by 1 March 2009. Bosnia and Herzegovina, believing that it will be unable to do so by that date submitted, on 26 March 2008, to the President of the Eighth Meeting of the States Parties (8MSP), a request for an extension of its deadline.
2. On 14 April 2008, the President of the 8MSP wrote to Bosnia and Herzegovina to ask for clarifications on a number of points. Bosnia and Herzegovina provided a detailed response and subsequently, on 27 June 2008, Bosnia and Herzegovina submitted to the 8MSP President a revised request for an extension incorporating additional information provided in response to the President's questions. Bosnia and Herzegovina requests a ten year extension (until 1 March 2019.)
3. The request indicates that in 1996 there were 19,057 minefield records available to Bosnia and Herzegovina totalling 4,200 square kilometres. The request further indicates that this data, while useful, has proven to have been unreliable. The request also indicates that in 2002-2003 a Landmine Impact Survey (LIS) was undertaken revealing the size of the mine problem in Bosnia and Herzegovina. The 8MSP President had asked for Bosnia and Herzegovina whether the LIS provided Bosnia and Herzegovina with a data set of suspected hazardous areas that could be used

* Submitted after due date and as soon as received by the Secretariat.

for the basis of clarification and planning. The States Parties mandated to analyse requests submitted under Article 5 of the Convention (hereafter referred to as the “analyzing group”) noted that the request did not contain data on the findings of the LIS.

4. The request indicates that between 1996 and 2007, the original estimate of 4,200 square kilometres of suspect area had been reduced to 1,755 square kilometres. Bosnia and Herzegovina defines suspect or suspected area as area in a confrontation zone for which data exist on, or there is a possibility of, contamination by mines or unexploded ordnance (UXO). The request further indicates that 2,445 square kilometres in total was released, with 2,139 square kilometres released through “systematic survey”, 220.3 square kilometres released through “general survey” and 85.5 square kilometres released through “humanitarian demining.” The analyzing group noted that constant progress had been made by Bosnia and Herzegovina every year since entry into force with annual progress in demining increasing by about fifty percent in 2005.

5. The request indicates that Bosnia and Herzegovina refers to “Category I, II and III” areas. Bosnia and Herzegovina defines “Category I” areas as areas with recognisable need for the movement of the local population and occasional users and areas with resources for economic development. “Category II” areas are occasionally used locations or areas bordering Category I areas. “Category III” areas are suspected areas other than Category I or II areas. Of the 2007 total of 1,755 square kilometres of suspected areas, Bosnia and Herzegovina considers 220.86 square kilometres to be Category I area, 510.56 square kilometres to be Category II area, and 1,023.71 square kilometres to be Category III area.

6. The 8MSP President had asked for Bosnia and Herzegovina for clarity with respect to how it defines terms used in the request. The analysing group noted that Bosnia and Herzegovina had provided such clarity in its revised request, defining (a) “systematic survey” as an ongoing analytical research procedure used to estimate the mine threat including the size and characteristics of mine suspected area, (b) “general survey” as a connected set of activities intended to either reduce suspected area by the release of land identified without risk or identify the need for survey, marking, clearance or other actions, and (c) “humanitarian demining” as either involving clearance operations (which account for approximately 61.3 square kilometres of the area released through “humanitarian demining”) or “technical survey” (which accounts for approximately 24.2 square kilometres of the area released through “humanitarian demining”). “Technical survey” is further defined as the treatment of a risk area identified through general survey involving the detailed search for and determination of mine presence, soil characteristics, and parameters for marking and demining.

7. The request indicates that humanitarian demining conducted between 1996 and 2007 had resulted in 46,487 anti-personnel mines, 7,077 anti-tank mines and 39,919 other explosive remnants of war found and destroyed. The request further indicates that the 2007 total of 1,755 square kilometres of suspect area should be reduced by early 2009 to 1,573 square kilometres. Of this, it is expected that 592 square kilometres will be considered “risk area” and subject to humanitarian demining. As noted, the 8MSP President had asked for clarity from Bosnia and Herzegovina regarding terminology used in the request. The analysing group again noted that Bosnia and Herzegovina had provided such clarity in its revised request, defining “risk area” as area identified through general survey as containing mines, with the coordinates

established and with sufficient data collected for humanitarian demining operations to be conducted.

8. As noted, Bosnia and Herzegovina's request is for ten years (until 1 March 2019). The request indicates that the period of time requested relates to the fact that after 12 years of demining activity Bosnia and Herzegovina still faces a great deal of mine contamination which continues to be one of the main obstacles for human safety and socio-economic development. The analysing group noted that, while annual projections for the release of areas known or suspected to contain mines (see below) imply that Article 5 completion will be achieved by the end of the requested extension period, in another instance in the request it is implied that by 2019 Bosnia and Herzegovina will still not have completed implementation of Article 5 but will have achieved an important intermediate step referred to by Bosnia and Herzegovina as being "impact free" as defined by having established a safe environment for normal and prosperous life for all citizens of Bosnia and Herzegovina.

9. The request indicates the following as impeding circumstances: (a) The main reason for not fulfilling obligations in the last 10 years is the extent of the mine problem and lack of financial resources necessary for humanitarian demining operations; (b) Climate conditions in Bosnia and Herzegovina are only adequate for demining between the months of March and November; (c) Minefields in Bosnia and Herzegovina have a relatively small number of mines, usually placed randomly; (d) Minefield records, if available, are often not accurate enough to identify exact locations of minefields or the shape and pattern of mines contained within; and, (e) Minefields were placed throughout Bosnia and Herzegovina from high mountainous and ravine areas of central Bosnia to plain areas in the north and with all types of vegetation prevailing.

10. The request indicates annual projections of the release of the 1,573 square kilometres of suspect area or risk area that it is expected will remain in early 2009. It is projected that general and technical survey will result in the release of 283 square kilometres of "Category III" area and general survey will result in the release of 981 square kilometres of "Category I and II" area. The analysing group noted that, as the request indicates that at the end of 2007 1,023.71 square kilometres was defined as "Category III" areas, the request implies that significant amount of this area will be redefined as "Category I or II" area.

11. The request indicates that, in each year from 2009 to 2018, 9.27 square kilometres (of presumably "Category I and II" area) will be released through clearance and 21.63 square kilometres will be released through technical survey. The analysing group noted that these annual projections imply a significant increase in humanitarian demining productivity relative to Bosnia and Herzegovina's recent experience with most of these gains to be derived from increased technical survey performance. The analysing group further noted that while the request indicates that it is expected that in early 2009 a total of 592 square kilometres will be considered "risk area" and subject to humanitarian demining, the annual projections provided imply that 309 square kilometres will be released through humanitarian demining (i.e., clearance and technical survey).

12. The request indicates that 50.9 square kilometres of areas known or suspected to contain mines have been subject to "permanent marking" since 2000 and it implies that "permanent

marking” will continue during the extension period. The analysing group noted that, while the ordinary meaning of the term “permanent” may imply that there was no intention to clear a marked area, Bosnia and Herzegovina clarified when asked by the analysing group that “permanent marking” – the placement of signs by qualified organisations using resistant material with a five year duration – is a transitional measure.

13. The request indicates that Bosnia and Herzegovina has addressed and intends to address “suspected areas” and “risk areas” through a wide range of methods thus ensuring that expensive clearance assets would be directed to where they are most needed. These methods, as defined above, include systematic survey, general survey, technical survey, and mine clearance. The request further indicates that these activities are carried out in accordance with national standards, which take into account the International Mine Action Standards. The request also indicates that technical survey and clearance will be conducted employing the following different techniques: manually (detector and prodder), mine detection dog teams, and mechanical preparation of the land for demining. In addition, annexed to the request are the Bosnia and Herzegovina Mine Action Centre’s **Standing Operating Procedures for Humanitarian Demining** to which demining and other organisations are obliged to conform.

14. The request indicates that Bosnia and Herzegovina projects that 756.29 million Bosnian Marks (BAM), (approximately US\$ 571 million, or an average of US\$ 57.1 million per year) will be required for activities related to the implementation of Article 5 during the requested extension period. This includes constant annual amounts of BAM 4.9 million for general survey, BAM 3.1 million for quality assurance, BAM 32.45 for mine clearance, and BAM 32.45 million for technical survey. Annual amounts for “Category III” survey activities, marking and mine risk education vary according to year. The request further indicates that in recent years, funding levels have remained relatively constant with an average of BAM 49.8 million made available in each of the past four years. This includes an average annual contribution of BAM 19.3 million having been provided by Bosnia and Herzegovina itself.

15. The request indicates that Bosnia and Herzegovina will provide a constant annual investment of BAM 20.0 million for Article 5 implementation during the extension period. The request further indicates that the adoption of a new mine action law will provide for stable and continuous funding from a new revenue source, local governments’ budgets. It is anticipated that local governments will contribute BAM 32.83 million in 2009 with amounts constantly increasing each year until 2017. The request also indicates that funds required from donors are expected to decline from BAM 25 million in each of 2009 and 2010 ultimately to BAM 5 million in each of 2017 and 2018. The analysing group noted that expectations for donor funding at the beginning of the extension period are generally consistent with recent experience in acquiring donor funds. The analysing group also noted that Bosnia and Herzegovina was being proactive in increasing internal sources of funding in part to compensate for expected declines over time in external funding.

16. The request indicates that, as of the end of 2007, 1,631 communities were “mine impacted” with 122 communities containing 154,538 inhabitants categorised as “highly impacted”, 625 containing 342,550 inhabitants categorised as “medium impacted” and 884 communities containing 424,425 inhabitants categorised as “low impacted”. The request further indicates that most of the impacted communities are in rural areas. In addition, as noted, the request indicates

that despite significant progress having been made during the past 12 years, mines still affect human safety and socio-economic development. The request also indicates that while annual casualty rates have dropped significantly since the mid 1990s, individuals continue to be killed or injured each year by mines in Bosnia and Herzegovina. The analysing group noted that completion of Article 5 implementation during the requested extension period had the potential of making a significant contribution to improving human safety and socio-economic conditions in Bosnia and Herzegovina.

17. The request includes other relevant information that may be of use to the States Parties in assessing and considering the request including a document entitled **Bosnia and Herzegovina Mine Action Strategy 2009-2019** and the Bosnia and Herzegovina Mine Action Centre's **Standing Operating Procedures for Humanitarian Demining**.

18. The analysing group noted that, even with a consistent and sizeable effort having been undertaken by Bosnia and Herzegovina going back even before entry into force of the Convention, Bosnia and Herzegovina faces a significant remaining challenge in order to fulfil its obligations under Article 5. The analysing group further noted that, while the plan presented is workable and ambitious, its success is contingent upon increased performance in technical survey, an ongoing, although decreasing, high level of donor funding and the initiation of and thereafter constantly increased funds provided by local governments.

19. The analysing group noted that, given the importance of support from sources in addition to the State budget, Bosnia and Herzegovina could benefit from providing more precise clarity regarding which areas of what size and at what locations remain to be addressed in each administrative area. The analysing group further noted that Bosnia and Herzegovina could benefit from using such precision as a benchmark from which to measure and communicate progress. The analysing group noted that such an accounting of the remaining mined areas would both serve as a foundation for a resource mobilisation strategy and greatly assist both Bosnia and Herzegovina and all States Parties in assessing progress in implementation during the extension period. In this regard, the analyzing group noted that both could benefit if Bosnia and Herzegovina provided updates relative to this accounting of areas at meetings of the Standing Committees, at the Second Review Conference and at Meetings of the States Parties.
