

ICBL Comments on Afghanistan’s Article 5 Deadline Extension Request May 2012

Summary facts & figures

- The request is for 10 years until 1 April 2023
- It identifies 4,151 antipersonnel mined areas totaling 306.81km² but foresees total clearance of 616km² of AP mines, AV mines, and other explosive remnants of war
- It plans to conduct a resurvey of contamination nationwide in 2012–2014
- Funding required to complete all clearance is estimated at US\$773 million

Overview

This is among the most comprehensive and ambitious requests yet submitted. Afghanistan, one of the world’s most heavily mine-contaminated countries, asks for a 10-year extension to complete release of an estimated 616km² of contaminated land. It presents a work plan that provides for tackling not just areas contaminated by antipersonnel mines, affecting an estimated 306.8km², but also areas with antivehicle mines and all other explosive remnants of war (ERW) as summarized below:

Hazard type	No. of hazards	% of hazards	Area (km ²)	% of area	Population affected	% affected
AP Mines	4,151	73.3	306.81	49.7	716,312	70.6
AV Mines	1,319	23.3	253.9	41.2	262,802	25.9
ERW	191	3.4	56.27	9.1	35,137	3.5
Total	5,661	100	617	100	1,014,251	100

The rationale for targeting all explosive ordnance with the program is humanitarian: AP mines accounted for only 13.2% of total casualties in the last two years. AV mines caused 12.8% of overall casualties (and killed nearly twice as many people as AP mines) in this period, while ERW caused 74% of total casualties (and nearly four times as many fatalities as did AP mines). The corollary to this approach is that some non-AP mine hazards are assessed to have greater humanitarian impact than do some APM hazards and are accordingly given higher priority for clearance than some AP mine hazards.

Yet the extension request confidently affirms all hazards can be tackled within 10 years, or sooner if the program receives more funding than the US\$773 million it estimates is needed to achieve these targets, albeit subject to a number of risks (see below).

Reasons for the request

A number of factors contributed to Afghanistan’s need for another 10 years, including insecurity and fluctuating funding, which on occasion resulted in deminer lay-offs. But the main underlying cause is the density of mine and ERW contamination left by decades of conflict. This is evident from the extent of what has already been cleared: since 1998, the program has released 464km² of AP mined areas and 918km² of battle areas, destroying more than half a million AP mines, 23,000 AV mines, and 8.2 million items of UXO. Half of the area was released in the seven years since 2005, helped by the results of survey, operating reforms, and improved productivity.

That effort still leaves hundreds of square kilometers of land contaminated by mines and ERW, affecting more than a million people, particularly farmers and nomads. A little more than one-third of the known hazards are deemed high or medium impact, and over a million Afghans live within 500m of mine contamination. Casualties have fallen progressively but the Extension Request reports that in the last two years an average of 42 people, mostly boys, have been killed or injured by mines every month.

Another challenge, however, has been the lack of stable baseline data. The Mine Action Programme of Afghanistan (MAPA) has undertaken extensive and repeated survey¹ and invested considerable effort in data management, but insecurity has repeatedly denied surveyors access to some areas preventing verification of contamination. In other areas, refugee resettlement and population movements have led to new discoveries of legacy mine and ERW hazards.

As a result, the Mine Coordination Centre of Afghanistan (MACCA) continues to add substantial amounts of hazard to its database and, despite accelerating clearance and cancellation,² the overall estimate of contamination has remained stubbornly high. As of 1 January 2005, following completion of the Afghan LIS, the MACCA estimated that AP mine contamination affected 445.6km² and 1,914 communities and ERW contaminated a further 270km² affecting 657 communities for a total of 715.6km². Since 2005, the program has released a total of 854km² of AP mine, AV mine, and ERW contamination but it still estimates the remaining clearance tasks as totaling 616km².

Plan of action

The Extension Request presents a detailed work plan for completing clearance of known contamination, including annual targets, milestones, and cost estimates, and is confident of its feasibility. The work plan prioritizes clearance of hazards according to their impact as measured by a scorecard which gives most weight to recent casualties. On the basis of that scoring, most of the top priority (69%) and second priority (68%) hazards are AP minefields, but some AV mine and ERW hazards also feature in these categories and are therefore earmarked for clearance ahead of some AP mine hazards.

The work plan, which is for 11 years, including 2012—the year before the extension period starts—frontloads clearance, foreseeing the removal of 1,137 hazards and release of 92.17km² in Afghan Year 1391 (2012-13), dropping to removal of 188 hazards and release of 32.29km² in Afghan Year 1401 (2022–2023). Budget estimates similarly drop from \$86.2 million in 1391 to \$45.5 million in 1401. The request breaks down the number of teams needed for the different AP mine, AV mine, and ERW hazards and sees the total dropping from 626 teams in the first year to 250 in the last.

The Afghan Extension Request and its work plan, unlike some, were prepared with the participation of, and endorsed by, the major national and international implementing partners. Drawing on practices introduced as a result of operational reforms in the last few years and benefitting from the effort invested in survey and data, the work plan breaks the remaining tasks down into 314 “bite-size” projects to tackle 5,661 known hazards over the 10-year extension. The project list, prioritization, and timelines were reviewed by operators, together with projected productivity rates, the number of teams needed, and the estimated cost.

The request also provides for a village-by-village non-technical survey and explosive ordnance disposal (EOD) of all Afghanistan’s communities, employing 58 survey/EOD-trained teams, starting in 2012 and lasting two years. The work plan provides for the survey to be implemented largely by HALO Trust and MCPA, the two operators with the most survey expertise and experience. It is expected that this could result in significant cancellation of hazard areas now recorded on the database. How far it will stem the flow of new discoveries of hazard in years to come is impossible to assess.

The survey will fulfill a number of notable objectives. Unlike previous surveys, it aims to cover all 32,448 officially gazetted communities in Afghanistan, reinforcing progress towards an end state by getting communities with no known hazard to sign a statement to that effect, drawing on the experience of HALO’s completion initiative in Mozambique. Survey teams will also have EOD capacity to conduct spot clearance of most types of UXO. In the process, it hopes to set up community focal points to open lines of communication in the event of subsequent ERW finds. Completion of the survey in two years, however, also depends on

¹ Survey activity recorded in the Extension Request includes technical survey of accessible areas in 1989, a national non-technical survey in 1993, a Landmine Impact Survey in 2002-04, follow-up assessment by Landmine Impact Assessment Teams (LIATs) in 2005-08, and a polygon survey conducted by HALO and MCPA in 2008-09.

² In the past three years, the MAPA released a total of 173.61 km² of AP contaminated land, of which 115.25km² (66%) was released through clearance, 42.19 km² (25%) through cancellation and 16.17 km² by technical survey. (p. 78)

access/security and may be a challenge as population movements mean survey teams are likely to encounter more communities than those in the official gazette.

The survey effort, however, doesn't end there. The Extension Request says the MAPA will keep three survey teams in each of Afghanistan's seven regions for the first nine years of the extension period to conduct regular survey of the recorded hazards, assess the new requests for clearance, conduct assessments for large-scale development projects and respond to call out EOD response. The number of teams will be reduced to 12 for the last year of the extension request. But in addition, data on hazards is to be reviewed every six months.

Risks

A number of risk factors raise serious questions about the prospects for completing in time. The key issues are:

1) *Security*: two-thirds of the highest priority AP minefields are in areas classified by the UN as extreme, high or a substantial security risk. Demining is sanctioned by Taliban leaders, and implementing partners have demonstrated an ability to continue clearance in many conflicted areas. Still there are concerns that conflict may:

- make it impossible to complete survey of hazards;
- block access and prevent clearance of some hazards;
- expose clearance teams to IEDs, and attempts to clear them could compromise the perceived political neutrality of operators;
- lead to an increase in the criminality that already poses a major hazard to clearance operators; and/or
- aggravate corruption, undermining cost efficiencies and implementation.

2) *Continuing new finds of minefields* leave uncertain the extent of the residual problem and the extension request estimate of 616km² cannot be taken as a final figure. The work plan provides for a new country-wide survey to be completed by the end of 2014, but security constraints and evolving resettlement makes clear its findings will not cap the problem.

3) *Funding*: Afghan mine clearance receives more donor funding than any other program, and the average of \$82 million a year received between 2003 and 2011 exceeds the average annual amount budgeted in the Extension Request (which seeks \$773 million over 11 years, an annual average of \$70.3 million). It is unclear, however, whether the existing levels of funding and international engagement will be sustained in the political and security environment that emerges after the withdrawal of NATO forces and given the impact of global economic difficulties on funding of mine action. The United States, much the biggest donor to mine action, is cutting its financial support by 25%. Meanwhile, the Government of Afghanistan has yet to make any financial commitment to supporting mine action.

4) *Transition of mine action to national ownership*: this is taking place at a time when Afghanistan faces a hugely uncertain political future overshadowed by the withdrawal of international security assistance forces and the likelihood the Taliban will play a greater role either in government or disrupting security. The extension request outlines two risks:

- "Collapse of coordination mechanisms which currently enable centralized information/data management and coherent planning which results in the most effective use of resources."
- "Reduction or lack of support from the government could impact on the plan. This risk could result in increased regulations and complications in importing demining equipment."

Observations

The Afghanistan extension represents a milestone in the world's oldest and biggest mine action program: it makes clear that Afghanistan remains one of the most severely mine- and ERW-affected countries but it says the program is moving into an end state and the known hazards could be tackled within 10 years. The request presents a comprehensive analysis of the remaining mine and ERW problem, demonstrating the benefits of continuous survey and a considerable investment of effort in auditing and managing data.

Its work plan is not a national authority or bureaucratic wish list but a pragmatic program for operations compiled in consultation with, and endorsed by, international and domestic operators. Projected rates of clearance are consistent with MAPA capacity and recent performance. Estimated costs and expenditure are high but comparable with current levels. The MACCA believes the estimates are conservative, and that with sufficient funding the known mine and ERW hazards can be dealt with in less than 10 years.

The request, however, presents a best case scenario. Its work plan will be implemented in a context of violent conflict and political uncertainty that will likely prevent demining operators having access to all parts of the country. Moreover, it comes at a point where operators are already starting to lay off staff because of a fall-off in donor funding. To complicate matters, continuing discoveries of additional mine and ERW hazards slow progress towards fulfilling treaty obligations.

Plans for transition to national ownership set out in the extension request inject further uncertainty into prospects for completion given the absence of any conspicuous desire or readiness on the part of the government of Afghanistan to take ownership. MACCA efforts to engage with the Department of Mine Clearance in the past two years have exposed a lack of capacity in government departments for taking over effective management of mine action. The best case scenario is that the MACCA's now national management (since April 2012) is taken into the government bureaucracy but the mechanism for doing so is not yet apparent. Moreover, the MACCA's ability to continue its essential role steering Afghan mine action is contingent on donors recognizing the critical importance of continuing to fund coordination as well as implementation.

Mine action in Afghanistan has undergone considerable change in the past six years improving the quality of data and the productivity and standards of mine and battle area clearance. Some mistakes are also acknowledged.³ The clarity of the extension request and the profile of mine action in Afghanistan and how it has evolved should be seen as a model for other mine action programs.

At the same time, with any extension request for a long period of time, States Parties should develop a way to closely monitor progress to see that the state is meeting its annual objectives and does not fall far beyond its plan (or that it can finish earlier if possible). The need for oversight is especially critical in Afghanistan given the numerous elements of uncertainty described in the request, such as security, funding, and the transition to national ownership. The ICBL therefore recommends that the analysis and decision on the request include specific annual benchmarks from the request (such as the completion of the survey and development of plans based on the results) to report against, as well as a commitment from Afghanistan to submit revised plans to States Parties periodically and as appropriate during the extension period. Afghanistan should also be encouraged to try to fulfill the goal it set out for itself on page 8 of finishing Article 5 obligations "within a shorter timeframe" if the funding situation and other circumstances are favorable.

³ The request notes that MACCA holds records of 116 incidents of mines being missed (25 AP, 86 AT and 5 unknown) since 1994 which resulted in the deaths of 26 people and injuries caused to an additional 64 people. It points out that this was sometimes the result of using the wrong clearance technique and has necessitated some re-clearance.