



Republic of Serbia

## **SUMMARY**

of the Request for extension of the deadline for fulfillment of obligations under Article 5 of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction

13 MSP to the Convention - Geneva 2- 5 December 2013

Thank you Mr President,

Since I take the floor for the first time, I would like to congratulate you on your election as the President of the 13<sup>th</sup> MSP and to wish you full success during your presidency. Our special thanks also go to the ongoing President, Mr Matijaz Kovacic. We would like to thank him very much for his kind support and assistance regarding the preparation and submission of Serbia's request.

I would like to thank you for giving me the opportunity to present the relevant information regarding the actual status of the fulfilment of obligations of the Republic of Serbia under Article 5 of the Convention.

Serbia submitted its Request on 27 January 2013. Our Request was the subject of analysis and clarification. Hence, I will try to make a short presentation of our Request.

The Republic of Serbia has been a State Party to the Convention since 1 March 2004. In accordance with Article 5, paragraph 1, of the Convention, Serbia has an obligation to destroy or ensure the destruction of all anti-personnel mines in minefield areas under its jurisdiction or control, as soon as possible, but not later than ten years after the entry into force of the Convention (1 March 2014).

Mine clearance activities in Serbia started in 2003, in the municipality of Šid, near the border with the Republic of Croatia. At that time it was the only mine-affected area in the Republic of Serbia. After completing the clearance of minefields in the municipality of Šid on 10 November 2009, Serbia planned to submit the Declaration on the completion of implementation of Article 5 of the Convention. Unfortunately, we were not in a position to do so. Namely, in the meantime, new locations in south Serbia suspected of having been contaminated with mines were detected. They contain AP and AT mines of an unknown origin and type, which were all laid by members of the illegal paramilitary formation called the Liberation Army of Presevo, Bujanovac and Medvedja (OVPBM). This illegal,

paramilitary formation was disbanded in early 2001. I would like to underscore that this situation was solved only through political efforts undertaken by the Government of Serbia.

The Republic of Serbia fulfils its obligations related to clearance of mine-contaminated areas in the best possible way. In that sense, international financial assistance provided to Serbia for fulfilling its mine clearance obligations under the Convention was of the utmost importance. The dynamic of demining is affected by the lack of funds, as well as by other factors. Having in mind that 2014 is Serbia's deadline to fulfil its Article 5 obligations, we estimate that Serbia might face a situation that it may not be able to destroy or ensure the destruction of all AP mines in mined areas under its jurisdiction or control by 1 March 2014, namely by the deadline for fulfilment of its Article 5 obligations under the Convention. Therefore, on 27 March 2013, the Republic of Serbia submitted a Request for extension of the deadline for fulfilment of obligations under Article 5 of the Convention.

2. The Republic of Serbia regularly submits its reports to the United Nations, and/or replies to the questionnaires on national measures for the application of the Convention.

- In accordance with the Decision of the OSCE Forum for Security Co-operation (FSC.DEC/7/04) on the supplying of the Report on the basis of the Confidence and Security Building Measures (CSBM), the Republic of Serbia regularly submits its replies to the Questionnaire on anti-personnel mines and explosive remnants of war.

- Furthermore, we are regularly submitting our reports on the application of Articles 5 and 7 of the Convention ("Transparency Measures") to the Geneva International Centre for Humanitarian Demining (GIHCD).

- Our reports made in accordance with Article 7, including Reports on the progress made under Article 5, are presented regularly, during the sessions of Standing Committees and the Meetings of State Parties, held in Geneva. The Serbian Mine Action Centre (SMAC) provides updated information on the mine situation and lists of activities undertaken by the Republic of Serbia.

3. Serbia fulfilled its Article 4 obligations in 2007, before the deadline established under the Convention. After its accession to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction in 2004, the Republic of Serbia destroyed a total of 1,404,819 APMs.

The fulfillment of the obligations under Article 4, before the deadline, was due to the fact that on the 28<sup>th</sup> of January 2005, the State Union of Serbia and Montenegro concluded a contract with NAMSA for destruction on the Project for demilitarisation of total quantities of anti-personnel (AP) mines.

Pursuant to Article 3 ("Exceptions") of the Ottawa Convention, the Republic of Serbia has retained a small number of APMs for the training of members of Serbian Armed Forces for their participation in international peace-keeping missions, demonstration of the effect of mines during practice and the testing of protective equipment and mine detectors. Based on the latest inventory, the Serbian Armed Forces have a total of 3,149 APMs.

4. On 29 May 2009, the Republic of Serbia ratified the Convention on the Rights of Persons with Disabilities and its Optional Protocol. Also, in the last 10 years, the Republic of Serbia has worked on the implementation of a new strategy to improve the position of anti-personnel mines victims as well as persons with disabilities on all levels.

Serbia keeps track of civilian casualties of war on the basis of the degree of disability. According to the latest data, total number of civilian war disabled is 2,198 persons. There are no specific records relating to the causes of disability. Equally, there are no specific data related to the age or gender of victims.

The Law on the Rights of Civilian Disabled of War, which entered into force in 1996, regulated their rights as follows - disability living allowance; entitlement on account of care and aid by another person; orthopedic allowance; health care and financial allowance related to health care implementation; free and privileged transport; allowance for food and accommodation during travel and stay in another place upon invitation of relevant authorities; monthly financial allowance and funeral expenses payment.

All anti-personnel mine victim survivors in the Republic of Serbia benefit from the system of health care on different levels: emergency medical care; treatment; physical therapy and rehabilitation and supplying with prosthetic and orthotic aid. Landmine victims are treated in specialized institutions for prosthetic and orthotic rehabilitation.

5. Having in mind the complexity of humanitarian mine clearance activities, the Government of Serbia established the Mine Action Centre of the Republic of Serbia (SMAC) in 2002. The SMAC, as a national focal point charged with the humanitarian mine clearance activities in the Republic of Serbia, is responsible for planning and coordinating national obligations under Article 5.

The SMAC carries out its activities through cooperation with the International Trust Fund for Enhancing Human Security (ITF) – Ljubljana and other international bodies, including some donor states.

All activities in this area are undertaken in accordance with the standards and principles of the International Mine Action Standards (IMAS).

6. The problem related to the antipersonnel and other mines contamination in the territory of the Republic of Serbia can be divided into two different time segments. This complex issue is elaborated in item 9 of our Request.

7. Relating to the minefield locations in the Republic of Serbia, the situation is as follows:

a) In the Šid municipality - near the border with the Republic of Croatia (villages of Jamena, Morović and Batrovci), the suspected area where different types of AP and AT mines were planted in the so-called “mixed minefields” covers an area of 10,000,000sqm. The identification of the suspected area was made due to the mine emplacement records and maps supplied by the former Yugoslav People’s Army, the records and additional information submitted by the Croatian Mine Action Centre and other relevant sources. The survey established that AP and AT mines were emplaced in the area of 5,906,791sqm, while the area of about 4,000,000sqm, by an analysis and comparison of minefield records during the survey, was cancelled and returned as safe to land users.

Mine clearance of that area began in 2003. The clearance of these minefields took place in the period 2003 – 2009. In total, 5,139 different types of mines were discovered and destroyed: 4,003 AP, 840 AT and 296 UXO. The 44 Projects had been realized by the SMAC in close cooperation with ITF and with the financial assistance provided by donor countries – the United States of America, Spain, Germany, Norway, Canada, Czech Republic and the

European Union. One of the Projects was financed through the funds provided by the public enterprise “Building Directorate of Serbia”.

**There are no more minefields in the border area with Croatia.** The last mines in that area were cleared on 10 November 2009. Apart from humanitarian, safety, and environmental, social and economic aspects, demining of that area contributed to the further strengthening of confidence among people, business opportunities in the area and enhancement of relations between Serbia and Croatia.

b) Regarding the current situation in the area of the municipalities of Bujanovac and Presevo, which is the main reason why Serbia requested the extension of the deadline under Article 5 of the Convention, now I will give the floor to Mrs. Sladjana Kosutic, adviser in SMAC. She will explain the most important aspects of this issue.

8. In spite of the effective and visible results achieved on the issue of the clearance of minefields as an obligation under the Convention, the Republic of Serbia is unable to submit the national Declaration on the completion of implementation of Article 5 of the Convention before the 1st of March 2014.

Extension of the deadline for clearance of the mine contaminated area under the Republic of Serbia’s jurisdiction or control is necessary because:

- Groups of mines in the area of municipalities of Bujanovac and Preševo have been discovered several years after Serbia acceded to the Convention. As mentioned above, mines in those areas were detected in late 2009 and the survey started in 2010. The Republic of Serbia was not in a position to embark upon clearance activities within an appropriate time in order to comply with the deadline established by the Convention;

- Furthermore, one part of the terrain that needs to be cleared is difficult to access. Also, the landmine contamination of this area is the consequence of non-standardized use of mines undertaken by illegal, paramilitary forces;

- Clearance of the mine contaminated areas is more complex than usual, having in mind lack of important information (i.e. mine emplacement records);

- Survey and clearance of the affected area depend very much on the weather conditions;

- Suspected and risk areas are significant and total approximately 3,300,000sqm;

- Up to now, only one third of the area has been defined as a risk area and there are conditions for continuation of demining operations;

- The rest of the suspected area is under additional survey with the aim to confirm or deny existence of mines.

9. The Republic of Serbia’s achievements regarding the fulfillment of its obligation under Article 5 have been significant so far. Our aim is to fulfill the remaining obligations within the shortest timescale. At the same time, we are facing a number of difficulties, and the most important one is the lack of adequate financial resources. The unpredictability of secure financial resourcing presents the main obstacle. Furthermore, simultaneously with mine clearance, we have to deal with the clearance of areas contaminated with cluster munitions, air bombs or rocket missiles and other UXO, since they also block significant resources of Serbia and its development and infrastructural projects.

Having in mind all aspects of this issue, especially inadequate financial resources, the remainder of the area to be cleared and its characteristics, the Republic of Serbia is requesting extension of the deadline for fulfilling its mine clearance obligations under the Convention.

In this context, the Republic of Serbia is requesting a five-year extension of the deadline under Article 5. We believe that a 5-year period is a realistic period in which Serbia could fulfill its obligations under Article 5 of the Convention until 2019.

10. The work plan has been laid out in item 13 of our Request.

The implementation of a survey of the remaining areas will be funded through the Budget of the Republic of Serbia, while the clearance will depend on donations and is estimated to cost approximately 2,500,000 EUR.

Mr President,

Serbia submitted its Request on 27 March 2013 within the time-frame specified in the Convention.

In the meantime, several questions or requests for clarification were made.

On 14 May 2013, the Co-Chairs of the Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies wrote to Serbia requesting additional information. The questions included, among others, the necessity for Serbia to clarify the term “groups of mines”, the methodology it will use to carry out survey activities, amount of progress made in mined areas and cluster munitions affected areas.

On 27 May 2013, Serbia provided its response, clarifying, among other things what is meant by the term “groups of mines”. The full explanation is provided in the Analysis.

Serbia also received several questions from the ICBL, and the replies to all of the questions were duly provided.

On 18 July 2013, the President of the Twelfth Meeting of the States Parties informed the Serbian Ambassador of the Permanent Mission to the United Nations that the group of States Parties mandated to analyze requests completed its work on the request by Serbia. Since then, no requests for additional information have been addressed to Serbia.

We would like to thank the ISU for providing us with technical support in preparation of our Extension Request and in particular Mr. Juan Carlos Ruan who has guided us skillfully throughout the whole Extension Request preparation process. Our thanks go to the Co-Chairs of the Standing Committee on Mine Clearance, Article 5 Analyzing Group and to the ICBL. Serbia intends to make the mine contaminated areas safe for its citizens in the most reasonable timeframe. However, taking into account the fact that due to the serious economic situation, demining/clearance operations in Serbia are funded mostly from international donations, and given that there is an evident trend of a reduction of financial participation of international donors for demining/clearance operations in the South-East European countries, including Serbia, and in a situation when some donors are exclusively interested in funding cluster munitions clearance, we believe that a 5-year period is a realistic period in which Serbia could fulfill its obligations, that is, Serbia could be cleared of mines by 2019.

Thank you Mr President.

## Attachment to the Item 7b of the SUMMARY by the Republic of Serbia

Survey operations of the remaining mine suspected area in Bujanovac and Preševo totalling around 2.000.000 square meters are in progress in order to confirm or reject suspicions of mine contamination. In survey operations, just like in demining, priority is to survey the areas which directly affect the most vulnerable population.

The survey faces a number of challenges including primarily:

- Lack of mine emplacement records
- Difficult accessible terrain
- Weather conditions limiting the timeframe which allows for survey operations to take place.

Survey operations are funded from national budget.

Demining operations for the projects which will be developed for confirmed hazardous areas resulting from the survey of remaining mine suspected areas, in the Municipalities of Bujanovac and Preševo, as well as for the projects already developed by the SMAC for the so far confirmed hazardous area will follow upon securing of funding from donors or other sources of funding.

Please note that all the areas defined as confirmed hazardous areas or mine suspected areas are visibly marked with the Mine warning signs both in Serbian and Albanian language. These signs will remain till completion of demining or cancelation based on rejection of suspicions of mine contamination.

Regarding the time schedule presented in our request, we would like to underline that the dynamics of implementation of our demining projects is directly affected by provision of funds. If more funds are provided, demining could be completed in a shorter period of time.

At the same time, Serbia has to deal with clearance of areas contaminated with cluster munitions, air bombs – rockets and other UXO, since they also affect population and block substantial resources and hinder implementation of development and infrastructure projects.

As of December 2013, confirmed hazardous area in Bujanovac and Preševo totals 1.221.196 square meters. The SMAC has developed projects for this area and is lobbying for provision of funds for their implementation. Through ITF we have managed to secure US funds for two projects totalling 270.616 square meters in Preševo. The tender procedures are to be completed by the end of this year, and we expect the works to start in early 2014, if weather provided. These two projects have been given the priority since the mines, which are emplaced in the area nearby a school, directly affect the most vulnerable population – children.

Despite the complexity of mine related problems Serbia is facing, significant results have been achieved in the field of cluster munitions clearance, air bombs disposal, and other UXO demining, all of these confirming Serbia's full commitment to ensure the safety of their citizens – men, women and children in particular.