

## **Background**

The International Campaign to Ban Landmines (ICBL) is organizing a series of national workshops on the implementation of the Mine Ban Treaty (MBT) in order to enhance understanding about the provisions of the treaty among relevant local, national and international actors, as well as to measure progress and discuss remaining challenges in treaty implementation in that country. The workshops are designed to encourage a maximum of exchange of information in a forum that allows for open and constructive debate. The countries targeted for workshops are mine-affected with upcoming Article 5 deadlines and are one of the 24 states with the highest number of landmine victims (VA24).

On 30 March 2007, the ICBL and the Tajik Mine Action Center (TMAC) jointly held a workshop in Dushanbe to discuss progress made and remaining challenges in treaty implementation in Tajikistan. Tajikistan was chosen for a workshop because of its reputation as a state that has solid programs in mine action and victim assistance but is having unusual difficulties attracting international assistance. The goal was to explore this and other implementation challenges and to discuss possible solutions. Tajikistan's deadline under Article 5 of the MBT is 1 April 2010, and it is one of the VA24 states.

## **Key Findings**

The main conclusion of this workshop is that Tajikistan has taken great strides towards fulfilling its obligations under the Mine Ban Treaty, but other States Parties to the treaty have fallen short in their legal duty to support Tajikistan's efforts. The lack of international assistance coupled with Tajikistan's difficulty in providing additional funding of its own are putting at risk ongoing mine clearance and victim assistance activities and making it difficult to plan future work. TMAC has developed a plan of action to clear the remaining 25 square kilometers of suspected mined areas, but it will require at least \$12 million and another three years to complete. In addition to a shortage of funds, mine clearance in Tajikistan is complicated by the difficult terrain (93% of the country is mountainous) and the fact that much of the mined areas lie along disputed international borders.

At the same time, the workshop took note of the need for Tajikistan to speed up nationalization of the mine action work currently being run by TMAC with United Nations Development Program (UNDP) support and executed by the Fondation Suisse de Deminage (FSD). Treaty implementation is ultimately the responsibility of the government of Tajikistan, which needs to have the capacity to run mine action operations on its own, in part so that it can maintain work after international operators, technical advisors, and donors have left the country. The transition should begin with the establishment of a civilian agency to manage mine action and an increase in Tajikistan's own spending on mine clearance and victim assistance.

TMAC has also developed a national plan for victim assistance that the UNDP has held up as a model for other countries. But no international support has been provided for this work to date. Despite a lack of funding, TMAC, the Red Crescent Society of Tajikistan (RCST), and the Ministries of Health and of Labor and Social Protection continue to run small-scale projects to provide economic, psychological and medical assistance to Tajikistan's approximately 600 landmine victims. Mine Risk Education (MRE) is being provided to 128 mine-affected communities, but more needs to be done to establish and disseminate MRE standards and to integrate MRE with other social sectors such as housing, construction and agriculture.

## **Workshop Summary**

The workshop was well attended by the major actors in mine action and victim assistance in Tajikistan, including representatives of the Tajik government, TMAC, the UNDP, the ICBL – including its Tajikistan national campaign, the Organization for Security and Cooperation in Europe (OSCE), UNICEF, the RCST, the International Committee of the Red Cross (ICRC), and local and international NGOs (including the only mine action operator, FSD). Of the major donor states and organizations invited to participate in the workshop, however, only Germany, Switzerland, and the United Kingdom attended part of the workshop.

The workshop opened with speeches from Yuldoshev Abdullo, Deputy Minister of Foreign Affairs, Jonmahmad Rajabov, Head of TMAC, and Sylvie Brigot, Executive Director of the ICBL. The speakers explained that antipersonnel landmines were laid along its borders by Uzbek and Russian forces, as well as in the central part of the state by government and opposing forces during the country's civil war in the 1990s. Landmines in Tajikistan exacerbate an already extremely difficult economic situation by hindering efforts of its poor rural population to support themselves and potentially impeding work on hydroelectric plants, one of Tajikistan's main sources of foreign income.

The speakers noted that funding has been a consistent problem in Tajikistan, meaning that despite developing good strategies and plans, progress on mine clearance, victim assistance and mine risk education has been very slow. Tajikistan has provided mainly in-kind support, including explosives, helicopters, training facilities and land, human resources from various ministries, warehouses for ammunition, tax free equipment and supplies, plus small disability pensions for mine victims.

The workshop was organized around three themes: mine clearance, MRE, and victim assistance (VA). Because the workshop was on implementation of the MBT, each session was opened with a presentation on the treaty's specific obligations related to that subject made by Tamar Gabelnick, the ICBL's Treaty Implementation Director. She was followed by presentations by TMAC and other national actors on the work that is currently being done and problems impeding implementation, plus a round of questions and discussion. Details of these sessions follow.

### ***Mine Action***

Tamar Gabelnick started this session by reminding participants of the treaty's three main obligations on mine clearance – to identify all known and suspected mined areas, to mark and fence them prior to completion of clearance operations, and to destroy all anti-personnel mines from mined areas as soon as possible but not later than 10 years of becoming a party to the treaty. She also noted that although a provision exists for an extension of this deadline, States Parties expressed the desire in the Nairobi Action Plan that “few, if any, states would need to make this request.” She noted that the treaty does not, and cannot, expect every last mine to be found, but that a good faith effort must be made to find all mined areas and to clear them to international standards. Finally, she emphasized that the treaty places an obligation on other States Parties to provide international cooperation and assistance to ensure that these mine clearance duties can be implemented as soon as possible.

Presentations on the level of contamination, accomplishments to date, and future plans and goals were then given by Mr. Jonmahmad Rajabov, Head of TMAC, Mr. William Lawrence, outgoing UNDP Chief Technical Adviser, Mr. Mike Storey, Project Manager, FSD and General Sattorov, from the Ministry of Defense. There remain over 25 square kilometers of suspected mined areas and over 700 km of suspected mined roads. Of 150 suspected mined areas, 10 large areas have been cleared and released to local authorities. So far only around 460,000 m<sup>2</sup> have been cleared. In addition to funding shortages (discussed below), complications include mountainous terrain over 93% of the country and the short demining

season caused by working in high altitudes. While the overall total of cleared areas is rather low (at the current rate, it would take 200 years to finish clearance), each year they have been able to double production while cutting costs in half per square meter released.

The legal authority for mine action in Tajikistan is the Commission on the Implementation of International Humanitarian Law (CIIHL), and TMAC is the executing body. Other actors involved in mine action are the Ministry of Defense, the Committee of Emergency Situations and Civil Defence, the border forces, and the FSD, a private nonprofit organization based in Switzerland. The Ministry of Defence provides military personnel to landmine survey and clearance teams managed by the FSD and overseen by TMAC. The OSCE is also involved in channeling funds to TMAC and the FSD.

Mike Storey explained that FSD has four manual teams (16 deminers each from the national army, border guards, and emergency services) and six mine detector dog teams (2 dogs each) along with supervisors and national team leaders. FSD's goal for 2007 is to finish a Detailed Dangerous Area Delineation Survey to verify the contamination of land originally identified as suspected in the hopes of decreasing this amount through area reduction and cancellation. The FSD wants to produce exact figure of mined areas so Tajikistan can more accurately predict the time and resources needed to finish its Article 5 obligations. The FSD would also like to increase manual clearance teams from 4 to 12 if funding permits.

In 2006, 270,000 square metres were cleared, a relatively large increase from 2005 made possible by changes in deployments and procedures, as well as the introduction of mine dogs into the national program. A Mine Dog Detecting Center opened in April 2006, funded by the OSCE and UNDP and supported by training from the Mine Dog Center in Afghanistan. With only three years before Tajikistan's treaty deadline, however, capacity and productivity will need to dramatically increase to finish on time. TMAC seeks to purchase a mine clearance machine, which it believes will make mine clearance faster, safer, and ultimately cheaper.

Increased productivity, and even maintaining current levels, is jeopardized by the lack of funding available for 2007. International support for Tajikistan's mine action program has always been rather low, with only around \$1-2.5 million a year since 2003. The projected budget for 2007 is \$3.7 million, but only \$1.3 million has been pledged by Canada, Germany, the United States, and the OSCE (through its core budget), and so far none of the funds have arrived, potentially forcing a halt to mine clearance activities in the near future.

Unlike some states that are failing to attract international attention, Tajikistan has demonstrated that it has the capacity and has done the necessary preparations to receive such support, including development of a national demining plan, good cooperation among all national and international actors, and provision by the government of Tajikistan of financial and in-kind support for support for mine action. A lack of activity means that the mines are not being cleared quickly enough and that capacity may be lost through lack of activity. It was also noted that insufficient donor support could have a negative influence on regional universalization efforts since other states will see that international support does not always follow accession to the treaty.

At the same time, workshop participants noted that implementation of the treaty is ultimately Tajikistan's responsibility. With this in mind, participants discussed how to nationalize the mine action program and ensure long-term funding. TMAC suggested that the establishment of a civilian agency to manage mine clearance and increased training of military personnel were necessary first steps. Basic leadership, small unit deployments, care of soldiers and facilities, and technical subjects associated with operational demining tasks are required at the NCO level. Management skills and professional development are required amongst the officers. Refurbishment of a training center would help provide needed infrastructure for such training.

Finally, participants discussed the need for regional cooperation on mine action. Tajikistan's borders with Kyrgyzstan and Uzbekistan are mined, but disputes over border delineation are preventing mine clearance in some border areas. In addition, since several Central Asian countries are mine-affected, participants noted that they might benefit from discussing common problems and potential solutions, and even coming up with a regional mine action approach, strategy, and projects.

### **Mine Risk Education**

Tamar Gabelnick began the session by presenting treaty obligations and Nairobi Action Plan commitments for MRE. She remarked that the treaty is rather vague on MRE, requiring States Parties with mined areas to "ensure the effective exclusion of civilians," mainly referring to marking and fencing. Article 6 also requires States Parties to provide "assistance for ... mine awareness programs," and Article 7 requires States Parties to report on "the measures taken to provide an immediate and effective warning to population" about mined areas. The Nairobi Action Plan is much more specific, calling on states to "ensure that mine risk education programmes are made available in all communities at risk," to integrate them with education and development programs, and to incorporate international and national standards. She also noted that integrating MRE with mine clearance operations was important so that communities can provide critical information on mined areas, and they in turn can learn about the activities of clearance teams in their area. Finally, she commented that community-based MRE, including training local leaders to take charge, enhances the effectiveness and sustainability of MRE.

Data from MRE volunteer's reports indicate 175 villages and more than 500,000 people live under the threat from antipersonnel landmines and ERW. At risk activities include grazing animals, cutting grassy pastures, cross border travel, hunting, collecting firewood, collecting stones, and picking mushrooms and flowers. The MRE program is coordinated through TMAC and UNICEF and also involves the Ministry of Education and the RCST. In 2006, they provided MRE to 15 districts, 138 villages, and 50 schools, covering 70,000 people.

TMAC's MRE activities include the development of national MRE standards, maintenance of a national MRE database, generation of appropriate MRE resources, dissemination of MRE messages, and promotion of national legislation to MRE standards. TMAC also encourages the government to ensure the integration of MRE with social sectors including education, health, water & sanitation, transport, agriculture, housing, reconstruction, and culture. The RCST has been working on the integration of the MRE program with the representatives of the Ministry of Education, those working on victim assistance, border guards, deminers and the mass media. MRE actors in Tajikistan educate communities about dangers from mines and ERW, promote changes to risky behavior, and encourage local communities to continue MRE as a local initiative after their visits. They have created safe playgrounds for children to discourage them from playing in at-risk areas.

### **Victim Assistance**

Tamar Gabelnick presented the treaty's obligations on Victim Assistance (VA), noting like for MRE, that the treaty gives relatively little guidance to States Parties, but that the Nairobi Action Plan complements it with a long list of political commitments. The treaty requires States Parties to provide "assistance for the care and rehabilitation, and social and economic reintegration, of mine victims." The Nairobi Action Plan fleshes out this obligation in six areas: emergency and ongoing medical care, physical rehabilitation, psychological and social support, socio-economic reintegration, a legal and policy framework, and data collection. The NAP also noted that there were 23 (later 24) states "with the greatest responsibility to act, but also the greatest needs and expectations for assistance," a list that includes Tajikistan. This group, known as the VA24, has been the focus of attention of the

Standing Committee (SC) on Victim Assistance, and has been tasked with developing goals and plans on VA through 2009 and on reporting on progress during intersessional meetings of the SC and the annual Meetings of the States Parties.

Participants then heard from Ms. Reikhan Muminova, TMAC's VA Officer, who gave an overview of VA activities in Tajikistan. She reported that in 2006, there were 20 landmine casualties, resulting in 14 injuries and six deaths. Among current survivors, around 30% are children and 15% are women. Compounding difficulties for survivors in Tajikistan are a poor economic situation and high unemployment. Psychological support is limited as most services are located in urban centres and are expensive. There is also a shortage of medical workers in rural areas. A representative from the Ministry of Health described the physical trauma of landmine injuries to set the scene for a discussion on VA and the special challenges faced by survivors. Groups involved in victim assistance in addition to TMAC are the Ministry of Labor and Social Protection of the Population (MLSP), the Ministry of Health, the RCST, the ICRC, and local NGO Harmony of the World. The government has an inter-ministerial coordination group to discuss VA activities.

TMAC is currently undertaking a needs assessment survey, which will be used to design policies and programs to improve survivors' quality of life. So far, the most acute need identified by landmine survivors is assistance in resuming their roles as productive community members and contributors to their families' well being. TMAC is therefore working with microfinance organizations to ensure that survivors are included in their programs, and has developed a directory of microfinance organizations for survivors. It is also directly engaging in income generation projects, including distributing sewing machines, shoe-repair equipment, bee-keeping equipment, and musical instruments to victims.

Most landmine survivors have access to physical rehabilitation services at the National Orthopedic Center (NOC) in Dushanbe run by the MLSP in cooperation with the RCST and with the ICRC's financial and technical assistance. Survivors are provided with free transportation, accommodation and food at the Center during their stay. TMAC also provides assistance to the orthopedic center, facilitates the provision of prosthetics to survivors, and runs a summer camp for survivors together with the RCST, the MLSP, and the NGO Harmony of the World.

TMAC created a Victim Assistance Objectives and Plan of Action for 2005-2009 that was approved by the Commission on Implementation of International Humanitarian Law (CIIHL) in July 2006. The plan was held up as a model by UNDP for other states, but so far the plan has not received international support. The UN's 2007 Portfolio of Mine Action Projects includes proposals for the RCST on rehabilitation and reintegration of mine victims through social centers and community income-generating initiatives for mine victims; for the Ministry of Health to provide ongoing medical care for landmine survivors and for the MLSP and NOC to provide travel and subsistence assistance for mine victims at national orthopedic centre, to improve provincial prosthetics workshops, and to create shoe and clothing manufacture workshops at the Dushanbe orthopedic centre. In the meantime, TMAC has engaged in small-scale fundraising activities to pay for limited assistance to victims, including a benefit in November that allowed them to purchase four sewing machines for families of survivors.

Survivors participating in the workshop made a strong plea for an improvement of their economical and social conditions so that they could rebuild their lives after their accident. One survivor noted that no public or international organizations take care of soldiers from the civil war, and made a plea for government assistance in finding a job. He also requested that psychological services be made available to survivors. Another survivor who lost her leg on her wedding day noted that she needed to go to Azerbaijan for prosthesis.

## Recommendations

To the international community:

- Provide support to Tajikistan for mine action and victim assistance as required by Article 6.3 of the Mine Ban Treaty so that Tajikistan may, in turn, meet its treaty obligations
- Provide funds quickly and, whenever possible, in multi-year allocations to allow for longer-term planning.
- Fund the VA Plan of Action in order to:
  - Complete the needs assessment by the end of 2007;
  - Disseminate the directory of economic reintegration services in Tajikistan to all mine affected communities by the end of 2007;
  - Train 50 healthcare workers to improve pre-hospital emergency response capacity in all mine-affected districts by the end 2007;
  - Allow 30 survivors to participate in a Summer Camp
  - 72 victims and their families continue participate in Income Generation Project and 72 new beneficiaries will begin new cycle;
  - Provide all need survivors with prosthesis by 2009;
  - Provide psychosocial support to at least 50% of registered mine/UXO survivors by the end 2008.
- Encourage Central Asian states to work together on a regional approach to mine action in order to share information, solve common problems, and strengthen regional security and cooperation.

To the government of Tajikistan:

- Speed up efforts to nationalize mine action, including the creation of a civilian agency – possibly under the Ministry of Defense – to take over mine clearance operations.
- Continue to provide in-kind and financial support for mine action and victim assistance, with increases in funding every year
- Make it known to the international community that mine action is an integral part of development needs by including it in major development plans and documents such as the Poverty Reduction Strategy Paper, the UN Millenium Development Goals, the UN Combined Projects Appeal process, and the EC Strategic Paper
- Increase integration of mine action with other development activities and organizations.
- Conduct public handover ceremonies to inspire confidence and educate community about mine clearance and release process
- Increase engagement with Uzbekistan to reach an agreement on demining the border
- Establish an Emergency Fund for medical treatment of survivors
- Conduct medical training for district doctors and nurses