

Convention on Cluster Munitions

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Tenth Meeting of States Parties

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Item 6 of the provisional agenda

**Introduction by the President of the draft documents
and key draft decisions**

Analysis of Bosnia and Herzegovina's request of deadline extension under Article 4 of the Convention on Cluster Munitions

**Submitted by the Analysis Group of Article 4 Extension Requests –
Germany, Guyana, Montenegro and Sweden**

I. Background

1. Bosnia and Herzegovina signed the Convention on Cluster Munitions (CCM) on 3 December 2008, ratified on 7 September 2010 and the Convention entered into force on 1 March 2011. In Bosnia and Herzegovina's initial transparency report submitted on 20 August 2011, it reported to have a total of 13.97 km² of cluster munition contaminated area. Bosnia and Herzegovina's first request to extend its original Article 4 deadline of 1 March 2021 was considered during Part 1 of the 2nd Review Conference of the Convention (2RC) held from 25 to 27 November 2020 and an extension of 18 months up to 1 September 2022 was granted through a silence procedure that ended on 26 February 2021 due to the postponement of Part 2 of the 2RC.

2. In its virtual update to the CCM Clearance and Risk Education Coordinators and the Implementation Support Unit (ISU) in March 2022, Bosnia and Herzegovina informed that it had found some additional contaminated areas. It, however, remained hopeful that operations could finish on time though the paperwork would take longer. Therefore, for contingency planning, it would submit a short extension request to ensure that all activities were completed in accordance with Article 4 of the Convention.

II. Consideration of the request

3. Bosnia and Herzegovina submitted a draft extension request to the CCM Implementation Support Unit on 27 May 2022 which the ISU transmitted to the Analysis Group for it make an initial assessment to ensure the request did not lack any critical components given that it was submitted very late. The Analysis Group invited representatives of the Cluster Munition Coalition (CMC), International Committee of the Red Cross (ICRC), the Geneva International Centre for Humanitarian Demining (GICHD) and the Mine Action Review (MAR) to a virtual meeting on 31 May 2022 to join them in reviewing the draft extension request.

4. On 31 May 2022, the Analysis Group provided its written feedback on the draft request in which it requested additional information from Bosnia and Herzegovina to facilitate the analysis of its request. This was followed up with a virtual meeting with Bosnia



and Herzegovina on 2 June 2022 between the core Analysis Group and the ISU to provide it with additional clarification on the written feedback they had provided on the draft extension request.

5. On 14 June 2022, Bosnia and Herzegovina submitted to the President of the Tenth Meeting of States Parties (10MSP) an updated request for a 12-month extension of its Article 4 deadline up to 1 September 2023. On behalf of the 10MSP President, the ISU informed States Parties to the Convention on the same day that Bosnia and Herzegovina had submitted its extension request and immediately made it available on the CCM website along with its 2019–2025 Mine Action Strategy and the extension work plan as annexes.

6. On 15 June 2022, the Analysis Group met to consider the request and again invited representatives of the CMC, ICRC, GICHD and MAR to a virtual meeting to join it in considering the request. In order to ensure a uniform approach to all requests, the Analysis Group used the *Methodology for requests of deadline extensions under Articles 3 and 4 of the Convention on Cluster Munitions* (CCM/MSP/2019/12) that was adopted at the 9MSP to analyse Bosnia and Herzegovina's extension request.

7. Bosnia and Herzegovina's extension request indicates that it had expected to complete its clearance activities by its deadline of 1 September 2022 but with the discovery of six new contaminated locations in the spring of 2022, it will need additional time to complete its obligations. The request further informs that after non-technical survey operations and target investigations carried out, two of the new locations were confirmed as contaminated with cluster munitions.

8. The request reports that clearance of cluster munition remnants and land release began in 2012. Between 2013 and 2021, a total of 10.7 km² of land had been cleared or released through technical survey (TS) or non-technical survey (NTS) and 5,935 cluster munitions remnants destroyed. The extension request further specifies that remaining area to be cleared is 771.685 m² and will require BAM 0.7 million (approximately EUR 360,718). The project is fully funded.

9. The request work plan calculates, based on duration of cluster munition removal, previous experience and accessibility of the terrain, that the average daily productivity per operator is 120 m² on areas contaminated only with cluster munitions. The work plan also indicates that each team has six operators dedicated daily to TS and another six to clearance for a total of 12 operators.

10. The request mentions operations had started in the municipality of Han Pijesak where depleted uranium (DU) contamination exists along with cluster munition remnants which had previously been a potential risk to delaying completion.

III. Conclusions

11. The Analysis Group notes with regret that Bosnia and Herzegovina again submitted its deadline extension request much later than the timeline agreed to by States Parties at the 9MSP. The Analysis Group emphasises that based on its previous experience with the process, Bosnia and Herzegovina should have alerted the States Parties through the ISU as soon as it realised that it would need to ask for additional time to comply with its Article 4 obligations.

12. The Analysis Group notes with appreciation the commitment of Bosnia and Herzegovina in the allocation of sufficient national funds towards the clearance of cluster munition contaminated areas. Furthermore, the Analysis Group welcomes that Bosnia and Herzegovina has reported to have the necessary national and international funding to implement the work plan.

13. The Analysis Group notes with appreciation that the projected clearance duration ensures that the requested extension period does not exceed the time strictly necessary for Bosnia and Herzegovina to comply with its obligations. However, the Group notes with regret that the work plan presented by Bosnia and Herzegovina is unclear therefore

leaving the Group to make assumptions on whether the plan is workable and can be easily monitored.

14. The Analysis Group also notes with satisfaction that the area contaminated by depleted uranium and cluster munitions in the municipality of Han Pijesak is currently in the process of implementation and is expected to be completed by September 2022.

15. The Analysis Group notes that the Convention would benefit from Bosnia and Herzegovina reporting annually through its Article 7 reports due before 30 April every year and at the Eleventh Meeting of States Parties (11MSP) the following:

- (a) Progress made by Bosnia and Herzegovina on the implementation of the work plan provided in its extension request.
- (b) Clarity on the actual contaminated area still to be addressed.
- (c) The submission of a Declaration of Completion at the 11MSP.
- (d) Other relevant information.

16. The Analysis Group notes the importance, in addition to Bosnia and Herzegovina reporting to the States Parties as noted above, of keeping the States Parties regularly apprised of other pertinent developments as necessary.

IV. Draft Decision on the Article 4 Extension Request submitted by Bosnia and Herzegovina

17. The Meeting assessed the request submitted by Bosnia and Herzegovina for an extension of its deadline for completing the clearance and destruction of cluster munition remnants in accordance with Article 4.1 of the Convention, and conditionally agreed to grant the request for an extension of 12 months until 1 September 2023 pending the provision of a detailed work plan and accompanying tables with data that is clear and consistent to be included in an updated extension request to be submitted by 22 August 2022 for consideration at the Tenth Meeting of States Parties.

18. In granting the request, the Meeting noted that the provision of a clear work plan and information on the actual contaminated area still to be addressed would make the plan easier to understand and monitor.

19. In this regard, the Meeting noted that the Convention would benefit from Bosnia and Herzegovina reporting annually through Article 7 reports due before 30 April every year and at the Eleventh Meeting of States Parties on the following:

- (a) Progress made by Bosnia and Herzegovina on the implementation of the work plan provided in its extension request.
- (b) Clarity on the actual contaminated area still to be addressed.
- (c) The submission of a Declaration of Completion at the 11MSP.
- (d) Other relevant information.

20. In addition to reporting as requested above, the Meeting noted the importance of Bosnia and Herzegovina keeping the States Parties regularly apprised of any other pertinent developments as necessary.