



UNITED KINGDOM

ARTICLE 5 DEADLINE: 1 MARCH 2019
 (NOT ON TRACK TO MEET DEADLINE)

PROGRAMME PERFORMANCE	For 2015	For 2014
Problem understood	7	7
Target date for completion of mine clearance	4	2
Targeted clearance	6	6
Efficient clearance	5	4
National funding of programme	7	7
Timely clearance	5	4
Land release system in place	8	7
National mine action standards	8	8
Reporting on progress	6	6
Improving performance	6	6
PERFORMANCE SCORE: AVERAGE	6.2	5.7

PERFORMANCE COMMENTARY

The United Kingdom (UK) initiated clearance in the Falkland Islands again in 2015, but it is still not on track to meet its extended Anti-Personnel Mine Ban Convention (APMBC) Article 5 deadline. Performance increased slightly in the latest reporting period, and the UK commissioned a study to help prioritise the remaining minefields, based on factors such as ease of clearance and the wishes of the Falkland Islands government. The UK also sought to understand lessons learnt from previous phases of demining and to increase the efficiency of its land release operations. In addition, the UK has announced plans for the next phase of demining, during which it plans to clear 46 minefields over the next two years and carry out technical survey in preparation for clearance of a further 27 minefields.

RECOMMENDATION FOR ACTION

- The UK should present detailed plans and timelines for completing demining in the Falkland Islands by 2019.

CONTAMINATION

The only mined areas under the jurisdiction or control of the UK are on the Falkland Islands, the result of conflict with Argentina in 1982.¹ As of March 2016, the UK had almost 11.63km² of mined area, across 83 mined areas, as set out in Table 1.²

As at end of April 2015, contamination had stood at 12.35km² across 97 mined areas, before clearance operations were suspended for the winter as a result of the weather.³ Clearance resumed in September 2015, and a further 0.83km² was cleared by March 2016, releasing an additional 15 areas.

Table 1: Contamination by province as of March 2016⁴

Area	Mined areas	Area (km ²)
Fox Bay	12	2.37
Port Howard and Port Fitzroy	6	1.30
Darwin and Goose Green	7	0.17
Murrell Peninsula	6	6.05
Stanley Area 1	8	0.14
Stanley Area 2	16	0.74
Stanley Area 3	4	0.58
Stanley Area 4	24	0.28
Totals	83	11.63

1 Article 5 deadline Extension Request, 30 May 2008. There is a sovereignty dispute over the islands with Argentina, which claims jurisdiction over the Malvinas. Argentina has been granted an extension to its Article 5 deadline until 2020.

2 Email from Official, Arms Export Policy Department, Foreign and Commonwealth Office (FCO), 15 July 2016.

3 Ibid., 3 June 2015. The number of mined areas as at 30 April 2015 was originally reported to be 98, but was subsequently corrected to 97. Overall contamination was across 107 mined areas before clearance operations in January 2015, and ten minefields (not nine) were subsequently released between January and end April 2015.

4 Ibid., 15 July 2016. There is a slight discrepancy in the number of mined areas between reporting periods, due to minefields occasionally having been counted as one suspected hazardous area (SHA) in the original baseline survey data, but subsequently reported separately as two minefields by the clearance operator. Email from Official, Arms Export Policy Department, FCO, 15 July 2016.

In its 2008 APMB Article 5 extension request, the UK reported that 117 mined areas remained, totalling 13km², and containing just over 20,000 mines (anti-personnel and anti-vehicle).⁵ On the basis of additional information obtained during demining, the total contaminated area was increased to 13.5km².⁶ Clearance operations between October 2009 and March 2013 reduced mine contamination to 107 mined areas covering 12.6km².⁷ Demining in January to April 2015 further reduced mine contamination to 98 areas covering 12.35km²,⁸ and between September 2015 and March 2016, to 83 areas over 11.63km².

No civilian mine casualty has ever occurred on the islands.⁹ Over the years, however, civilians have deliberately or inadvertently entered a minefield in numerous cases. For example, the Ministry of Defence reported "infringement" of minefields by a total of six locals and 15 foreign fishermen or tourists between March 2000 and December 2008.¹⁰ On 6 December 2008, three crew members of a Belgian yacht inadvertently entered a minefield at Kidney Cove on East Falkland but were not injured. In October 2002, a Falkland Islander was fined £1,000 for entering a minefield on Goose Green.¹¹ It is a criminal offence on the Falkland Islands to enter a minefield.

The socio-economic impact of contamination on the islands is said to be minimal. All mined areas and suspected hazardous areas (SHAs) are reported to have been "perimeter-marked and are regularly monitored and protected by quality stock proof fencing, to ensure the effective exclusion of civilians."¹² According to the UK, mined areas represent "only 0.1% of land used for farming. The mined areas cover a wide range of terrain including sandy beaches and dunes, mountains, rock screes, dry peat, wet swampy peat, and pasture land."¹³ A number of instances of cattle, sheep, or horses entering the minefields have been recorded since 2000, some of which resulted in the animals' deaths.¹⁴

PROGRAMME MANAGEMENT

A National Mine Action Authority (NMAA) was established in 2009 to oversee clearance of mined areas.¹⁵ The Foreign and Commonwealth Office (FCO) chairs the NMAA, which contains representatives of the Ministry of Defence, the Falkland Islands government, a strategic advisor, and the project contractors.¹⁶

In October 2014, the Governor's Office in Port Stanley announced that demining contracts had been awarded to two companies for the next phase (Phase 4) of clearance on the islands. Battle Area Clearance, Training, Equipment and Consultancy International (BACTEC) was awarded the land release contract, while Fenix Insight was given responsibility for the Demining Project Office, which assures the quality of demining operations.¹⁷ While the announcement by the Governor's Office asserted that 108 minefields existed at the start of Phase 4,¹⁸ the FCO subsequently confirmed that the correct figure was 107.¹⁹

To implement Phase 4, which began in January 2015, BACTEC had a team of 46 demining staff, along with other support and management personnel. In total, 74 staff were employed in the project.²⁰ BACTEC also used three mechanical assets during the project: two flails and a tiller.²¹

BACTEC and Fenix Insight were subsequently awarded the contracts for demining and quality assurance respectively, for Phase 5 of clearance, which commenced in October 2016.

Strategic Planning

In September 2016, the UK announced its plans for the next stage of survey and clearance operations in the Falkland Islands (Phase 5). This phase, which commenced in October 2016, is expected to take two and a half years, by the end of which the UK should have a more accurate picture of the remaining mine clearance challenge. The UK does not currently have a strategic plan in place for completion of clearance of the Islands.

5 Article 5 deadline Extension Request, p. 2.

6 Ibid.; and "Preliminary observations of the committee on Article 5 implementation – observations on the implementation of Article 5 by the United Kingdom", 23 June 2015.

7 Email from Official, Arms Export Policy Department, FCO, 3 June 2015.

8 Ibid.

9 Statement of UK, APMB Intersessional Meetings (Standing Committee on Mine Action), Geneva, 27 May 2009.

10 Letter from Permanent Joint Headquarters of the Ministry of Defence to Landmine Action, 16 February 2009.

11 L. Johnson, "Lucky minefield incident for landing crew in Falklands", *MercoPress*, 9 December 2008.

12 Article 5 deadline Extension Request, Executive Summary, 18 November 2008, p. 2.

13 Ibid.

14 Letter from Permanent Joint Headquarters of the UK Ministry of Defence to Landmine Action, 16 February 2009.

15 Statement of UK, APMB Intersessional Meetings (Standing Committee on Mine Action), Geneva, 27 May 2009.

16 Email from Official, Arms Export Policy Department, FCO, 15 July 2016.

17 Ibid.

18 Governor's Office, "Falkland Islands demining contracts awarded", 28 October 2014, at: <https://www.gov.uk/government/world-location-news/falkland-islands-demining-contracts-awarded>.

19 Email from Official, Arms Export Policy Department, FCO, 3 June 2015.

20 Ibid., 15 July 2016.

21 Ibid., 3 June 2015.

Standards

The UK does not have its own national mine action standards, but demining operations in the Falkland Islands are conducted according to the International Mine Action Standards (IMAS), and agreed by the NMAA.²² Each project's Statement of Requirement contains the standards specific to the tasks being addressed.²³

Quality Management

Fenix Insight was responsible for monitoring the latest phase of clearance on a daily basis and has undertaken external quality assurance (QA) and quality control (QC) of the operations. The size of the sampled areas at each task is decided by the quality contractor based on the guidance set out in IMAS 09.20.²⁴

Information Management

In 2015, the UK government disseminated reports on three phases of "exploitation work" conducted during Phases 1, 2, and 4 on the Falkland Islands. These reports, although specific to the Islands, were released in the expectation they might be of broader interest to the mine action community, particularly with regard to the effects of aging and weathering of specific mine types. The reports focus on two anti-personnel mines, the SB33 (Italian) and the P4B (Spanish), and two anti-vehicle mine types, the SB81 (Italian) and the C3B (Spanish).²⁵

LAND RELEASE

Since 2010, mine clearance and battle area clearance (BAC) in the Falkland Islands have been conducted in four phases. Phase 1 took place from October 2009 to June 2010; Phase 2 from January to March 2012; Phase 3 from January to March 2013; Phase 4(a) from January to April 2015;²⁶ and Phase 4(b) from September 2015 to March 2016.²⁷

Between January 2015 and March 2016, a total of almost 1.10km² was cleared while 0.32km² was confirmed as mined through survey.²⁸ This represents an increase in release compared to 2014, since no clearance or survey took place the previous year.

Survey in 2015

During Phase 4(b) survey in September 2015 to March 2016, a total of more than 0.32km² was confirmed as mined.²⁹ This comprised a pilot survey of minefield SA0007 in the sand-duned Yorke Bay area, where no area was confirmed as mined; SA050C (209,925m² confirmed as mined); and SA045/SA046 (113,384m² confirmed as mined, across both minefields).³⁰

Clearance in 2015

As noted above, Phase 4 of clearance operations consisted of two sub-phases. In total, almost 1.1km² was cleared from 25 mined areas, with the destruction of 3,397 anti-personnel mines, 384 anti-vehicle mines, and 56 items of UXO.³¹

Of this, ten mined areas totalling just over 0.26km² were cleared during Phase 4(a) and a further fifteen areas totalling just over 0.83km² during Phase 4(b). BAC of an SHA behind Stanley Common fence to the West of Eliza Cove Road, totalling more than 1.3km², also took place during Phase 4(b).³²

Phase 4(b) had been expected to conclude in December 2015, but was extended by an additional three months due to the unexpected inaccuracy of some of the minefield records, undocumented post-clearance by British military, difficult ground conditions, and heath fires. Anomalies in records included one minefield record (SA50B) actually referring to that of another (SA049), due to misfiling shortly after the conflict ended. Subsequently, the area shown for SA50B was found not to contain mines, and was cancelled as a result, and SA049 contained more mines and a greater variety than expected.³³ Further, during clearance of SA50A, unexpected mines were found that did not correspond to the records, and it is now thought that a previously unknown minefield exists to the south-west of SA50A. This additional minefield has been designated SA50C, but lies within existing minefield fences, and therefore does not pose an increased risk to the local population.³⁴ The various challenges were reportedly addressed using appropriate technical survey.³⁵

22 Ibid., 15 July 2016.

23 Ibid.

24 Ibid., 1 July 2015.

25 Ibid., 3 June 2015; APMBBC Intersessional Meetings (Committee on Article 5 Implementation), Geneva, 25 June 2015; and exploitation reports available at: <http://www.apminebanconvention.org/states-parties-to-the-convention/uk/united-kingdom/>.

26 Emails from Official, Arms Export Policy Department, FCO, 3 and 11 June 2015.

27 Email from Official, Arms Export Policy Department, FCO, 15 July 2016.

28 Ibid.

29 Statement of UK, APMBBC intersessional meetings (Standing Committee on Mine Action), Geneva, 19 May 2016; and emails from Official, Arms Export Policy Department, FCO, 21 June and 15 July 2016.

30 Email from Official, Arms Export Policy Department, FCO, 15 July 2016.

31 Ibid.

32 Statement of the UK, APMBBC Intersessional Meetings (Standing Committee on Mine Action), Geneva, 19 May 2016; and APMBBC Article 7 Report (for 2015), Form F.

33 Email from Official, Arms Export Policy Department, FCO, 15 July 2016.

34 Ibid.

35 Ibid.

In some SHAs, machines (with a flail or tiller) were used to prepare the land for clearance, which improved productivity. All mechanically prepared ground was subsequently processed by deminers using visual search, detector search, raking, or full manual excavation drills. Furthermore, drones were introduced for the first time during Phase 4 clearance operations. Use of drones to overfly SHAs helped to identify mine 'dump' locations, row markers, and other evidence that might have otherwise taken a manual team several days to locate, and the use of drones was deemed to be an excellent addition to the demining toolbox.³⁶

Overall, during the first four phases of clearance (from October 2009 to March 2016), 35 mined areas were released, totalling just over 2km², with the destruction of 4,371 anti-personnel mines, 984 anti-vehicle mines, and 74 items of UXO, including 21 submunitions (see Table 2).

Table 2: Mine clearance by project phase and area in October 2009 to 30 March 2016³⁷

Project Phase	Geographic area	Areas released	Area cleared (m ²)	AP mines destroyed	AV mines destroyed	UXO destroyed
1	Fox Bay, Darwin and Goose Green, Stanley Area 1 and 3	4	89,540	678	568	12
2		0	0	0	0	0
3	Stanley Area 1, 2 and 3	6	826,000	296	32	6
4(a)	Stanley Area 3	10	264,921	723	24	37
4(b)	Stanley Area 2 and 3	15	832,594	2,674	360	19
Totals		35	2,013,055	4,371	984	74

In addition, BAC operations during Phases 2, 3, and 4b, resulted in just over 5km² of SHA being cleared, with the destruction of 87 items of UXO and no submunitions. This comprised 3.49km² cleared in Phase 2, with 85 UXO items destroyed; 0.18km² in Phase 3 with no UXO destroyed, and 1.33km² in Phase 4b, with 2 UXO items destroyed.³⁸

ARTICLE 5 COMPLIANCE

Under Article 5 of the APMBC (and in accordance with the ten-year extension granted by states parties in 2008), the UK is required to destroy all anti-personnel mines in areas under its jurisdiction or control as soon as possible, but not later than 1 March 2019. The UK is not on track to meet this deadline.

As at December 2015, the Article 5 Committee highlighted that total mined area cleared to date represented less than 10% of overall mine contamination, far less than the 48% the UK forecasted it would have cleared in its 2008 Article 5 deadline extension request.³⁹ The Committee also observed that "the United Kingdom's pace of implementation suggests that it will not be able to complete implementation of Article 5 by its deadline in 2019".⁴⁰ Three of the last five calendar years have passed without clearance of anti-personnel mines being conducted on the Islands.

³⁶ Ibid.

³⁷ Ibid., 24 August 2016. There is a small discrepancy between the number of mines reported previously (2,675 AP mines and 351 AV mines), as contained in the "Clearing Cluster Munition Remnants 2016" report for Phase 4(b), and the number of mines recorded subsequently (2,674 AP mines and 360 AV mines) as contained in Table 2 of this report. The FCO has confirmed to Mine Action Review that the data in Table 2 of this report is correct.

³⁸ Email from Official, Arms Export Policy Department, FCO, 15 July 2016.

³⁹ Article 5 deadline Extension Request, 30 May 2008; and "Preliminary observations of the Committee on Article 5 implementation – observations on the implementation of Article 5 by the UK", 23 June 2015.

⁴⁰ "Preliminary observations of the Committee on Article 5 implementation – observations on the implementation of Article 5 by the UK", 23 June 2015.

At the conclusion of the most recent phase of demining operations in March 2016, just under 2km² of mined land had been cleared since the UK joined the APMBC, releasing a total of 35 mined areas (see Table 2 above). Eighty-three mined areas, totalling 11.63km², remained to be cleared.⁴¹ In July 2016, the UK reported that meeting the 2019 target will be “challenging”, and that its current priority was implementation of a fifth phase of demining “without delay”.⁴²

The Ninth Meeting of States Parties in December 2008 agreed to the UK’s request for a ten-year extension but noted the UK had agreed to provide, not later than the end of June 2010, a detailed explanation of how demining was proceeding and the implications for future demining in order to meet the UK’s obligations under Article 5.⁴³ As at October 2016, the UK had not yet fulfilled this commitment, though it had reported on progress in clearance to-date and plans for the next phase of demining. The Article 5 Committee stated at the May 2016 intersessional meetings that it would welcome updates by the UK on its plan to implement Article 5.⁴⁴ In response, the UK has pledged to keep the treaty bodies informed of its progress.⁴⁵

The UK government funds all mine-clearance operations in the Islands.⁴⁶ Many of the remaining mined areas are said to be in extremely remote locations, exposed to adverse weather conditions, and, in the UK’s opinion, pose negligible risk to civilians.⁴⁷ The UK has also reported the following additional challenges to clearance in the Islands: incomplete Argentine minefield records; concerns about the environmental impact of demining; and limits on the capacity of the Falkland Islands to provide certain facilities for demining, such as medical evacuation of any casualties.⁴⁸ The UK expects these factors to become increasingly significant as the later phases of demining tackle the more remote and technically challenging minefields.⁴⁹ According to the UK, the remaining SHAs in the Falkland Islands pose no economic, developmental, or social risk to the local population.⁵⁰

To date, the UK has prioritised clearance of areas closest to settlements and civilian infrastructure, resulting in release of areas closest to Stanley and the roads leading in and out of the Islands’ capital. In early 2016, the Ministry of Defence and the Foreign and Commonwealth Office commissioned the UK’s Defence, Science and Technology Laboratory to carry out a study to help prioritise clearance of the remaining minefields in a Phase 5 of demining. The 2016 study applied Multi Criteria Decision Analysis to rank all remaining minefields according to a range of factors including size/density of minefield; terrestrial factors (remoteness of location, topography, and difficulty of mine removal); human factors (proximity to life, benefits to local population of clearance, and political priorities of UK/Falkland Islands Government); and environmental factors (conservation of wildlife and adherence to local legislation). The resultant priority list formed the basis of the UK Government’s invitation to tender for the contract for Phase 5 demining. The final order of clearance will also take into account practicalities such as the contractors’ capacity, weather and time constraints.⁵¹

In its latest Certain Conventional Weapons (CCW) Amended Protocol II Article 10 transparency report, the UK reported that, “Preparations for a fifth phase of demining began in late 2015 and have continued into 2016.”⁵²

In September 2016, the UK has announced plans for the next phase of demining in the Falkland Islands (Phase 5), which subsequently commenced in October.⁵³ During the first two years of Phase 5, 46 minefields totalling an estimated 111,150m² will be cleared, and a further 27 minefields totalling an estimated 431,130m² will be subject to technical survey. The survey work will help establish more accurately the extent of contamination in the remaining minefields.⁵⁴ The UK will keep the APMBC informed of its progress throughout Phase 5, and at the end of the two-year period, will assess the remaining mine clearance challenge before continuing with demining.⁵⁵

The £20 million pledged for the latest phase of demining will be jointly funded by the Foreign and Commonwealth Office and Ministry of Defence.⁵⁶

41 Email from Official, Arms Export Policy Department, FCO, 15 July 2016.

42 Ibid.

43 Decision on UK Article 5 deadline Extension Request, APMBC Ninth Meeting of States Parties, Geneva, 28 November 2008.

44 “Observations of the committee on Article 5 implementation – observations on the implementation of Article 5 by the UK”, 19–20 May 2016.

45 Email from Official, Arms Export Policy Department, FCO, 15 July 2016.

46 Ibid., 3 June 2015.

47 Statement of UK, APMBC Fourteenth Meeting of States Parties, Geneva, 1 December 2015.

48 Ibid.

49 Ibid.

50 Ibid.

51 Email from Official, Arms Export Policy Department, FCO, 21 September 2016.

52 CCW Amended Protocol II Article 10 Report (for 2015), Form B.

53 UK government, “UK pledges £20m for landmine clearance from the Falkland Islands”, 14 September 2016, at: <https://www.gov.uk/government/news/uk-pledges-20m-for-landmine-clearance-from-the-falkland-islands>; and email from Official, Arms Export Policy Department, 21 September 2016.

54 UK government, “UK pledges £20m for landmine clearance from the Falkland Islands”, 14 September 2016; and email from Official, Arms Export Policy Department, FCO, 21 September 2016.

55 Email from Official, Arms Export Policy Department, FCO, 21 September 2016.

56 UK government, “UK pledges £20m for landmine clearance from the Falkland Islands”, 14 September 2016.