SUDAN

PROGRAMME PERFORMANCE

	2015
Problem understood	3
Target date for completion of cluster munition clearance	3
Targeted clearance	4
Efficient clearance	5
National funding of programme	5
Timely clearance	4
Land-release system in place	7
National mine action standards	7
Reporting on progress	4
Improving performance	6
PERFORMANCE SCORE: POOR	**4.8**

RECOMMENDATIONS FOR ACTION

- Sudan should ensure its armed forces do not use cluster munitions and should urgently address the humanitarian threat from any new cluster munition remnants (CMR). Sudan should investigate and publicly report on the allegations of cluster munition use in 2012 and 2015.
- Sudan should accede to the Convention on Cluster Munitions (CCM) as a matter of priority.

- Sudan should re-establish conditions that allow international demining organisations to operate in Sudan and to determine the extent of CMR contamination.
- Sudan should ensure that reporting disaggregates submunitions from other unexploded ordnance (UXO) and that mine action data is recorded and reported according to International Mine Action Standards (IMAS) land release terminology.

CONTAMINATION

The exact extent of contamination from CMR in Sudan is not known. There have been reports of new use of cluster munitions as recently as 2015, as well as in 2012.[1] The most current estimate of contamination dates back to June 2011, when the United Nations Mine Action Office (UNMAO) reported nine areas suspected to be contaminated with unexploded submunitions. UNMAO asserted that 81 areas had been released (see Table 1).[2]

In June 2016, however, NMAC claimed that no CMR-contaminated areas were "recorded as remaining hazards to be cleared".[3] It reported that no separate survey or clearance operations for CMR occurred in 2015 and stated that no cluster munitions had been found in all mine action activities "to date".[4]

The UN Mine Action Service (UNMAS), which resumed lead responsibility within the UN system for mine action coordination in Sudan in 2015, confirmed that no CMR survey or clearance had occurred during that year and stated that no new reports of CMR contamination had been recorded in the national database.[5]

The Sudanese National Mine Action Centre (NMAC),[6] which assumed full national ownership for implementing mine action activities upon UNMAO's closure in June 2011, has not provided updated information on the reported nine open areas contaminated with CMR. NMAC has been unable to confirm how much land was cleared of CMR from 2011 to 2016, or how many submunitions were destroyed. In 2016, though, it did respond to requests for information by Mine Action Review for the first time.

Table 1: **CMR-contaminated areas as at June 2011**[7]

State	Open	Closed	Total
Kassala	7	2	9
South Kordofan	2	68	70
Blue Nile	0	9	9
Northern Darfur	0	1	1
Southern Darfur	0	1	1
Totals	**9**	**81**	**90**

In the 1990s, Sudanese government forces are believed to have sporadically air dropped cluster munitions in its civil war with the Sudan People's Liberation Movement/Army (SPLM/A). Government forces were reported as having used several types of cluster munitions, including Spanish-manufactured HESPIN 21; US-manufactured M42 and Mk118 (Rockeye), and a Brazilian copy; Chinese Type-81 dual-purpose improved conventional munitions (DPICM); Chilean-made PM-1; and Soviet-manufactured PTAB-1.5 and AO-1SCh submunitions.[8]

In 2012 and 2015, use of cluster munitions was recorded in five separate attacks on villages in South Kordofan state. Each attack involved air-dropped RBK-500 cluster munitions containing AO-2.5RT submunitions.[9] In 2013–15, the UN published reports of evidence of previous use of cluster munitions in Darfur, the stockpiling of RBK-500 cluster munitions and AO-2.5RT submunitions by the Sudanese Air Force, and fluctuating stock levels indicative of use for operations or for training.[10]

1 See Cluster Munition Monitor, "Country Profile: Sudan: Cluster Munition Ban Policy", updated 23 August 2014; Human Rights Watch, "Under Siege: Indiscriminate Bombing and Abuses in Sudan's Southern Kordofan and Blue Nile States", 6 December 2012; "Unexploded Ordnance Kill 13 People in South Kordofan", All Africa, 10 August 2013; and UN, "UNMAS Annual Report 2012", New York, August 2013, p. 10.

2 The locations are based on a review of sites in the UNMAO database by Mine Action Review.

3 Email from Ahmed Elser Ahmed Ali, Chief of Operations, NMAC, 8 June 2016.

4 Ibid.

5 Email from Javed Habibulhaq, Programme Manager, UNMAS, 2 June 2016.

6 The NMAC's website is at: http://su-mac.org/.

7 Email from Mohamed Kabir, Chief Information Officer, UNMAO, 27 June 2011.

8 V. Wiebe and T. Peachey, "Clusters of Death: The Mennonite Central Committee Cluster Bomb Report", Chapter 4, July 2000; Handicap International, Circle of Impact: The Fatal Footprint of Cluster Munitions on People and Communities, May 2007, p. 55; and Cluster Munition Monitor, "Country Profile: Sudan: Cluster Munition Ban Policy", updated 23 August 2014. See also UNMAS, "Reported use of Cluster Munitions South Sudan February 2014", 12 February 2014; and UN Mission in South Sudan (UNMISS), "Conflict in South Sudan: A Human Rights Report", 8 May 2014, p. 26, at: http://unmiss.unmissions.org/Portals/unmiss/Human Rights Reports/UNMISS Conflict in South Sudan - A Human Rights Report.pdf.

9 See Cluster Munition Monitor, "Country Profile: Sudan: Cluster Munition Ban Policy", updated 23 August 2014. In 2012, use of cluster munitions was alleged in Troji and Ongolo villages, in South Kordofan, in February and April. In 2015, Human Rights Watch published evidence that Sudanese government forces used RBK-500 cluster munitions in attacks on villages in Delami and Um Durein counties in South Kordofan's Nuba mountains in February and March. In May 2015, the Sudanese Air Force was reported to have used cluster bombs, whose submunitions failed to explode as intended, in an attack on the town of Kauda in South Kordofan. The munitions used in all of the attacks contained AO-2.5 RT submunitions.

10 "Report of the Panel of Experts on Sudan established pursuant to resolution 1591 (2005)", UN doc. S/2014/87, 11 February 2014, pp. 23 and 91; and "Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur", UN doc. S/2015/378, 26 May 2015, p. 12.

The Government of Sudan has denied using cluster munitions in the attacks in South Kordofan on several occasions.[11] The UN Secretary-General called on the Government of Sudan "to immediately investigate the use of cluster munitions".[12] In June 2016, NMAC even claimed that Sudan had never used cluster munitions "in operations against rebels".[13] This is not a factually accurate statement.

Other ERW and Landmines

Sudan also has a significant problem with anti-personnel mines, anti-vehicle mines, and UXO, primarily as a result of more than 20 years of civil war, which led to the Comprehensive Peace Agreement in 2005 and the independence of South Sudan in July 2011. According to NMAC, 19 persons were killed and 34 injured by mines and ERW in 2015.[14]

While limited CMR contamination has been identified in Darfur, contamination from other ERW is much greater. ERW pose a serious threat to civilians, to peacekeepers from UNAMID, and to the delivery of humanitarian aid. ERW in Darfur includes unexploded air-delivered bombs, rockets, artillery and mortar shells, and grenades.[15]

Since South Sudan's independence, new conflicts in Abyei, and in Blue Nile and South Kordofan states, have resulted in increased UXO contamination in Sudan.[16] The Information Management System for Mine Action (IMSMA) database does not hold data on contamination in Abyei due to armed conflict and restricted access to the area.[17]

PROGRAMME MANAGEMENT

The Sudanese National Mine Action Authority (NMAA) and NMAC manage Sudan's mine action programme. In 2005, UN Security Council Resolution 1590 and the Comprehensive Peace Agreement established the legal framework for UNMAO to manage quality assurance (QA) of all mine action activities in Sudan in the frame of the UN Mission in Sudan (UNMIS).[18] The same year, the NMAC initiated a partnership with UNMAO, the NMAA was set up, and a National Mine Action Policy Framework was developed, revised, and then approved by August 2006.[19]

Following UNMIS and UNMAO's closure in July 2011 upon the independence of South Sudan, NMAC assumed full ownership of national mine action with responsibility for coordinating all mine clearance, including accreditation and certification of mine clearance agencies. In January 2015, UNMAS, which had opened an emergency programme in Sudan in 2002, reassumed its lead in UN mine action efforts in Sudan and its role in providing assistance and technical support to NMAC, after a one-year handover to the UN Development Programme in 2014.[20]

In Darfur, under the umbrella of UNAMID, UNMAS works under the name of the Ordnance Disposal Office (ODO) in direct support of UNAMID priorities.[21] In 2012, UNAMID contracted The Development Initiative (TDI), a commercial company, to assess, survey, identify, mark, and clear contamination in all five Darfur states.[22] TDI's activities depend on availability of security forces and permission from the government of Sudan and the UN Special Representative for Political Affairs.[23] Mine action in Darfur is funded through assessed peacekeeping funds for UNAMID.[24]

Strategic Planning

Sudan has a multi-year National Mine Action Plan for 2013–19. According to NMAC, the plan was designed in light of the overall security situation in Sudan and the capacity for mine action and available demining assets. The plan includes details of operations for addressing contamination in all affected states by year, with a focus on the eastern states of Gadaref, Kassala, and Red Sea, and parts of Blue Nile. When security permits, work will start accordingly in South Kordofan and the remainder of Blue Nile.[25]

11 *"Sudan denies use of cluster bombs"*, United Press International, 28 May 2012; and *"Sudan denies using cluster bombs in South Kordofan"*, World Bulletin, 17 April 2015, at: http://www.worldbulletin.net/world/158004/sudan-denies-using-cluster-bombs-in-sth-kordofan.

12 UN Security Council Resolution 2228 (2015); and UN, "Prioritizing Civilian Protection, Drawdown Benchmarks, Security Council Adopts Resolution 2228 (2015) Renewing Mandate of Darfur Mission until 30 June 2016", Press release SC/11951, 29 June 2015, at: http://www.un.org/press/en/2015/sc11951.doc.htm.

13 Email from Ahmed Elser Ahmed Ali, NMAC, 8 June 2016.

14 NMAC, "IMSMA Monthly Report", December 2015.

15 UNMAS, "About UNMAS in Darfur", February 2016, at: http://www.mineaction.org/programmes/darfur.

16 Human Rights Watch, *"Under Siege: Indiscriminate Bombing and Abuses in Sudan's Southern Kordofan and Blue Nile States"*, 6 December 2012; "Unexploded Ordnance Kill 13 People in South Kordofan", *All Africa*, 10 August 2013; and UN, *"UNMAS Annual Report 2012"*, New York, August 2013, p. 10.

17 Email from Javed Habibulhaq, UNDP, 11 May 2015.

18 Revised Anti-Personnel Mine Ban Convention (APMBC) Article 5 deadline Extension Request, 30 July 2013, p. 6.

19 Ibid.

20 Email from Javed Habibulhaq, UNMAS, 13 June 2016.

21 UNMAS, "About UNMAS in Sudan", updated August 2014.

22 Ibid.

23 Ibid.

24 UNMAS, "About UNMAS in Sudan", updated January 2016, at: http://www.mineaction.org/programmes/sudan.

25 Revised Article 5 deadline Extension Request, 30 July 2013, pp. 28–33.

NMAC reported an annual operational plan for 2015 was developed, which included clear objectives, inputs and outputs, timeframes, and budgets, in accordance with the multi-year National Mine Action Plan and in consultation with relevant stakeholders. In May 2016, however, NMAC said it was not possible to implement the activities according to the plan, primarily due to lack of funding and the security situation in South Kordofan and Blue Nile.[26]

Standards

In May 2015, NMAC stated that a review of National Mine Action Standards (NMAS) was ongoing and that a new version would be published on its website after their approval.[27] A year later, in May 2016, NMAC reported that the NMAS had been finalised but were awaiting final approval. According to NMAC, draft standards are shared with all partners and mine action operators during their accreditation process, but do not contain a specific chapter on cluster munitions.[28]

Operators

In 2015, no international non-governmental organisations (NGOs) were demining in Sudan. One international NGO, Association for Aid and Relief Japan (AAR Japan), carried out risk education, along with national NGOs Friends of Peace and Development Organization (FPDO) and JASMAR for Human Security. The only international operator to carry out clearance activities in 2015 was TDI, which carried out explosive ordnance destruction (EOD) tasks in Darfur in support of UNAMID, and deployed four multi-task teams (MTTs) totalling approximately 66 people.[29] In 2015, TDI reported continuing efforts to train national demining teams. TDI's MTT contract, which was up for re-tender in 2015, was won by MineTech International (MTI) for 2015/2016.[30]

In 2015, NMAC called for other international NGO operators to undertake mine action in Sudan.[31] Previously, two international mine clearance NGOs with programmes in Sudan closed down operations owing to government restrictions that impeded their operations.[32] DanChurchAid (DCA) ended its operations in 2012.[33] In June 2012, the Sudanese government's Humanitarian Aid Commission (HAC) ordered Mines Advisory Group (MAG) and six other NGOs that provided humanitarian aid to leave Gadaref, Kassala, and Red Sea states in eastern Sudan.[34] Following months of negotiations with HAC and donors, MAG ended its operations in Sudan, leaving in early 2013.[35]

National demining operators are JASMAR for Human Security, National Units for Mine Action and Development (NUMAD), and FPDO.[36] In 2015, a total of six manual clearance teams and one mine detection dog (MDD) team were deployed for mine action operations. This was a reduction in capacity from 2014, when NMAC reported that in addition to the six manual clearance teams, three MDD teams and a mechanical team were also operational.[37]

Quality Management

According to NMAC, a quality assurance (QA) system was operational from 2006 with three regionally based QA teams of one to two persons each. The teams are based in Damazeen, Kassala, and Kadugli, as well as in Khartoum, with each team responsible for one to three states.[38] In May 2016, NMAC reported that its quality management section regularly monitors all field operations and conducted eight quality management visits to the field in 2015.[39] TDI confirmed that an internal QA process was in place, and that its teams also received QA visits from UNMAS and NMAC during the year.[40]

Information Management

NMAC reported that database clean-up began in January 2013 as part of preparations to transfer to an upgraded version of IMSMA. It expected the process to have no effect on areas reported as cleared in the database but would affect the amount of cancelled areas recorded, which it said "will be incorporated into the database and in turn will minimise the difference reflected between areas cleared and the size of total hazards closed". Sudan's IMSMA database does not contain information on the disputed Abyei area.[41]

In 2014, discussions were underway with an international donor to provide in-kind support for information management and for an updated version of IMSMA to be installed – a priority for NMAC. The updated version could not be imported, however, due to its geographic information system (GIS) function, which is subject to United States (US) import restrictions.[42]

26 Email from Ahmed Elser Ahmed Ali, NMAC, 9 May 2016.

27 APMBC Article 7 Report (for 2014), Form A, p. 12.

28 Emails from Ahmed Elser Ahmed Ali, NMAC, 9 May and 8 June 2016.

29 Email from Javed Habibulhaq, UNDP, 6 April 2015; APMBC Article 7 Report (for 2014), Form A, p. 16; and email from Stephen Saffin, Chief Operating Officer, TDI, 30 May 2016.

30 Email from Stephen Saffin, TDI, 30 May 2016.

31 APMBC Article 7 Report (for 2014), Form A, p. 16.

32 ICBL, "ICBL Comments on Sudan's Article 5 Extension Request", May 2013.

33 DCA, "Previous Programmes: Sudan", undated, at: http://www.danchurchaid.org/what-we-do/mine-action/previous-programmes.

34 "Sudan causes frustration among NGOs", *News 24*, 13 June 2012.

35 MAG, "MAG departs Sudan after six years of work to remove remnants of conflict", 7 March 2013.

36 Email from Javed Habibulhaq, UNDP, 2 June 2016.

37 Emails from Ahmed Elser Ahmed Ali, NMAC, 9 May 2016; and Javed Habibulhaq, UNDP, 11 May 2015.

38 Revised APMBC Article 5 Extension Request, 30 July 2013, p. 21.

39 Email from Ahmed Elser Ahmed Ali, NMAC, 9 May 2016.

40 Email from Stephen Saffin, TDI, 30 May 2016.

41 Email from Javed Habibulhaq, UNDP, 11 May 2015.

42 Interview with Javed Habibulhaq, UNDP, in London, 25 February 2015.

In June 2016, UNMAS reported that the new version of IMSMA will finally be imported to Sudan and that the embargo issue had been resolved with the support of the US Embassy in Khartoum and the Geneva International Centre for Humanitarian Demining. It stated that Sudan should receive the new IMSMA version and complete the data clean-up process by the end of 2016.[43] NMAC confirmed that a committee had been formed with UNMAS to finalise the clean-up and that work was ongoing.[44]

LAND RELEASE

No data was available on any CMR clearance in 2015. NMAC does not distinguish between different types of ERW in its reporting on clearance and is unable to confirm how much land was cleared of CMR since it was established in 2011, nor how many submunitions were destroyed.

As stated above, according to UNMAS and NMAC, no CMR clearance occurred in 2015 and no new CMR contamination was recorded in the IMSMA database.[45] Since June 2011, ongoing conflict has prevented mine action activities from being carried out in South Kordofan, thought to be the most heavily CMR-contaminated state, and Blue Nile, which is also believed to be heavily contaminated with mines and ERW. NMAC reported that as soon as the security situation improves mine clearance would restart.[46]

In 2015, NMAC reported a total of nearly 1.25km^2 of battle area clearance (BAC): 65,250m^2 of sub-surface clearance and 1.18km^2 of surface clearance. This was an increase from 2014, when NMAC reported total BAC of 0.57km^2.[47]

However, according to NMAC, overall land release in Sudan significantly decreased in 2015 compared to the previous year, from 4.22km^2 released in 2014 to 1.67km^2 released in 2015, due to reduced funding for mine action and a corresponding reduction in the number of teams deployed.[48]

TDI reported that its "output remained steady" in 2015 and productivity continued to be enhanced by greater independence of TDI teams from UNAMID escorts and a switch to escorts from the Sudanese Armed Forces and local police, which allowed teams more freedom of movement and a greater ability to reach suspected hazardous areas. It stated that the SAF and police escorts provided excellent support for its teams during the year.[49]

Deminer Safety

There were no reported accidents involving mine action personnel in 2015. However, one national demining NGO was attacked in 2015, resulting in the loss of a vehicle but no personnel were harmed.[50]

43 Email from Javed Habibulhaq, UNMAS, 2 June 2016.

44 Email from Ahmed Elser Ahmed Ali, NMAC, 8 June 2016.

45 Emails from Javed Habibulhaq, UNMAS, 2 June 2016; and Ahmed Elser Ahmed Ali, NMAC, 8 June 2016.

46 APMBC Article 7 Report (for 2014), Form A, pp. 14–15.

47 NMAC, "ISMSA Monthly Report", December 2015.

48 Email from Ahmed Elser Ahmed Ali, NMAC, 9 May 2016.

49 Email from Stephen Saffin, TDI, 30 May 2016.

50 Email from Ahmed Elser Ahmed Ali, NMAC, 9 May 2016.

ARTICLE 4 COMPLIANCE

Sudan is not a state party to the Convention on Cluster Munitions. Nonetheless, Sudan has obligations under international human rights law to clear CMR as soon as possible, in particular by virtue of its duty to protect the right to life of every person under its jurisdiction.[51]

Under its Anti-Personnel Mine Ban Convention (APMBC) Article 5 clearance deadline extension request, Sudan reported plans to clear all contaminated areas in the states of Darfur, Gedaref, Kassala, and Red Sea by 2016, when clearance was scheduled to begin in Blue Nile and Kordofan states.[52] It indicated that a general mine action assessment (GMAA) could be completed in Blue Nile and South Kordofan within six months of the survey beginning (dependent on improved security).[53]

In May 2016, NMAC stated that a number of international NGOs had expressed an interest in working in Sudan, which it said would further strengthen national capacity and deliver standardised quality of survey and clearance activities. With an increased number of qualified mine action operators and productivity, NMAC said it believed that Sudan could meet its Article 5 deadline for clearance of anti-personnel mine contamination of 1 April 2019 in a "timely manner".[54] However, ongoing conflict and reports of new contamination, along with a lack of any recent data or records of CMR contamination disaggregated from UXO, make it extremely difficult to estimate when Sudan could complete CMR survey and clearance.

According to NMAC, in 2015, the Government of Sudan provided the equivalent of US$1 million for mine action in the country by paying all NMAC staff salaries, and covering the operational cost of NMAC, and some of the deployment costs of the National Demining Units. This is a significant increase from 2014, when the government reportedly contributed a total of SDG3 million (equivalent to almost US$0.5 million).[55] In May 2016, NMAC reported funding for the mine action programme had become a key item within the Sudanese national budget.[56]

According to UNMAS and NMAC, Sudan's mine action programme requires an operating budget of US$12.4 million to implement its 2016 mine action plan targets, which includes clearance of nearly 1km^2 of land in Talkok in Kassala state.[57] NMAC also reported it expected to clear 25 "dangerous areas" with an estimated size of 5.3km^2 in South Kordofan state and seven "dangerous areas" covering an estimated 0.88km^2 in Blue Nile state in 2016. In eastern Sudan, NMAC expected to clear 11 "hazardous areas" over 1.15km^2.[58]

Sudan's national mine action programme was receiving increased funding in 2016, which NMAC ascribed to Sudan's inclusion in UNMAS's Portfolio of Mine Action Projects.[59] NMAC said that Italy and Japan had already committed funds for Sudan's mine action programme and hoped this would pave the way for further donor funding.[60] In May 2016, NMAC informed states parties to the APMBC that though it had a total of US$4.4 million in funding for mine action activities during the year, it was still US$8 million short of its budget requirements.[61]

In January 2016, Italy donated €250,000 to UNMAS for mine action in Sudan for a survey, clearance, and risk education project in Kassala state.[62] In March 2016, Japan contributed US$2.1 million to UNMAS to survey and clear mines and explosive hazards in Kassala, Red Sea, South Kordofan, and Blue Nile states, in coordination with NMAC. UNMAS expected release of more than 1.5km^2 of hazardous area as a result of the donation.[63]

51 Sudan is a state party to the 1966 International Covenant on Civil and Political Rights, Article 6(1) of which stipulates that: "Every human being has the inherent right to life".

52 Revised APMBC Article 5 deadline Extension Request, 30 July 2013, p. 33.

53 Ibid., p. 31.

54 Email from Ahmed Elser Ahmed Ali, NMAC, 9 May 2016.

55 APMBC Article 7 Report (for 2014), Form A, p. 15.

56 Email from Ahmed Elser Ahmed Ali, NMAC, 9 May 2016.

57 "Sudan to be free of landmine in 2019 – UN", *Star Africa News*, 23 January 2016, at: http://en.starafrica.com/news/sudan-to-be-free-of-landmine-in-2019-un.html.

58 Email from Ahmed Elser Ahmed Ali, NMAC, 9 May 2016.

59 Ibid.; and UNMAS, "Portfolio of Mine Action Projects", at: http://www.mineaction.org/resources/portfolios.

60 Email from Ahmed Elser Ahmed Ali, NMAC, 9 May 2016.

61 Statement of Sudan, APMBC intersessional meetings (Standing Committee on Mine Action), Geneva, 19 May 2016.

62 UNMAS, Ministry of Foreign Affairs and International Cooperation of Sudan, Italian Development Cooperation Agency Section of the Embassy of Italy in Khartoum joint Press Release, "Italy Contributes to UN Mine Action Work in Sudan", Khartoum, 21 January 2016.

63 UNMAS, Embassy of Japan in Khartoum, and Government of Sudan joint Press Release, "Japan Contributes to UN Mine Action Work in Sudan Enabling Clearance, Risk Education and Victim Assistance Work", Khartoum, 3 March 2016.