Mrs. Claudia Ditel

PhD Candidate

Karl-Franzens-Universität Graz

Centre for Southeast European Studies

Law and Politics Programme

Nationality: Italian

Email: claudia.ditel@edu.uni-graz.at

Phone: +393470002437

Address: Rosenberggasse, 11 8010 Graz, Austria

Essay title: Mine action as a Confidence and Security-Building Measure in the OSCE region

Word count abstract: 148

Word count essay: 3997

#### Abstract

Mine action has the potential to incentivize Confidence- and Security-Building Measures. It contributes to development and reconciliation and, as such, can be used to establish Communities of Practices among individuals from the civil society and the grassroots level in the post-conflict reconstruction. Mine action is not new to OSCE policies, as many OSCE countries are contaminated by mines. However, mine action as a CSBM was scarcely included in peace negotiations, lest it may hinder the peace process. Yet mine action, if "depoliticized", may be implemented at an independent level from the negotiations, through the creation of spaces for cooperation in demining projects of common interests between conflicting communities. OSCE is well placed to propose these strategies, especially in Eastern Ukraine, Georgia and Nagorno-Karabakh that not only are affected by protracted conflicts with few engagement of the population in the peace process, but also are highly contaminated by mines.

# Table of contents

List of Acronyms	4
Introduction	5
1. Mine action through years: from humanitarianism to conflict transformation	6
2. Mine action in a multitrack perspective	7
2.1 Multitrack approaches to peacebuilding	7
2.2 Lessons learnt worldwide	8
3. Mine action as a CSBM in OSCE area	10
Conclusion	14
Bibliography	15

List of Acronyms

BHF Bad Honnef Framework

CoPs Communities of Practices

CSBMs Confidence- and Security- Building Measures

GICHD Geneva International Centre for Humanitarian Demining

IDPs Internally Displaced Persons

MRE Mine Risk Education

SMM Special Monitoring Mission

TCG Trilateral Contact Group

UNMAS United Nations Mine Action Service

UNSCR United Nations Security Council Resolution

UXOs Unexploded Ordnances

Mine action as a Confidence and Security-Building Measure in the OSCE region

### Introduction

Landmines are aimed at maiming or killing indiscriminately and can lie inactive in the soil for years. As such, they represent a constant threat to the local population, a restriction to the freedom of movement and an obstacle to the return of refugees and to development during the post-conflict reconstruction<sup>1</sup>. As of today, tens of millions of landmines have been placed in more than 60 countries and many of them lie still unmapped<sup>2</sup>. Among the most contaminated countries worldwide, four are from the OSCE region: Azerbaijan, Bosnia and Herzegovina, Croatia and Turkey. Armenia, Ukraine and Georgia are highly contaminated too<sup>3</sup>. In addition, many OSCE countries did not adhere to the Anti-Personnel Mine Ban Convention (mostly known as the Ottawa Convention) that bans the use, production, stockpiling and transfer of anti-personnel landmines, encourages mutual assistance among state parties to destroy existing landmines and stockpiles as soon as possible and provides assistance to mine victims<sup>4</sup>. The OSCE non-members countries of the Ottawa Convention are USA, Russia, Armenia, Azerbaijan, Georgia, Kazakhstan, Uzbekistan, Kyrgyzstan and Mongolia. Some of them are engaged in protracted conflicts, in which OSCE has played a role for years as mediator of facilitator in negotiations.

The paper investigates whether mine action could be implemented as a CSBM in conflict transformation in the OSCE region, taking three post-soviet ethnic conflicts as case studies, – where the problem of landmines and protracted conflicts are two interconnected dimension of the same complex scenario – although with the possibility of generalizing results. The study starts illustrating the evolution of mine action through years and then moves on to address the multitrack approach to peacebuilding to explain how this can be combined with mine action. By reviewing literature on conflict transformation and good practices worldwide, the study concludes that there is sufficient ground to consider mine action a promising CSBM in OSCE area.

<sup>&</sup>lt;sup>1</sup> Melissa Gillis, "Landmines." In Disarmament A Basic Guide Fourth Edition, by Melissa Gillis (New York: Unidet Nations Office for Disarmament Affairs, 2017), 93-98

<sup>&</sup>lt;sup>2</sup> ibid.

<sup>&</sup>lt;sup>3</sup> "Clearing the Mines", Mine Action Review, 2020, http://www.mineactionreview.org/

<sup>&</sup>lt;sup>4</sup> "The Ottawa Convention: Signatories and States-Parties", Arms Control Association, January 2018. https://www.armscontrol.org/factsheets/ottawasigs.

# 1. Mine action through years: from humanitarianism to conflict transformation

Mine action started to develop in the late 1980s as a humanitarian and stand-alone technical measure, consisting in the identification and destruction of landmines<sup>5</sup>. Throughout the years, it became clear that demining has a development dimension, as the presence of mines affects the social and economic recovery of a community, being landmines responsible for blocking the use of lands, roads, schools and other basic facilities. The international community started to conceive mine action as a mean to boost development and the local community as a whole started to receive more attention in mine action<sup>6</sup>. During the latter half of the 1990s, within the new "Humanitarian Mine Action", Mine Risk Education, advocacy, victim's assistance, rehabilitation and reintegration and advocacy were added to the activity of mine clearance<sup>7</sup>. Within the new approach, many practitioners started also to include gender approaches to mine action<sup>8</sup>.

It was with the Bad Honnef Framework that mine action moved a step forward, adding the peacebuilding dimension of mine action to the equation. The BHF is a series of guidelines adopted in 1999 by the Nobel Price-winning International Campaign to Ban Landmines (ICBL). They consider a comprehensive approach to mine clearance that addresses simultaneously development and peace building<sup>9</sup>. The guidelines are based on three principles:

- Participation, which refers to the importance of involving affected people in mine action,
- Coherence, which implies that mine action should combine emergency relief measures with development and peacebuilding,
- Solidarity, which requires that programmes should not create new dependencies form external actors but rather should encourage locals' ownership over the process.

<sup>5</sup> Melissa Sebatier and Reuben McCarthy. "Reaching the Right People: Gender and Mine Action." The Journal of ERW and Mine Action Vol.12, Iss. 2; Article 4, (March 2008) <sup>6</sup> ibid.

https://www.apminebanconvention.org/intersessional meetings/march-may-2000/victim-assistance/network-group-on-collection-and-disseminiation-of-guidelines/the-bad-honnef-framework

<sup>&</sup>lt;sup>7</sup> Berg Harpviken, Kristian, e Bernt A Ska°ra. «Humanitarian mine action and peace building: exploring the relationship.» Third World Quarterly, Vol. 24, No. 5, (2003): 809-822.

<sup>&</sup>lt;sup>8</sup> Sabatier and McCarthy, "Reaching the Right People: Gender and Mine Action", 2008

<sup>&</sup>lt;sup>9</sup> "The Bad Honnef Framework. Guidelines for the Care and Rehabilitation of Survivors", Standing Committee of Experts on Victim Assistance, Socio-Economic Reintegration and Mine Awareness, 2000,

# 2. Mine action in a multitrack perspective

# 2.1 Multitrack approaches to peacebuilding

According to the sociologist John Paul Lederach, peacebuilding consists of long-term processes of systemic transformation from war to peace, through social cohesion activities that boost reconciliation processes, especially if oriented to concrete and common work initiatives that promote mechanisms of mutual accountability<sup>10</sup>. He considers transformation in a multitrack process<sup>11</sup>. Lederach asserts that transformations at the Track II level influences Track III and I, whereas Paffenholz argues how grassroots community is the most influential level<sup>12</sup>. Besides differences in interpretations, the multitrack approach offers a promising framework to consider mine action as a CSBM.

Zooming on the microprocesses happening at Track II and III, it is worth considering the transformative power of the Communities of Practice model elaborated by the anthropologists Jean Lave and Etienne Wenger. CoP is a learning theory that considers a community formed by "people who engage in a process of collective learning in a shared domain of human endeavor". In other words, CoP is a group of people who share a concern or a passion for something and learn how to do it better through repeted interaction. CoP can be applied in any contexts, as long as the core elements characterizing the model are present: the *domain*, the *community* and the *practice*. The *domain* consists in an interest shared by a community, so that the individuals of that community wish to commit to a specific task. The *community* refers to the interaction, accountability and mutual learning developed among members dealing with a specific task. The *practice* is the repertoire of shared knowledge, practices and experiences

\_\_\_

<sup>&</sup>lt;sup>10</sup> Lederach cited in Thania Paffenholz. "International peacebuilding goes local: analysing Lederach's conflict transformation theory and its ambivalent encounter with 20 years of practice", *Peacebuilding*, 2:1 (2014): 22

<sup>&</sup>lt;sup>11</sup> Lederach's approach represents the conflict society as a pyramid made of three tracks or levels: Track I refers to the top leadership, Track II to the middle level leadership (NGOs, academics and religious leaders) and Track III to the grassroots population – including women and IDPs – (Lederach cited in Paffenholz, . "International peacebuilding goes local: analysing Lederach's conflict transformation theory and its ambivalent encounter with 20 years of practice,":15)

<sup>&</sup>lt;sup>12</sup> Paffenholz cited in Palmiano Federer, Julia Pickhardt, Philipp Lustenberger, Christian Altpeter, e Kratina Abatis, "Beyond the Tracks? Reflections on Multitrack Approaches to Peace Processes" (2019): 8

<sup>&</sup>lt;sup>13</sup> "Introduction to communities of practice. A brief overview of the concept and its uses" Beverly Wenger-Trayner and Etienne Wenger-Trayner, 2015, https://wengertrayner.com/introduction-to-communities-of-practice/

built by the community for the community. Romashov, Danoyan and Giyasbayli hypotise the application of the learning model as a post-liberal approach in conflict transformation with regard to Nagorno-Karabakh<sup>14</sup>. They suggest that a third neutral actor should encourage bottom-up strategies that take into consideration the need of the communities and that lead tangible beneficial outcomes to locals' everyday life. In other words, the CoP model applied in conflict transformation entails that only by addressing concrete problems it would be possible to stimulate mutual engagement in a certain domain. Accordingly, mine action as a CoP can create spaces for locals to engage in a dialogue and to break through the respective ideological positions. Concrete achievements may keep the peace process moving at an informal Track II and Track III level despite stalemates at the Track I. As a report by the Geneva International Centre for Humanitarian Demining and Swisspeace<sup>15</sup> suggests, mine action can be implemented as a CSBM especially where conflicting parties tend to work in isolation, have limited contacts and have developed low level of trust<sup>16</sup>.

#### 2.2 Lessons learnt worldwide

Based on a fieldwork conducted in 2005 and 2006 in Southeast Asia, Gilson examines the cross-countries development of mechanisms of mutual learning and trust building among NGOs dealing with mine action <sup>17</sup>. She concluded that a community of mine action started to develop across Lao, Vietnam and Cambodia, thanks to the contingencies of geographical proximity, similarities among internal coordinating structures and the role of the international community acting as facilitator.

Harpviken and Ska°ra report how, in Sri Lanka, the government reached a cooperation agreement with the Liberation Tigers to demine a key highway connecting the Jaffna peninsula to the rest of the country. The opening of the infrastructure enhanced confidence among the

1

Vadim Romashov, Marina Danoyan and Hamida Giyasbayli, "Communities of Practices: Prospects for the Armenian-Azerbaijani Everyday Engagement across the Conflict Divide"
 Journal of Conflict Transformation. Caucasus Edition. Vol. 4; Iss. (2019): 152-181
 "Mine Action and Peace Mediation" Geneva International Centre for Humanitarian

<sup>&</sup>lt;sup>15</sup> "Mine Action and Peace Mediation", Geneva International Centre for Humanitarian Demining & SwissPeace, 2016. https://www.gichd.org/fileadmin/GICHD-resources/recdocuments/GICHD-Mine-Action-and-Peace-Mediation\_web.pdf
<sup>16</sup> Ibid.

<sup>&</sup>lt;sup>17</sup> Julie Gilson, "Learning to Learn and Building Communities of Practice: Non-governmental Organisations and Examples from Mine Action in Southeast Asia", *Global Society*, 23:3 (2009): 269-293

parties, generated positive attitudes and prepared the ground for more productive negotiations <sup>18</sup>. In other words, an alternative approach to conflict transformation could consists in "depoliticizing" peacebuilding strategies by creating reconciliation opportunities without addressing the political debate. According to Maspoli, the need to use mine action as a peace mediation strategy is driven by the fact that mine action can be an entry point to engage conflict parties in confidence-building <sup>19</sup>. Mine action programmes can be complementary to other CSBMs, including Disarmament, Demobilization and Reintegration of former combatants. In March 2015, the government of Colombia and the Revolutionary Forces operated together in a joint humanitarian demining project while the peace negotiations were still ongoing. Former combatants of the Revolutionary Forces were involved in mine action <sup>20</sup>.

In Cyprus, the United Nations Mine Action Service monitored the implementation of joint mine action between Greeks and Turks to open two border crossing sites along the line of contact. UNMAS facilitated locals to identify and return remains of missing persons as a symbol of reconciliation<sup>21</sup>.

Eventually, mine action opens the door for the implementation of gender-sensitive approaches. A study conducted in Lebanon and Colombia acknowledged how women of some communities felt empowered and more influential within the household and the community following the participation in mine action programmes<sup>22</sup>. While men and boys are main victims of mines, women are indirect victims. Their freedom of movement is further restricted and their economic insecurity increases following the losses or injuries of males of the family. Moreover, women victim of mines are less likely to have access to proper medical assistance and are more likely to become victims of stigmatization and isolation from the community<sup>23</sup>. Including women in mine action means also reporting different contaminated areas and priorities for clearance<sup>24</sup>. Besides being both an income-generating and participatory activity for locals, mine action can combine peace builiding and empowering approaches. Indeed, the militaristic

1

<sup>&</sup>lt;sup>18</sup> Ibid.

<sup>&</sup>lt;sup>19</sup> Gianluca Maspoli, "Mine Action in Peace Mediation: Promoting a Strategic Approach" (2020), DCAF - Geneva Centre for Security Sector Governance

<sup>&</sup>lt;sup>20</sup> Maspoli "Mine Action in Peace Mediation: Promoting a Strategic Approach": 7

<sup>&</sup>lt;sup>22</sup> Franziska Ehlert, Zeìla Lauletta, and Nelly Schlafereit, "Women in Humanitarian Mine Action. Assessing Agency in Families and Communities" (2015), Graduate Institute of International and Development Studies

<sup>&</sup>lt;sup>23</sup> "United Nations Gender Guidelines for Mine Action Programmes", UNMAS, 2019, 47-49, https://www.unmas.org/sites/default/files/mine\_action\_gender\_guidelines\_web\_0.pdf <sup>24</sup> "United Nations Gender Guidelines for Mine Action Programmes", UNMAS, 2019, 15, https://www.unmas.org/sites/default/files/mine action gender guidelines web 0.pdf

rhetoric generated by protracted conflicts affects women's security and decision-making power in the long-term. Gender and conflict studies suggest that women constitute promising actors of change, as they refuse the conflict narrative to the extent they refuse patriarchal rules and, thus, tend to promote a culture of peace<sup>25</sup>. By the same token, gender-sensitive approaches to mine action reflects the contents of the United Nations Security Council Resolution 1325 of 2000 on Women, Peace and Security<sup>26</sup> and the UNSCR 2365/2017. The latter encourages stakeholders to take into consideration gender roles and women's and girls' special needs in mine action<sup>27</sup>.

### 3. Mine action as a CSBM in OSCE area

CSBMs cut across the three pillars of OSCE mandate: security, economics and human rights. The 1993 "Stabilizing Measures for Localized Crisis Situation" offers a catalogue of three categories of CSBMs, consisting in:

- Measures of Transparency, that involve information exchanges and, depending on the circumstances, the assistance of OSCE acting as a third party;
- Measures of Constraint, that entail the deactivation of certain weapons system and the treatment of irregular forces and disarmament;
- Measures to Reinforce Confidence, which includes the establishment of joint coordination teams to facilitate the resolution of technical military issues<sup>28</sup>.

Especially protracted ethnic conflicts in Eastern Europe necessitate the implementation of CSBMs. Georgia, Eastern Ukraine and Nagorno-Karabakh are characterised by limited cross-border cooperation, *othering* process and the perception of the conflict as an existential threat.

<sup>&</sup>lt;sup>25</sup>Lori Handrahan, "Conflict, Gender, Ethnicity and Post-Conflict Reconstruction", *Security Dialogue* Vol. 35, No. 4. Special Issue on Gender and Security (2004) 429–445.

<sup>&</sup>lt;sup>26</sup> The Women, Peace and Security agenda urges all stakeholders to increase the participation of women and girls in peace and security initiatives, fulfilling the implementation of the four pillars of prevention, protection, prevention, relief and recovery of women in conflict-affected scenarios (United States Institute for Peace n.d.)

<sup>&</sup>lt;sup>27</sup> "United Nations Gender Guidelines for Mine Action Programmes", UNMAS, 2019, 64, https://www.unmas.org/sites/default/files/mine\_action\_gender\_guidelines\_web\_0.pdf <sup>28</sup> "Stabilizing Measures for Localized Crisis Situations", Special Committee of the CSCE Forum for Security Co-operation, Vienna, 1993

This led the parties to consider a zero-sum game as the only solution. Communities interpret the reconciliation more as a punishment than a compromise<sup>29</sup>. The security dilemma persists in all these conflicts and it is in part due to the exclusion of a large part of the communities from the peace process. Mine action should be transformed into a platform for cooperation, being the South Caucasus and Eastern Ukraine highly contaminated by mines that act as a barrier for cross-border communications and peacebuilding process. In the aforementioned Sri Lanka case, infrastructure building, although being used as a CSBM, was depoliticized and disguised as a development project. Needless to say that many attempts to build infrastructures in Eastern Europe and the Caucasus ended in failure, due to the high cost, in both political and economic terms, that such projects entail. Instead, mine action, while presenting incomegenerating and peacebuilding potential as well, is more sustainale than infrastructure projects.

In Armenia and Azerbaijan, the confrontation line and the area surrounding Nagorno-Karabakh are the most contaminated. Nagorno-Karabakh, including the surrounding territories, counts 76 373 504 m² of confirmed hazardous area³0. Following the 2014 conflict between the government of Kyiv and the Russian-backed separatist regions in the Crimean peninsula and in the oblasts of Luhansk and Donetsk, mines and UXO are situated mostly along the line of contact, including the buffer zone, and the administrative border of Crimea. The real extent of the contaminated area there is still unknown, and one of the reason is that, whereas Ukraine is part of the Ottawa Convention, Russia is not. Humanitarian surveys and mine clearance operations are impossible to conduct in the "grey zone". Ukraine stated that surveys would be possible only once the sovereignty over those areas will be restored. Meantime, along the contact line, mines are left to prevent the risk of a new escalation despite the signature of the ceasefire in 22 July 2020³¹. The OSCE SMM in Ukraine confirmed that explosions provoked the majority of casualties and injuries among civilians. Many vital infrastructures and services, including educational facilities, are located in hazardous areas. Some communities stopped cultivating, gazing animals or collecting resources in some areas due to presence of mines³².

\_

<sup>&</sup>lt;sup>29</sup> "Protracted Conflicts in the OSCE Area. Innovative Approaches for Co-operation in the Conflict Zones", OSCE Network of Think Tanks and Academic Institutions, 2016, https://oscenetwork.net/publications/detail/protracted-conflicts-in-the-osce-area-innovative-approaches-for-co-operation-in-the-conflict-zones-1

<sup>&</sup>lt;sup>30</sup> Mine Action Review, "Clearing the Mines"

<sup>31</sup> Mine Action Review, "Clearing the Mines"

<sup>&</sup>lt;sup>32</sup> "Thematic Report. The Impact of Mines, Unexploded Ordnances and other Explosive Objects on Civilians in the Conflict-affected Regions of Eastern Ukraine", OSCE Special Monitoring Mission to Ukraine, 2021

Georgia presents two critical contaminated areas by mines and UXO: the Red Bridge, a 7km-long border between Azerbaijan and Georgia, and in South Ossetia, because of the 1990s and the 2008 wars between Georgia and Russia-backed South Ossetia. In addition, in 2017, an explosion contaminated the site of Primorsky, in Abkhazia. However, the authorities of South Ossetia, subjected to Russian control, does not permit access to Georgian authorities and to International NGOs<sup>33</sup>.

OSCE has played a historical role in conflict transformation in all those regions. In Nagorno-Karabakh, OSCE brokered the 1994 ceasefire between Armenia and Azerbaijan and, since then, its mediation role was institutionalised through the Minsk Group co-chaired by Russia, France and USA<sup>34</sup>. OSCE meditation strategies were characterised by a weak use of OSCE's formulator capacity, due to not only Russia's reluctance in acting in a multilateral format, but also OSCE's lack of enforcement mechanisms. None of the Minsk Group's proposals on Nagorno-Karabakh has ever materialized and OSCE's role even diminished after the 2020 war. OSCE could relaunch its role of facilitator by proposing alternative approaches to mine action, on the heel of a promising process started in the 2000s. In 2004 and 2005, the US Department of State implemented the "Beecroft Initiative", consisting in a multilateral program involving Armenia, Azerbaijan and Georgia. The US military personnel conducted joint humanitarian demining training to some groups of soldiers and civilians in the three countries. A second initiative was implemented by OSCE in October 2002, in a conference in Yerevan. Armenia, Azerbaijan and Georgia suggested the need to depoliticize the issue of landmines, implement a common security strategy and promote regional cooperation. As a result, the three governments launched a cross-national Regional Management Training initiative. The initiative was crucial to create confidence among participants, to the extent that at the end, participants suggested possible cooperation in cross-border mine action projects. Again, in 2005, OSCE sponsored another workshop in Tbilisi entitled "Confidence-building and Regional Cooperation through Mine Action", with the main purpose of creating open information exchange and to establish a regional cooperation. OSCE suggested including landmine issue in the negotiations within the Minsk Group, with positive feedbacks from the governments, while the parties agreed on implementing cooperation on mine action<sup>35</sup>.

\_

<sup>&</sup>lt;sup>33</sup> Mine Action Review, "Clearing the Mines"

<sup>&</sup>lt;sup>34</sup> Farid Guliyev and Andrea Gawrich, "OSCE mediation strategies in Eastern Ukraine and Nagorno-Karabakh: a comparative analysis", *European Security*, (2021)

<sup>&</sup>lt;sup>35</sup> Jernej Cimperšek and Iztok Hočevar, "Regional Mine Action as a Confidence-building Measure", *Journal of Mine Action*, Vol. 11, Iss. 1, (2007)

Yet, throughout the years, OSCE co-chairs refrained from including mine action in the formal mediation process not to politicize the issue and halt the process<sup>36</sup>. However, regional bottom-up initiatives at a regional level have continued. Between the 4<sup>th</sup> and 10<sup>th</sup> of April 2019, the Landmine Free South Caucasus Campaign took place, in the occasion of the International Landmine Awareness Day. The campaign encouraged governments, citizens, academics and international stakeholders and representatives from the region to integrate and intensify their efforts in the South Caucasus and, especially, to consider the importance of regional approaches to better address the issue<sup>37</sup>.

In Ukraine, the Trilateral Contact Group organized negotiations between the separatists' forces and the government of Ukraine, while the SMM monitors ceasefires and dialogues with the parties<sup>38</sup>. With regard to mine action, the OSCE Project Co-Ordinator already supported Ukrainian authorities in conducting MRE and in developing education materials, which were distributed also in non-controlled regions. In 2014, the TCG assisted the government in the adoption of a regulatory framework that prohibits the installation of mines close to the contact line and obliges the marking of contaminated areas and the removal of existing mines. However, such initiatives are limited in the non-government-controlled areas of Donetsk and Luhansk regions<sup>39</sup>. There are no evidence about attempts to consider mine action as a CSBM in Eastern Ukraine.

The presence of OSCE Mission in Georgia ended on 30 June 2009 after 17 years, following the outbreak of the Georgian-South Ossetian conflict. The parties never agreed on a peaceful settlement and eventually the OSCE mission could not prevent the escalation of tensions, due to the impossibility of exercising pressure on the parties. After the withdrawal, OSCE has attempted to establish a new presence in Georgia. So far, OSCE has taken part in the Geneva discussions, together with EU and UN, on the conflict settlement in Georgia. Hence, as of

<sup>&</sup>lt;sup>36</sup> Geneva International Centre for Humanitarian Demining & SwissPeace, "Mine Action and Peace Mediation"

<sup>&</sup>lt;sup>37</sup> "Landmine Free South Caucasus", Landmine free South Caucasus, June 1, 2019, https://links-europe.eu/ourwork/f/landmine-free-south-caucasus

<sup>&</sup>lt;sup>38</sup> Guliyev et al. "OSCE mediation strategies in Eastern Ukraine and Nagorno-Karabakh: a comparative analysis"

<sup>&</sup>lt;sup>39</sup> OSCE Special Monitoring Mission to Ukraine, "Thematic Report"

today, OSCE has still to contribute as an advisor or formulator in light of experiences gained in many years of negotiations<sup>40</sup>.

OSCE, as a neutral third party with a wide knowledge and experience in the area, is in the position to propose mine action programmes that, in the form of CoPs, involve communities in the reconstruction process. After all, OSCE's comprehensive security approach allows the implementation of mine action as both an environmental-economical and human security matter that indirectly benefits the political-security one. On the heels of the process started in 2000s, OSCE can relaunch its role in Eastern Europe and South Caucasus by suggesting the implementation of mine action as a small-scale CSBM. With the support of ODHIR, OSCE can assist mine action in a separated format from negotiations and without addressing the political issue of international recognition of de facto entities. On a Track III level, CoPs may give the possibility to engage directly the grassroots population in humanitarian and depoliticized cross-border projects involving locals in MRE, surveying or information exchange and, when possible, even mine clearance. Those activities might also involve women, refuges, IDPs and former combatants. On a Track II level, OSCE could create safe spaces for dialogue where to establish regional platforms to share new practices and incentivize mutual learning among civil society actors, demining NGOs, experts and academics.

### Conclusion

Even after the cessation of violence following a ceasefire or a peace agreement, landmines still represent a threat for the local population. Many OSCE countries are highly contaminated by landmines. In protracted conflicts in Eastern Ukraine, Georgia and Nagorno-Karabakh, the presence of landmines hampers the post-war recovery, the return of refugees and cross-borders contacts. The fact that some OSCE countries did not join the Ottawa Convention does not refrain them from not addressing the issues of mines in respect of the humanitarian international law.

Recent studies have been considering also the positive effects of mine action with regard to conflict transformation. The BHF has been a milestone in this direction, as it first linked the humanitarian dimension of mine action with conflict-resolution. Such a vision is confirmed by good practices worldwide and a coherent literature on conflict transformation, especially the

44

<sup>&</sup>lt;sup>40</sup> Silvia Stober, "The Failure of the OSCE Mission to Georgia – What Remains?", *OSCE Yearbook* 2010, Baden-Baden, (2011): 203-220

CoP theory that points out how people engaging on a daily basis on projects of common interest produce transformative narratives and build trust.

OSCE could implement mine action as a CSBM, especially in ethnic protracted conflicts, where the process of peace building is frozen, but tensions are not. The issue of mine action as CSBM is not unknown to OSCE policies, which already promoted some good initiatives in this direction but not to a significant level, due to the fear of halting the negotiations. To overcome these obstacles, OSCE should depoliticize mine action and implement it on a separate and independent Track of conflict transformation. In addition, apart from being a reconciliatory activity, mine action is income generating and empowering for women affected by conflicts and patriarchy. In sum, considering mine action as a CSBM is not only a matter of justice for locals, but also a potential for change.

## Bibliography

- Arms Control Association. *The Ottawa Convention: Signatories and States-Parties*. January 2018. https://www.armscontrol.org/factsheets/ottawasigs.
- Berg Harpviken, Kristian, and Bernt A Ska°ra. "Humanitarian mine action and peace building: exploring the relationship." *Third World Quarterly, Vol. 24, No. 5*, 2003: 809-822.
- Cimperšek, Jernej, and Iztok Hočevar. "Regional Mine Action as a Confidence-building Measure." *Journal of Mine Action : Vol. 11 : Iss. 1*, 2007.
- Ehlert, Franziska, Zeìla Lauletta, and Nelly Schlafereit. Women in Humanitarian Mine Action. Assessing Agency in Families and Communities. Geneva: Gender and Mine Action Programme. Graduate Institute of International and Development Studies, 2015.
- Geneva International Centre for Humanitarian Demining & SwissPeace. "Mine Action and Peace Mediation." 2016. https://www.gichd.org/fileadmin/GICHD-resources/rec-documents/GICHD-Mine-Action-and-Peace-Mediation\_web.pdf.
- Gillis, Melissa. "Landmines." In *Disarmament A Basic Guide Fourth Edition*, by Melissa Gillis, 93-98. New York: Unidet Nations Office for Disarmament Affairs, 2017.

- Gilson, Julie. "Learning to Learn and Building Communities of Practice: Non-governmental Organisations and Examples from Mine Action in Southeast Asia." *Global Society*, 23:3, 2009: 269-293.
- Guliyev, Farid, and Andrea Gawrich. "OSCE mediation strategies in Eastern Ukraine and Nagorno-Karabakh: a comparative analysis." *European Security*, 2021.
- Handrahan, Lori. "Conflict, Gender, Ethnicity and Post-Conflict Reconstruction." *Security Dialogue vol. 35, no. 4. Special Issue on Gender and Security*, 2004: 429–445.
- Landmine free South Caucasus. "Landmine Free South Caucasus." 1 June 2019. https://links-europe.eu/our-work/f/landmine-free-south-caucasus.
- Maspoli, Gianluca. *Mine Action in Peace Mediation: Promoting a Strategic Approach*.

  Geneva: DCAF Geneva Centre for Security Sector Governance, 2020.
- Mine Action Review. "Clearing the Mines." 2020.
- OSCE Network of Think Tanks and Academic Institutions. "Protracted Conflicts in the OSCE Area. Innovative Approaches for Co-operation in the Conflict Zones." 2016. https://osce-network.net/publications/detail/protracted-conflicts-in-the-osce-area-innovative-approaches-for-co-operation-in-the-conflict-zones-1.
- OSCE Special Monitoring Mission to Ukraine. "Thematic Report. The Impact of Mines, Unexploded Ordnances and other Explosive Objects on Civilians in the Conflict-affected Regions of Eastern Ukraine." 2021.
- Paffenholz, Thania. "International peacebuilding goes local: analysing Lederach's conflict transformation theory and its ambivalent encounter with 20 years of practice." *Peacebuilding*, 2:1, 2014: 11-27.
- Palmiano Federer, Julia, Julia Pickhardt, Philipp Lustenberger, Christian Altpeter, and Kratina Abatis. *Beyond the Tracks? Reflections on Multitrack Approaches to Peace Processes*. Centre for Humanitarian Dialogue; Center for Security Studies ETH Zurich; Folke Bernadotte Academy; Swisspeace, 2019.
- Romashov, Vadim, Marina Danoyan, and Hamida Giyasbayli. "Communities of Practices: Prospects for the Armenian-Azerbaijani Everyday Engagement across the Conflict Divide." *Journal of Conflict Transformation. Caucasus Edition. Vol. 4; Iss. 1*, 2019: 152-181.

- Sabatier, Melissa, and Reuben McCarthy. "Reaching the Right People: Gender and Mine Action." *The Journal of ERW and Mine Action Vol.12, Iss. 2; Article 4*, March 2008.
- Special Committee of the CSCE Forum for Security Co-operation. "Stabilizing Measurs for Localized Crisis Situations." Vienna, 1993.
- Standing Committee of Experts on Victim Assistance, Socio-Economic Reintegration and Mine Awareness. *The Bad Honnef Framework. Guidelines for the Care and Rehabilitation of Survivors.* 2000.

  https://www.apminebanconvention.org/intersessional-meetings/march-may-2000/victim-assistance/network-group-on-collection-and-disseminiation-of-guidelines/the-bad-honnef-framework.
- Stober, Silvia. "The Failure of the OSCE Mission to Georgia What Remains?" In *OSCE Yearbook 2010*, 203-2020. Baden-Baden, 2011.
- United Nations Department of Economic and Social Affairs. *Transforming our world: the 2030 Agenda for Sustainable Development*. n.d. https://sdgs.un.org/2030agenda.
- United States Institute for Peace. What is the UNSCR 1325? An Explanation of the Landmark Resolution on Women, Peace and Security. n.d. https://www.usip.org/gender\_peacebuilding/about\_UNSCR\_1325.
- UNMAS. "United Nations Gender Guidelines for Mine Action Programmes." 2019.
- Wenger-Trayner, Beverly, and Etienne Wenger-Trayner. "Introduction to communities of practice. A brief overview of the concept and its uses." 2015. https://wenger-trayner.com/introduction-to-communities-of-practice/.