



Handover of released land

Common Procedures and Good Practices

GICHD | CIDHG



gender &
mine
action 

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EXECUTIVE SUMMARY

The process of handing over released land is touched upon briefly in the Cartagena Action Plan, a number of International Mine Action Standards (IMAS) and National Mine Action Standards (NMAS), as well as in research reports. There is, however, a lack of information that summarises handover procedure standards in mine affected countries, and that presents the gender aspects of these national standards.

The report is based on desktop research and findings from country case study research carried out in collaboration with the Geneva International Centre for Humanitarian Demining (GICHD) in eight countries (Afghanistan, Bosnia Herzegovina, Cambodia, the Democratic Republic of Congo, Mozambique, Sri Lanka, Sudan and Vietnam¹). It provides a typology of handover procedures, policies and standards, consolidates good practices and lessons learnt, assesses if gender considerations are taken into account, and presents general recommendations².

The main findings and recommendations are structured around the following main topics:

IMAS/NMAS COMPLIANCE

Push for greater compliance with regards to community involvement in handover procedures, and to require that relevant stakeholders document and report on community involvement in a sex and age disaggregated manner.

FEMALE MINE ACTION PERSONNEL

Improve access to women through the recruitment and deployment of female mine action personnel. Female mine action staff can facilitate the inclusion of women, ensuring they provide information on the contamination and receive first-hand information related to which areas have been cleared, which are safe to use and which remain contaminated. Inclusion and active participation of female community members can also be sought through local structures like women's groups.

GENDER REPRESENTATIVE COMMUNITY INVOLVEMENT

Ensure that women are included in handover procedures, and that they receive first-hand information related to which areas have been cleared, which are safe to use and which remain contaminated. As pointed out earlier, State Parties to the APMBBC are expected to ensure the inclusion of women in handover, as this is explicitly mentioned in the Cartagena Action Plan's action points # 15 and # 20.³

INCLUSIVE INFORMATION SHARING

Ensure women receive first-hand information related to which areas have been cleared, which are safe to use and which remain contaminated. We also recommend that information sharing with community members be recorded in a sex and age disaggregated manner, in order to be able to monitor who in the affected communities receive first-hand information.

CLEAR AND CONSISTENT HANDOVER PROCEDURES

Consider the following key issues when developing handover procedures:

- Involve as many community members as possible in the handover procedure, and ensure gender representative community involvement (women, girls, boys and men) throughout the handover process
- Aim to conduct handover procedures as soon after completion of clearance as possible, in order to avoid misunderstandings and decreased confidence in cleared land
- Share information with everyone present on the exact area that was cleared, items found, and inform of any outstanding dangerous and/or suspected areas and their exact location. It is recommended to walk around the cleared area with beneficiaries, to ensure that their awareness of the exact location of cleared areas is correct, and to increase their confidence in the cleared land
- Ensure handover documents include fields for community representatives' signatures (ideally from women and men) as well as future users of the land

POST-HANDOVER FOLLOW-UP AND MONITORING

Recognising good practices in the Cambodian mine action programme, relevant aspects of these should be replicated in other countries, and be adapted to country specific contexts as deemed necessary.

1. Case studies for Afghanistan, Sudan, and Cambodia were carried out by Åsa Massleberg, former GMAP Programme Officer and current Advisor, Strategy, Transition and Development (GICHD); Bosnia Herzegovina and Sri Lanka by Sharmala Naidoo, Advisor, Mine Action, Security and Development (GICHD); DRC and Mozambique by Arianna Calza Bini, Programme Manager (GMAP); Vietnam by Ted Paterson, Senior Advisor, Strategic Management (GICHD). All case studies were carried out in 2011.

2. Research guidelines are available in Annex A.

3. Cartagena Action Plan, Action Point # 15: Involve women and men in handover and # 20

INTRODUCTION

The process of handing over released land is touched upon briefly in five IMAS (IMAS 04.10, Glossary of Mine Action Terms, Definitions and Abbreviations, IMAS 08.20 Land Release, IMAS 08.21, Non-technical Survey, IMAS 08.30 Post-Clearance Documentation and IMAS 12.10, Mine/ERW Risk Education) and is also mentioned in a number of National Mine Action Standards (NMAS). Handover procedures are also highlighted in some GICHD publications (IMAS MRE Best Practice Guide Book 6 and the Guide to Community Mine Action Liaison). In addition, various studies and evaluations have touched upon the issue. For instance, the GICHD commissioned report “Departure of the Devil: Landmines and Livelihoods in Yemen” argues that *“More specific gender-related procedures addressing the UN Gender guidelines are needed at all stages of YEMAC’s work, but most urgently to ensure the participation of women in the post-clearance handover process. This is most crucial to encouraging the maximum use of cleared assets and reducing fear.”*⁴ The 2012 report “Livelihoods Analysis of Landmine/ERW Affected Communities in Herat Province, Afghanistan”⁵ also touched upon the importance of sharing clearance information directly with women, and including them in handover procedures.

Likewise, GMAP’s research on handover processes in South Sudan highlights a number of challenges in relation to the lack of handover procedures, shedding light on the need for improvement of information sharing with communities upon the completion of clearance activities. Examples clearly show that failing to share information with the communities meant that they were unsure if clearance had been completed or not, which in some instances led to cleared land not being used. Other research⁶ also underlines the need for clear and consistent, gender-sensitive handover procedures to strengthen communities’ confidence in released land and its subsequent use. There is a lack of information that summarises handover procedure standards in mine affected countries, and that presents the gender aspects of these national standards.

OBJECTIVES

The main objective of this report is to provide a typology of handover procedures. The report aims to provide an insight into handover procedures, to consolidate good practices and lessons learnt from a selected number of countries, to assess if gender considerations are taken into account, and to present general recommendations.

Recognising the lack of research and information on handover procedures, GMAP hopes that this report can provide the basis for further research on post-handover land use.

METHODOLOGY

The report is based on desktop research and findings from country case study research carried out in collaboration with the GICHD in Afghanistan, Bosnia Herzegovina (BiH), Cambodia, the Democratic Republic of Congo (DRC), Mozambique, Sri Lanka, Sudan and Vietnam⁷. GMAP and GICHD collected information during meetings and interviews with a range of mine action stakeholders in these countries, with a focus on National Mine Action Authorities (NMAA) and international and national mine action NGOs.

The focus of this report is the procedures, policies and standards related to handover. It does not review the practical implementation of these policies and standards. As a follow-up to this report, it would be interesting to review the actual procedures in communities, and to look into post-handover land use, something that was beyond the scope of this study.

CHALLENGES

Due to a number of reasons, it was not always possible to obtain all necessary information in the selected countries. As a result, it is difficult to compare between countries, as information at times is patchy. Also, NMAS in a number of countries are in draft form, and could therefore not be shared with us for our review.

4. GICHD, “Departure of the Devil: Landmines and Livelihoods in Yemen”, Geneva, November 2006, p. xv

5. Pound, B, Massleberg, Å, Ziaee, Q, Hashimi, S, Shapur, Q and Paterson, T, *Livelihoods Analysis of Landmine/ERW Affected Countries in Herat Province, Afghanistan*, 2012

6. McMichael, Gabie and Massleberg, Åsa, “*Landmines, Livelihoods and Post-Conflict Land-Rights*”, GICHD, July 2010

7. Research guidelines are available in Annex A.

A GENDER PERSPECTIVE IN MINE ACTION⁸

Gender roles and responsibilities frequently result in women and men having different abilities and opportunities to access and use resources, including land that has been cleared of landmines/Explosive Remnants of War (ERW). Unequal opportunities to access and use safe land can result in detrimental effects on women's abilities to safely engage in livelihood activities that may be life-saving for themselves and their families. Many examples illustrate that female headed households are particularly vulnerable in this regard. Land is fundamental to building better lives and improving equality for poor rural women and men in landmine/ERW affected countries across the world. Still, women's rights to land tenure are not recognised and respected in many countries across the world. For example, husbands often control land that legally belongs to their wives, and women are frequently blocked from accessing and using land they inherit from relatives.

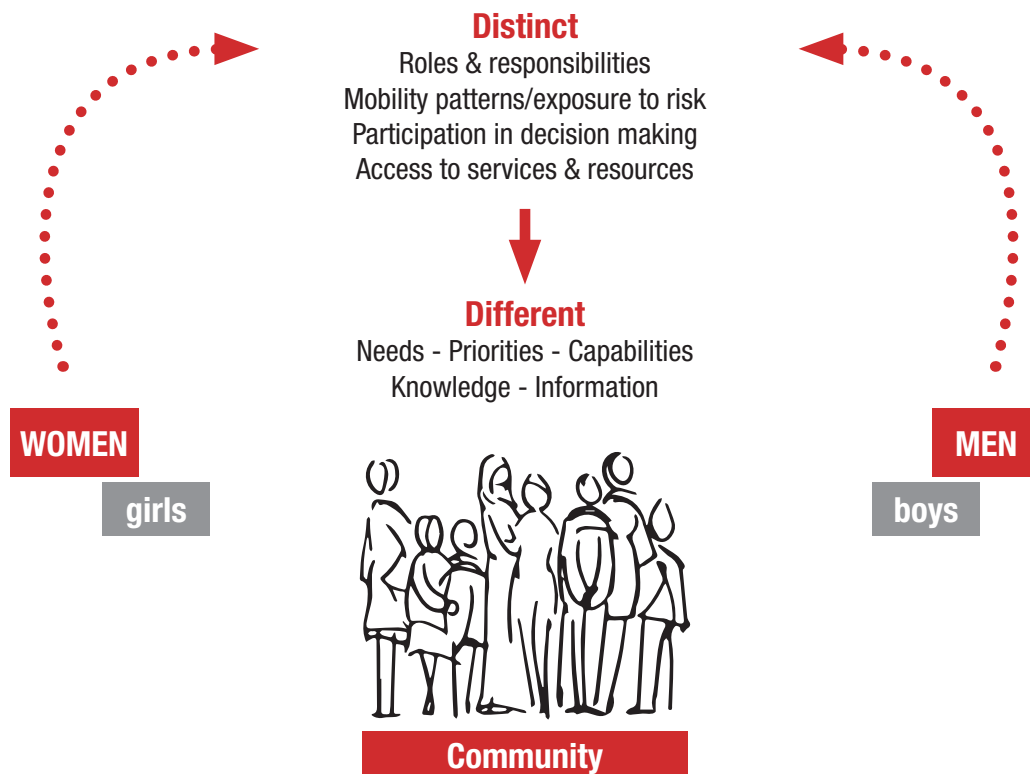


Figure 1 - Why gender matters in mine action

A number of examples from mine affected countries illustrate that mine action activities that do not take gender issues into consideration can exacerbate gender inequalities. For example, if mine action organisations do not consult with women during community meetings, nor include them in handover procedures, this could result in further marginalisation of these women; their voices are not heard, and their priorities and needs are not taken into consideration. Likewise, there are examples of gender sensitive mine action that have resulted in the empowerment of women and greater gender equality. Employment opportunities for women and their subsequent empowerment are an end in itself, but also a means to an end; female mine action staff members enable organisations to reach out to and include women in consultations and surveys. The inclusion of representatives of all gender groups in surveys and consultations leads to more complete information on the nature and extent of the problem and a more accurate understanding of all the different priorities and needs in the affected communities. This in turn influences prioritisation processes and the design and implementation of mine action interventions, leading to more sustainable results.

The benefits of gender sensitive mine action are therefore two-fold. It enhances gender equality and the empowerment of women while resulting in more effective and sustainable outcomes and results. This contributes to enhanced security and sustainable and inclusive development for affected women, girls, boys and men.

8. "Gender" refers to the socially constructed roles, behaviours, activities, and attributes that a given society considers appropriate for women, girls, boys and men. (<http://www.who.int/gender/whatisgender/en/>)

NORMATIVE FRAMEWORK

INTERNATIONAL FRAMEWORK

THE CARTAGENA ACTION PLAN⁹ OF THE APMBC

Action # 15 states *“Involve women and men in handover”*,

Action # 20 states *“Ensure that all relevant mine action actors inform and actively involve affected local communities and survivors in the assessment of needs, planning and prioritization of activities, and handover of cleared land, by utilising community liaison or other similar means to ensure meaningful participation of all stakeholders.”*

IMAS 04.10 GLOSSARY OF MINE ACTION TERMS, DEFINITIONS AND ABBREVIATIONS¹⁰

IMAS 04.10 defines handover as *“the process by which the beneficiary (for example, the NMAA on behalf of the local community or land user) receives and accepts land which was previously suspected of containing an explosive hazard but which has subsequently had this suspicion removed, or reduced to a tolerable level, either through non-technical survey, technical survey or clearance.”*

IMAS 04.10 defines a handover certificate as *“documentation used to record the handover of land which was previously suspected of containing an explosive hazard but which has subsequently had this suspicion removed or reduced to a tolerable level.”*

IMAS 08.20 LAND RELEASE¹¹

IMAS 08.20 makes specific reference to handover. Section 5 on the land release process underlines:

“Community involvement. Local participation, including both men and women, should be fully incorporated into the main stages of the process of releasing land in order to ensure that it will be appropriately used after release.”

“...monitoring released land after a reasonable period to confirm that local communities are using the land and that explosive hazards have not been discovered”

IMAS 08.21 NON-TECHNICAL SURVEY¹²

Section 10 on documentation states:

“The information recorded during non-technical survey shall also form an important part of the documentation required for the handover to the organisation conducting technical survey or clearance, if required, and for the final release of the land.”

Section 11 on community involvement states:

“The involvement of the local communities in the process leading to the release of land can often be reinforced by a formal process of handing over land. It should include a detailed description of the survey methodology and the risk assessment. A handover document should ideally be signed by the local community authorities, the future users of the land, representatives from the organisation that carried out the assessment/clearance and the national authorities.”

Section 13 on responsibilities and obligations does not include handover as a specific responsibility for NMAAs, but does highlight that the survey organisation shall: *“where applicable, conduct a formal handover of assessed sites to the organisation conducting follow-on activities”*

IMAS 08.30 POST-CLEARANCE DOCUMENTATION¹³

IMAS 08.30 provides guidance on the procedural requirements for the handover of cleared land, and details responsibilities and obligations.

Section 4.5.1 on Completion report and handover certificate lists 13 points that should be included in a completion report.

Point 11 states *“a formal recognition from the mine affected community of community involvement and acknowledgement of the final status of the land.”*

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9. Cartagena Action Plan 2010 – 2014: Ending the suffering caused by anti-personnel mines, <http://www.cartagenasummit.org/fileadmin/pdf/review-conference-2nd/2RC-ActionPlanFINAL-UNOFFICIAL-11Dec2009.pdf>
 10. IMAS 04.10 Glossary of mine action terms, definitions and abbreviations, http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/imas-international-standards/english/series-04/IMAS-04-10-Ed2-Am4.pdf
 11. IMAS 08.20 Land Release, http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/imas-international-standards/english/series-08/IMAS-08-20-land-release-Ed1-Am1.pdf
 12. IMAS 08.21, Non-technical survey, http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/imas-international-standards/english/series-08/IMAS-08-21-Ed1-Am1.pdf
 13. IMAS 08.30 Post-clearance documentation, http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/imas-international-standards/english/series-08/IMAS-08-30-Ed2-Am3.pdf

Importantly, the following is also pointed out in section 4.5.1: *“Note: The demining organisation should brief the local community and the proposed beneficiary of the cleared land on the task when it is complete and has been formally handed over to the NMAA. Such a briefing should include a subjective confidence demonstration and an explanation of the residual risk for men, women and children.”*

IMAS 12.10 ON MINE/ERW RISK EDUCATION¹⁴

IMAS 12.10 states that Mine Risk Education (MRE) teams *“may facilitate handover of released land, including confidence-building measure to show the community that land is actually clear, and follow-up, by returning to communities weeks or months after clearance to ensure that land is being used, and used appropriately, by the intended beneficiaries.”*

NATIONAL MINE ACTION STANDARDS

While many NMAS make reference to handover, none of them explicitly mention gender considerations.

THE AFGHANISTAN MINE ACTION STANDARDS (AMAS)

Section 23.10 on Participation of Affected Communities of AMAS 06.09¹⁵ on Task Handover Procedures states the following: *“Whenever possible, affected communities are to be invited to participate in any handover briefings, visits or formal ceremonies. MRE organisations may also assist in liaison and coordination for task handover activities.”*

THE CAMBODIA MINE ACTION STANDARDS (CMAS)

The Cambodia Mine Action Authority (CMAA) pointed out that the CMAS only focus on clearance, and do not cover handover procedures.

MOZAMBIQUE MINE ACTION STANDARDS (MMAS)

MMAS 10.10 Handover of released land in Mozambique¹⁶ focuses exclusively on handover of released land, but makes no references to community involvement or gender considerations.

THE SRI LANKA NATIONAL MINE ACTION STANDARDS (SLNMAS)

SLNMAS 01 on Introduction to the SLNMAS and Mine Action Terms and Definitions¹⁷ defines handover as *“the process by which the beneficiary (for example the NMAA on behalf of the local community or land user) receives and accepts land which was previously suspected of containing an explosive hazard but which has subsequently had this suspicion removed, or reduced to a tolerable level, either through non-technical survey, technical survey or clearance.”*

SLNMAS 04.70 on Post-clearance Documentation¹⁸ provides guidance to demining organisations, community liaison teams, the Regional Mine Action Offices (RMAO) and the Sri Lanka Mine Action Centre regarding the documentation that needs to be compiled after a clearance task is completed, the activities that are associated with the documentation and the procedural requirements for the handover of cleared land.

SLNMAS 04 on the Land Release Process¹⁹ includes community involvement as a principle of the land release process in Sri Lanka: *“Local participation should be fully incorporated where possible into the main stages of the process of releasing land in order to ensure that it will be appropriately used after release”.*

SUDAN’S NATIONAL TECHNICAL STANDARDS AND GUIDELINES (NTSG)²⁰

The NTSG’s Chapter 18; Management of Demining Operations²¹ has a specific section on post-clearance. Paragraph 13.1 of the post-clearance section states the following:

“The inspection of cleared land aims to provide confidence that the clearance requirements have been met, and as such forms

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14. IMAS 12.10 Mine/ERW Risk Education, http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/imas-international-standards/english/series-12/IMAS-12-10-Ed2.pdf
 15. Afghanistan Mine Action Standards (AMAS) 06.09 on Task Handover Procedures, <http://www.macca.org.af/en/AMAS.html>
 16. MMAS 10.10 http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/nmas-national-standards/mozambique/MMAS_10.10.pdf
 17. SLNMAS 01 Introduction to the Sri Lanka National Mine Action Standards and Mine Action Terms and Definitions, http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/nmas-national-standards/sri-lanka/SLNMAS_01_-_SLNMAS__Terms_and_Definitions_Apr_2010.pdf
 18. SLNMAS 04.70 http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/nmas-national-standards/sri-lanka/SLNMAS_04-70_Post-clearance_Documentation.pdf
 19. SLNMAS 04 http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/nmas-national-standards/sri-lanka/SLNMAS_04_-_Land_release_process.pdf
 20. Sudan NTSG: http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/nmas-national-standards/sudan/Sudan_NTSG-SINGLE-DOCUMENT.pdf
 21. NTSG Chapter 18, http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/nmas-national-standards/sudan/Chapter_18_-_Management_30_Jun_07.pdf

an essential part of the overall clearance process. An important aspect of this procedure is to clarify the ownership of any residual risk and to ensure that the local community has been fully briefed.”

Paragraph 13.2 states the following:

“Prior to the handover of cleared land, the area shall be surveyed and marked, and all necessary documentation shall be prepared, including a formal handover certificate.”

THE VIETNAM NATIONAL MINE ACTION STANDARDS (VNMAS)

The draft VNMAS 01.80 on Post Clearance Inspection and Handover of Demining Projects provides guidance for demining organisations on post-clearance inspection, including the inspection procedures and documentation that need to be collected upon the completion of a demining task, as well as the requirements for handover of cleared land. According to this standard, handover is defined as *“the process of handing over the completed project (items) from the contractor to the investor²² for their usage and maintenance.”* As this standard provides the overall guidance, it does not specify detailed information on community involvement in the hand over process.

COMMON HANDOVER PROCEDURES

AFGHANISTAN

In Afghanistan, the cleared area and any hazardous areas that remain to be cleared should be marked in accordance with AMAS prior to cleared land being handed over. A completion survey should be conducted by the demining organisation, subsequent to which a completion report is compiled. A copy of the completion report is included in the AMAS 08.02. The completion report, all relevant worksite documentation and the original tasking documentation provided by the Area Mine Action Centres (AMACs) should be compiled into a single task dossier.

A “Cleared Area Completion and Acceptance Certificate” included in AMAS 08.02 shall be completed by the demining organisation, and attached to the “Task Completion Report”, before being forwarded to the relevant AMAC. This should be done within three days of completion of clearance.

When required, the inspection of the cleared land is completed by an inspection team to ensure that clearance was conducted to the required quality. Detail of the requirements for the inspection of cleared land is covered in AMAS 06.01. Once any required inspection has determined that the area has been cleared to the required quality, the “Cleared Area Inspection Final Report” is added to the “Task Completion Report.” On receipt of the satisfactory “Cleared Area Final Inspection Report”, the AMAC will sign the “Cleared Area Completion and Acceptance Certificate” and formally accept the land from the demining organisation. This should include an on-site handover which, for humanitarian demining, should involve landowners and/or community representatives. Land is considered to have been handed over by the demining organisation once the AMAC has signed the ‘Cleared Area Completion and Acceptance Certificate’.

The signed “Cleared Area Completion and Acceptance Certificate” is then added to the ‘Task Completion Report’, with the original forwarded to the Mine Action Coordination Centre of Afghanistan (MACCA). A copy is kept with the AMAC. A copy of the “Cleared Area Completion and Acceptance Certificate” should also be given to the demining organisation. The details from the ‘Task Completion Report’ are entered into the MACCA Management Information System (MIS) and the report is then filed by MACCA.

BOSNIA HERZEGOVINA

The handover of released land in Bosnia Herzegovina (BiH) is regulated by national Standard Operating Procedures (SOPs)²³ on mine clearance and explosive ordnance disposal (EOD) operations that were revised in 2004 by the Bosnia Herzegovina Mine Action Centre (BHMAC). When survey/clearance and the subsequent sampling procedure are complete, the surveyed/cleared area is handed over. Handover to the final user takes place before the mine/ERW operator completes a “record for the handover” of the demined area or building. The borders of the cleared area are presented and explained to the final user and the representative of the local community.

22. “Investor” could be understood as the “project owner”, who pays for the demining activities (this term does not apply to humanitarian projects implemented by international NGOs). An investor can be an individual, a company, a government entity, or local authority. In case the project is funded by the government, the government will authorise an entity to be the investor and account holder. For example if a national project is implemented in Province A to construct a bridge, and the budget for this is allocated to the Department of Transportation of Province A, then the Department is the investor of the project. (e-mail correspondence with the VVAF)

23. http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/nmas-national-standards/BosniaHerzegovina-NMAS-MineAndEodClearance-2004.pdf

The “record for the handover” is signed by representatives from the operator and the local community (eg Red Cross, municipal official, contracting company or an individual whose area has been cleared or technically surveyed). The documentation is submitted to the Regional BHMIC office, before it is forwarded to the BHMIC Sarajevo or Banja Luka office for signature, depending on who holds jurisdiction over the completed task. It is then verified and entered into the national mine action database.

After signature, the BHMIC office inspection body prepares a certificate of quality control in triplicate, which the BHMIC director signs and distributes to the operator and the relevant municipality or gives to the contracting agency, in situations where survey/clearance has been requested by a contractor, eg the Ministry of Forestry.

The purpose of issuing the certificate is to provide accurate and clear information about the conduct of working procedures and quality control of the survey/clearance organisation. The handover certificate is then signed by the mine/ERW operator, BHMIC and the municipal mine action coordinator/civil protection officer, who is a representative of the community. The handover certificate (based on a form issued by BHMIC) and supporting documentation is then given to the Regional Mine Action Centre, along with the task folder. Apart from the involvement of the municipal mine action coordination/civil protection officer in signing the handover certificate, no documentation is given to the affected communities.

The civil protection officer is responsible for contacting the mayor and the affected community to inform them that the land is safe to use, and to warn them about the residual risk. It is not mandatory for the operators to share information with communities post-handover.

Handover ceremonies are generally not organised in BiH, based on the assumption that in populated areas, affected communities are well aware of survey/clearance operations and know that when these are completed, the area is safe to use. In the event that ceremonies are organised, they tend to be held in remote areas as a means of informing affected communities that the land is safe to use, or in areas where the land has significant importance for the community. Occasionally handover ceremonies are organised for donors or by companies to raise the profile of completed tasks, and provide the opportunity for interested individuals and organisations to state their appreciation and thanks to the donors.



With friends again! - BiH © P. Jeffrey

CAMBODIA

Handover procedures in Cambodia are formally standardised, guided by the Policy Guidelines and Operational Guidelines on Socio-economic Management of Mine Clearance Operations.²⁴ The guidelines are based on a sub-decree on socio-economic management of mine clearance operations issued in 2004. The guidelines state that the ultimate objective of demining is to reduce poverty through the provision of safe access to productive land and social services to populations living in contaminated areas. The guidelines further stipulate that the third objective of the CMAA is to monitor the allocation of demined land to the right beneficiaries in the framework of struggling against poverty, improving concerned policy and operational guidelines. Frequent visits and investigation in the field take place to assess whether the policy and operational guidelines are implemented accordingly. Post-clearance land allocation and land use is therefore a key focus area of Cambodia's mine action programme. The guidelines state that the mine action planning unit (MAPU)²⁵ is responsible for coordinating with local authorities, demining operators and development agencies regarding handover of demined areas, and for coordinating with relevant provincial departments regarding the allocation of demined land to beneficiaries.

Cambodia's "Operational Guideline 9 - Handover of Demined Land to Local Authority" states that one of the expected outputs is a "handover ceremony conducted on cleared land or in village to ensure villagers' awareness." The requirements are handover documents, sketches of cleared land, and conditions of land use. The duration of the ceremony should be one day, and the location of the handover should be on the cleared land or in the village. During the handover ceremony, information related to clearance activities and results should be shared with the village and commune chiefs and beneficiaries. The MAPU is responsible for specifying the roles, responsibilities and land use conditions during the handover. The Provincial Department of Land Management Urban Planning and Construction (PLMUPC) is responsible for informing participants at the ceremony about land law, social land concession, the importance of land registration and follow-up activities.

Mines Advisory Group (MAG) utilises its Community Liaison (CL) component during handover procedures in Cambodia. The CL teams, that are often mixed (female and male), play vital roles in sharing important information related to clearance activities and minefield polygons, explaining which areas have been cleared.

DRC

Handover procedures in DRC are standardised and are initiated by the UN Mine Action Coordination Centre (UNMACC) and the Centre Congolais pour la Lutte Antimines (CCLAM) after the operator has completed a completion report, and a post-clearance inspection has been carried out. The UNMACC/CCLAM may request that the organisations that cleared the land invite the landowners, village and local authorities to attend the handover ceremony. The process of handover is formal and structured as follows:

- welcome speech to greet the dignitaries and representatives of the UNMACC and CCLAM
- briefing by the operator on the clearance work conducted, the duration of the clearance and any challenges encountered. The operator summarises the achievements in terms of area cleared, depth of the clearance, items found and destroyed, and any un-cleared areas left and the reason why those areas could not be cleared
- briefing by the UNMACC representative on the quality assurance carried out to ensure that the land is free of mines and ERW
- briefing by the representative of the CCLAM on the clearance conducted
- signatures on the handover certificate by representatives from the operator, the UNMACC and the CCLAM
- signatures of the landowner/user accepting responsibility for the area
- signatures of two witnesses, normally village authorities or local authorities
- a brief thank you speech by the landowner or village authority and/or local authorities present at the ceremony

Ceremonies also include walking through the cleared area with community members, showing the boundaries of the cleared land, and indicating the possible areas that may be left un-cleared. It is required that any marking that is left in place is explained to the land owner/user.

24. The guidelines were revised and updated in 2007, and they are separated into two documents: Policy Guidelines and Operational Guidelines. The Policy Guidelines present concept and roles of concerned institutions and partners in socio-economic management of mine clearance operations. The Operational Guidelines describe detailed activities to be implemented. The intention of the two documents is to strengthen mine clearance planning mechanism in order to contribute to the Government policy of national development and poverty reduction that are Government priorities. All concerned institutions and partners must participate in the implementation of these guidelines in order to achieve the greatest socio-economic impact of mine clearance operations.

25. MAPU is established by the provincial governor. The MAPU is the technical support unit of the provincial mine action committee (PMAC). The chief and members of the MAPU are appointed by the provincial governor. These members are selected among the staff from the line departments in the province which are the members of the PMAC. The composition of the MAPU includes representatives from the demining operators and development agencies in the province. The number of MAPU members is not fixed and it depends on the magnitude of demining work in the province. This flexibility allows appropriate proportion of the MAPU and the tasks.

MOZAMBIQUE

The National Institute for Demining (IND) organises its demining operations by assigning provinces to NGOs and developing a work plan based on a district-by-district approach to clearance, which seeks to complete clearance of an entire district before moving on to the next one.

The handover of released land in Mozambique is done by the operators to the district government and then meetings are carried out with the communities to check if they are satisfied or if there are any remaining threats.

After all the communities in a certain district have been interviewed, and after all suspected hazardous areas (SHA) have been surveyed and/or cleared, with positive results in terms of satisfaction and confidence in the work carried out from land users, community authorities and local governance structures, the district can be classified as “mine free”. In a political and administrative act, reports and certificates of completion of clearance are signed by the District Government, IND, PRM Command and the demining operator in the presence of representatives of provincial government, media and other relevant entities in the context of mine action.

SRI LANKA

Handover ceremonies are generally not systematically organised in Sri Lanka. With several areas of land handed over per week, the regional mine action office (RMAO) does not have the capacity to coordinate handover ceremonies. This may change in the future as the resettlement phase of mine action ends. Despite the fact that handover ceremonies are not standardised, it is believed that community members are generally confident in the survey/clearance process and use released land. There have been a few occasions where individuals were suspicious about whether their land was safe, and the RMAO followed up with MRE and field visits to check the area. In some areas, the RMAO conducts small ceremonies in association with local authorities, but this depends on the district, local politics, etc. Small handover ceremonies organised in Jaffna and Killinochi, either by the RMAO, or by the district officials, typically involve villagers, village leaders, demining operators, district officials and development organisations. Both men and women from the village are involved. The RMAO acknowledges however, that not enough has been done to encourage the participation of persons with disabilities.

In the past, handover ceremonies were organised upon the completion of tasks, involving affected communities, local authorities, operators and others. These ceremonies helped explain to affected communities that the land is officially safe for use. They also strengthened community confidence in the cleared land.

MAG supports resettlement programmes in Sri Lanka. As part of these programme activities, once an area has been surveyed/cleared, MAG CL staff obtain permission from the Sri Lankan military to contact community members, village heads, etc in the internally displaced persons (IDP) camps and bring them to the released area in order to brief them on what has happened, what has been found and removed from their land, and provide them with MRE. MAG's CL teams visit IDP camps to collect information and coordinate resettlement in areas that have been released through the UN Office for the Coordination of Humanitarian Affairs (OCHA) and the Government Agent (GA). MAG helps with transporting IDPs back to the released areas. This process, from submitting the completion report to people being resettled, takes approximately one week.

SUDAN

The handover process in Sudan is formalised and guided by the National Technical Standards and Guidelines (NTSGs). Upon completion of clearing an area, an operations officer from the National Mine Action Centre (NMAC) conducts a final operations visit to the site, subsequent to which NMAC's Quality Assurance (QA) officer fills in all QA completion documents. Operators need to fill in completion reports and forward these to NMAC. Once clearance is completed, a NMAC QA officer conducts a completion QA visit to the site, and if the QA officer is satisfied with the completion of the task, the handover certificate is signed by the NMAC QA and operations officer, the operator and the village chief. The handover document is also signed by the NMAC Director and the NMAC Chief of Operations. The original document is then included in the task dossier.

NMAC pointed out that 90 per cent of the land in Sudan is government-owned. Big celebrations in relation to handover of cleared land are not common in Sudan, but NMAC gave one example of a handover ceremony that involved the UN, one humanitarian and one commercial operator. During this particular handover ceremony, speeches were organised and the NMAC director, a senior United Nations Mine Action Service (UNMAS) representative, the Governor, local government representatives, the village Chief and community members attended the ceremony. Songs were sung during the ceremony, and the village chief signed a blown-up version of the handover certificate.

VIETNAM

The Vietnam case study highlights that most demining activities are conducted by Vietnamese demining companies, most of them military, and paid for via government channels. Only a small portion is funded through donors and the private sector. International mine action organisations have only played a marginal role in the past, but are becoming increasingly involved, especially in central provinces where there is a high level of contamination and mine/ERW accidents.

In addition to the VNMAS, the demining SOP issued by the Ministry of Defence also lists procedures and documentation in relation to handover procedures. When tasks are completed by Vietnamese companies, the investors organise the handover ceremonies. Representatives from investors (these could be government agencies, community authorities or private investors) participate at these along with the contractor and the sub-contractor.

When demining is conducted by an international NGO, the NGO may go beyond the national SOP and organise a more formal handover ceremony.



Cluster bomb casing in a village in Sepon region, Laos © N. Amies

HANDOVER DOCUMENTATION

AFGHANISTAN

In Afghanistan, the AMAS 06.09 on task-handover procedures outlines the following purposes of the handover documentation:

- formal declaration by the demining organisation that the land has been cleared in the specified area, to the specified depth and quality
- recognition by the MACCA that the demining organisation has satisfactorily completed the task
- formal acceptance by the MACCA of the cleared land
- accept, as detailed in a commercial contract, recognition by the MACCA that residual risk for the cleared area no longer lays with the demining organisation
- the responsibility for ensuring that the necessary task handover documentation is raised and completed as required lays with the demining organisation

BOSNIA HERZEGOVINA

In BiH, the final handover documentation consists of:

- handover certificate, which is based on a form provided by BHMAC
- record of the handover
- statement on the technical survey or clearance
- main and additional annexes (eg sketches of the cleared areas, of mines found, description of the task progress, mine situation analysis and task handover record, list of personnel, equipment, daily logs, mine detection dog search sketches, mechanical preparation, etc)

The handover certificate is signed by the mine/ERW operator, BHMAC and the municipal mine action coordinator/civil protection officer. The handover certificate form is included in BiH's national SOPs for mine clearance and EOD operations. There are different forms for when an area has been technically surveyed and released, and when an area has been cleared and released.

CAMBODIA

The handover documentation in Cambodia is standardised, and all operators use the documents as stipulated by the CMAA. CMAA's socio-economic guidelines highlight that handover documents should be signed by the village and commune chiefs, the district governor, MAPU and the demining operator.

DRC

The DRC Mine Action Programme provides the landowner/land user with a formal handover certificate, which is a standard document that is used by all organisations in DRC. The handover certificate includes information on:

- geographical characteristics of the area
- details of clearance conducted (total size, clearance depth, metal free or not)
- types of mines/ERW discovered and destroyed
- assets used to clear the area
- the quality assurance conducted on the area during the clearance and the QA inspector responsible
- date of the post-clearance inspection

The handover document is signed during the handover ceremony by a senior representative of the clearance operator, a representative of the UNMACC and by a representative of the CCLAM. Once these three representatives have signed the document, the landowner or end user of the land will sign to confirm acceptance of the cleared area. All four signatures are to be witnessed by two people, normally village authorities or local authorities.

As stated on the handover certificate, the clearance operator must clearly explain any residual risk remaining in the area. The handover certificate is accompanied by a map of the cleared area, which details any areas that were left un-cleared. The map also lists all turning points with distance and bearings. Four original handover certificates are signed, one for the landowner/user, one for the operator, one for UNMACC (which is kept in the Task Dossier) and one for the CCLAM.

The handover certificate forms part of a larger Task Dossier, which also includes:

- task order issued by UNMACC with attached task dossier that includes any information on known hazardous areas for that location; the task order details the clearance standards
- task implementation plan
- relevant Information Management System for Mine Action (IMSMA) forms such as hazard report, accident report, victim reports, etc

- daily work logs for the duration of the tasks, including internal and external quality control and quality assurance conducted
- post-clearance inspection report
- IMSMA Hazard reduction report / completion report for the task

The Task Dossier is kept at UNMACC's operational headquarters. Certain forms, including the handover certificate, are scanned electronically for the records.

MOZAMBIQUE

In Mozambique, MMAS 10.10 on handover and documentation of released land states that completion reports should include a wide range of information, including a formal recognition from the mine affected community of community involvement and acknowledgement of the final status of the land. The example of the handover certificate and formal declaration form (included as Annex B in the MMAS) does not have a specific field for a community member's signature, proving the "acceptance" of the handover.

SRI LANKA

In Sri Lanka, the RMAO does not have the capacity to provide handover certificates to all beneficiaries. In the event that beneficiaries want documentation which states that their land has been surveyed/cleared, they can obtain completion survey or non-technical survey certificates through the RMAO. MAG provides its beneficiaries with a copy of the completion report that it submits to the RMAO. Although the documentation is not yet available in local languages, the beneficiary communities are provided with some documentation that includes the signatures of MAG, the RMAO and the GA.

SUDAN

In Sudan, the "Handover and formal declaration certificate"²⁶ is the standardised document used for handover procedures. The handover certificate is a one page document, divided into the following three sections:

- general information
- details of clearance operations
- declarations and acceptances

The declaration and acceptances section is then divided into five sections, requiring personal details and signatures of the following stakeholders:

- demining organisation (handover declaration)
- NMAC sub-office representative (acknowledgment and acceptance)
- NMAC Chief of Operations (acknowledgement and acceptance)
- local commissioner/village chief (acceptance)
- NMAC Director (acknowledgement and acceptance)

VIETNAM

As outlined in the VNMA 01.80, the Vietnam mine action authority uses a standard document for handover of cleared land. This document includes the following sections:

- general information on the project
- participants involved in the handover
- quality inspection results
- project results

International operators conducting humanitarian demining at the community level have their own handover documentation that is consistent with the minimum requirements as set by the Vietnamese government. For example, MAG's handover documents are standardised throughout its Vietnam programme, and include the titles and the names of the people attending the handover meetings (the operator, the military command office, provincial authority and community representatives). An officer from the Resources Environment Office always attends the handover meetings, and is tasked to register all land-related information, and resolve land-related disputes. According to Vietnamese law, this person must be present for all construction and clearance-related projects.

26. A copy of this can be found in Annex E of the NTSG.

TIME FRAME FOR HANDOVER

AFGHANISTAN

The Afghanistan mine action programme strives to organise handover procedures as soon after the completion of clearance as possible²⁷. The operators are responsible for informing the AMAC and the communities a few days before clearance is completed, to ensure relevant individuals can participate in the handover. The handover usually takes place the day after completion, but this can vary. For example, if there are many tasks in one community, handover may be organised upon the completion of all tasks, rather than separate handovers of each individual task.

BOSNIA HERZEGOVINA

In BiH, handover is organised as soon as possible after survey and/or clearance is complete. The time frame depends on the schedule and availability of BHMIC, but it can range from within a few days up to two to three weeks for all of the relevant documentation to be signed.

CAMBODIA

CMAA's operational guidelines on handover do not specify the time frame within which handover procedures should be organised. Operators organise handover procedures within time frames ranging from one day after completion of clearance to one month.

DRC

Operators are requested to inform the UNMACC two weeks prior to the planned completion of the task. UNMACC will then, together with the CCLAM, plan for a post-clearance inspection. During the post-clearance inspection, all documentation is reviewed, in particular the Quality Control (QC) and QA carried out (both internal and external) during the duration of the task. If all is in order the land is ready for handover and a date is set together with the operator, based on the availability of stakeholders.

SRI LANKA

In Sri Lanka, the time frame between the completion of survey/clearance activities and the handover of land to beneficiaries is approximately one week. In a few instances, however, there have been delays. For example, in one area land remained unused two months after the survey/clearance of an area, because resettlement had not taken place due to problems related to property/land being "grabbed" while the owners had fled the area during the conflict.

VIETNAM

The VNMA 01.80 stipulates that the typical time for consideration and approval of inspection should take place no later than 10 working days from the date when completion documents are submitted. The timing of the handover of the cleared land will be decided upon a mutual agreement between the investor and the contractor, based on the project timeline. MAG's handover procedures are typically organised between three and seven days after clearance.

ROLES AND RESPONSIBILITIES

AFGHANISTAN

In Afghanistan, the MACCA is charged with the responsibility for the regulation, management and coordination of the handover of cleared land. MACCA has developed a set of procedures for the handover of land, which is implemented and managed by MACCA's operations department, working in close collaboration with the AMACs.

BOSNIA HERZEGOVINA

In BiH, the mine/ERW operator, BHMIC and the municipal mine action coordinator/civil protection officer are involved in handover, as per national SOPs.

CAMBODIA

In Cambodia, the MAPU takes the lead in all handover related activities.

27. When land is cancelled and released through technical survey, information is shared with the communities, but no formal handover procedures are organised.

DRC

The CCLAM, in partnership with UNMACC, is responsible for initiating the planning of the handover ceremony. However, due to practicalities the invitations are sent out by the operator, since the organisation is already based in the area where the handover will take place and has been coordinating with the relevant stakeholders at that location for the duration of the task. A date is set by mutual agreement between the CCLAM, UNMACC and the operator, based on the availability of the invitees.

SRI LANKA

In Sri Lanka, in some areas, the RMAO conducts small ceremonies in association with local authorities, eg the district secretary, but this depends on the district, local politics, etc.

VIETNAM

For most demining tasks, the following agencies are represented:

- implementing agency - eg Engineering Command headquarters
- Provincial Engineering Command
- the relevant People's Committee
- project investor
- project contractor/sub-contractor in charge of technical execution plan

In the case of MAG, MAG personnel organise handover, and coordinate with in-country partners, the Department of Foreign Affairs and local authorities.

PARTICIPATION IN HANDOVER CEREMONIES: GENDER CONSIDERATIONS

AFGHANISTAN

In Afghanistan, it is evident that, due to cultural restrictions, gender issues are not taken into consideration during handover procedures. While the AMAS 06.09 on Task Handover Procedures encourage affected communities to participate “whenever possible”, it seems that affected female community members very rarely receive first-hand information from mine action organisations, including in relation to handover of cleared land. This was underlined in *Livelihoods Analysis of Landmine/ERW Affected Communities in Herat Province, Afghanistan*, in 2011.²⁸

BOSNIA HERZEGOVINA

Gender is not considered during handover procedures in BiH. There are few opportunities for female representation (as most of the operational staff within BHMAC, mine/ERW operators and municipal mine action coordinators/civil protection officers in BiH are men). No efforts are made to involve female representatives of the affected communities in the handover process, and no specific



Women taking a break before work in the tobacco field in BiH © D. Lisica

28. Pound, B, Massleberg, Å, Ziaee, Q, Hashimi, S, Shapur, Q and Paterson, T, Ibid

guidance is given to the municipal mine action coordinators/civil protection officers on gender considerations when interacting with mine affected communities.

CAMBODIA

CMAA's policy document that guides handover procedures in Cambodia does not make any specific references to gender. While the operational guidelines on handover stipulate that the village chief needs to be present, there are no references to gender and diversity considerations. MAG Cambodia highlights that the main focus is on the broader group of beneficiaries, but that its female CL teams encourage female beneficiaries to attend, and that CL teams aim to achieve diversity representation during handover procedures.

DRC

In DRC, the UNMACC, the National Mine Action Centre, local authorities, operators, local population and at times humanitarian partners are involved in handover ceremonies. Gender considerations are not explicitly taken into consideration in handover procedures in DRC, though the UNMACC tries to encourage the inclusion of community members, taking into account gender and diversity issues.

SUDAN

In Sudan, it appears that no particular attention is given to ensure that gender and diversity are taken into consideration during handover ceremonies. NMAC pointed out however, that a number of humanitarian operators have CL teams that are instrumental in ensuring community involvement in the handover process. It was further highlighted that gender balanced CL teams enable organisations to better reach out to affected female community members.

Religious and social norms mean that women's movements and participation in public life are restricted in some communities in eastern Sudan. This has resulted in mine action organisations facing difficulties trying to reach out to women. In light of these challenges, a village chief's daughter in one of the communities in eastern Sudan assisted operators with community work, to better reach out to the women, enabling them to participate more in mine action-related activities.

VIETNAM

In Vietnam, there are no formalised processes in place to ensure the participation of all community groups in handover procedures. Gender balance may be considered through the nomination of local authority and community representatives who attend the handover ceremonies. There are very few women at command level in the demining platoons.²⁹ Members of village women's unions often attend handover ceremonies.

LAND RIGHTS

AFGHANISTAN

In Afghanistan, the post demining impact assessment form has a specific section on land rights, inquiring if there have been any land rights issues since the area was cleared. MACCA does not task any operators to work on areas where it is known that land is disputed.

BOSNIA HERZEGOVINA

Land ownership and the right to use land in BiH is regulated by a set of separate national laws that are not connected to the national demining law. Land issues are reportedly resolved before survey/clearance operators are tasked. Land ownership is not considered during the prioritisation process. Civil authorities are involved in the handover process and consist of canton and municipal coordinators that are appointed, mostly from the Civil Protection structures. They contact the final users of the land and notify them about the borders of the released land and the ability to use released land. Land is therefore handed over to the authorised representatives of the local communities. Handover documents do not take national land law into consideration.

CAMBODIA

In Cambodia, the socio-economic guidelines state that the village and commune authorities should ensure proper use of demined land, and attempt to resolve problems and disputes on demined lands. They are further responsible for reporting problems or disputes that cannot be solved to the relevant higher authorities for resolution. If the disputes and problems remain unresolved, the

29. There are a number of women in officer positions in the army, including the engineering corps, but not in the demining units.

MAPU should get involved to try to solve the issues on demined land, under the leadership of the provincial mine action committee (PMAC).

SRI LANKA

The Sri Lanka handover case study points out that there are issues with land throughout Sri Lanka, and not just in the mine/ERW contaminated areas. To help staff better respond to land rights issues in mine affected areas, MAG Sri Lanka requested the Norwegian Refugee Council to provide its staff with training on land rights issues and how to address them, or at least who to go to for assistance. For the most part, MAG has not encountered serious land rights issues and does not deploy resources/assets to any area until the land dispute is resolved.

LIABILITY

None of the case studies highlighted any liability issues post-handover.

POST-HANDOVER FOLLOW UP AND MONITORING

AFGHANISTAN

The Afghanistan mine action programme uses the post demining impact assessment (PDIA) form when carrying out monitoring visits. In theory, the PDIA form allows for collecting community member information in a sex and age disaggregated manner. The process further looks into whether or not landmine/ERW blockages have been removed and if communities are “satisfied” with clearance operators. Importantly, the PDIA inquires whether or not “the local people” have started using the minefield after clearance. If the land has not been used after clearance, additional information is sought, with the aim to clarify the reasons. The form also seeks comments and opinions from landowners and indirect beneficiaries regarding the cleared land. In terms of post-clearance land use, the PDIA seeks information, dividing land use into:

- agricultural land
- grazing land
- road
- residential
- commercial area

The PDIA form has a specific section on clearance’s positive impacts on livelihoods, divided into:

- school building
- hospital/clinic building
- agricultural/canal
- road
- grazing area

The form allows for disaggregating the beneficiary data for all these different sections by sex, allowing a clearer understanding of mine action’s positive impacts on livelihoods for females and males respectively. In reality however, no PDIA data is collected from female community members. The lack of female PDIA surveyors means that female community members cannot be accessed. Male PDIA surveyors collect PDIA data from male community members, usually elders.

The MACCA is responsible for implementing the PDIA. The Mine Clearance Planning Agency (MCPA)’s land mine impact assessment teams (LIAT) are tasked by MACCA to implement the PDIA. MACCA determines where the PDIA should be implemented through random selection, ensuring that all implementing partners (IPs) are covered. The PDIA is implemented at least six months after completion of clearance.

MACCA organised a training session on the PDIA with all IPs in June 2012, during which the IPs also had the opportunity to provide feedback on the PDIA survey forms. The future plan is that IPs will be responsible themselves to implement the PDIA on a selected number of tasks. MACCA and the Department of Mine Clearance (DMC) will still be involved in random PDIA implementation visits, as part of their broader quality management (QM) process. Upon completion of the PDIA, the IPs submit PDIA summaries to MACCA. This information is then kept in paper records, with a plan to record all the information in IMSMA. MACCA has a specific focal point for PDIA, and points out that while the PDIA process is valuable in terms of highlighting lessons learnt, and gaining better insights into whether or not prioritisation maximises the clearance impacts on affected communities, a lack of resources means that it is challenging to follow up on issues highlighted in the PDIA processes.

BOSNIA HERZEGOVINA

In BiH, few mine/ERW operators carry out follow up assessments post-handover, apart from Handicap International (HI) (who currently conduct demining through national mine/ERW operators) and Norwegian People's Aid (NPA) through its Task Impact Assessment methodology. BHMAC conducts assessments post-clearance, but this is not systematic and largely looks at technical issues. Both HI and NPA conduct post-clearance assessment.

CAMBODIA

Pre-clearance information, that MAPU takes the lead in collecting, is crucial for post-clearance land use monitoring procedures. The objective of CMAA's operational guidelines 03 on minefield investigation is *"To collect detailed information about the real situation of a minefield through field observations and interviews in order to compare clearance requests with reality of the minefield. Information collected includes minefield location, minefield size, minefield access, technical information, existing land use, intended land use after clearance, intended number of beneficiaries, number of accidents in minefield, information on land ownership, information on land disputes, and impacts of the minefield. Compile official documents for mine clearance and produce beneficiary list for land to be used for resettlement and agriculture."*

MAPU is responsible for taking the lead in helping the community identifying "appropriate" beneficiaries and to complete a beneficiary list. If possible, MAPU should also take thumb prints and pictures of the heads of the beneficiary families. The "beneficiary list" has fields for recording the sex and age of the beneficiary, number of female family members, and the family status of the beneficiary name.

The post-clearance monitoring procedures in Cambodia are standardised, guided by the Policy Guidelines and Operational Guidelines on Socio-economic Management of Mine Clearance Operations. The guidelines state that CMAA's third objective is *"to monitor allocation of demined land to the right beneficiaries in the framework of struggling against poverty, improving concerned policy and operational guidelines, carrying out frequent visits and investigations in the field..."* As well as being responsible for the coordination of handover, the MAPU is also responsible for monitoring post-clearance land use. CMAA's operational guidelines 13 on post-clearance land use monitoring stipulate its objectives as *"to monitor use of demined land any comparing with land use plan: Results of the monitoring can be used to improve clearance planning in the future."* The expected outputs are to have a land use monitoring form correctly completed, and to enable the detection of negative issues relating to land use. If the actual land uses are different from the planned, the MAPU, in collaboration with the local authorities and communities, are responsible for investigating the reasons for this discrepancy, and for recording the information provided.

In situations where the demined land was intended for resettlement or agriculture, MAPU is also responsible for comparing the list of the intended beneficiaries with the actual beneficiaries. If actual beneficiaries are different from planned, the reasons for this discrepancy should be investigated, the identities and positions of the land occupants should be established, and all information should be recorded. Once all relevant information has been collected from monitoring visits to cleared land, MAPU should produce a post-clearance land use monitoring report from the MAPU database and share with relevant partners. Once critical issues have been identified, the PMAC, MAPU and local authorities should seek appropriate solutions. In contrast to the pre-clearance beneficiary lists, the post-clearance land use monitoring form has no fields for recording the sex and age of the beneficiaries and the informants.

DRC

Post-clearance impact surveys are not standardised in the DRC. When they do take place, they are organised between three to six months after handover has taken place. The purpose of these surveys is to measure the impact, evaluate the productivity of the land and look into land use. During post-clearance impact evaluations, the survey teams consult with village chiefs, other community leaders, heads of households and farmers who use the land.

SRI LANKA

The RMAO in Sri Lanka does not carry out any systematic post-clearance monitoring, but recognises that there is a need for this. The RMAO in Jaffna occasionally conducts post-clearance impact assessment, but this system is not replicated in Vavuniya. Instead, sporadic checks are undertaken and when there are problems, eg released land not being used, the RMAO informs the GA. QA inspectors visit released areas three, six and nine months after to see whether released land is being used.

A number of operators have, however, developed their own impact assessment monitoring tools. The Danish Demining Group (DDG) conducts internal impact monitoring (IM) in Sri Lanka. Two survey teams, both IM-trained, are used in each area (Jaffna and Vavuniya). When DDG is tasked by the Mine Action office to survey or clear a specific area, the organisation sends in survey teams to meet with affected communities and conduct non-technical survey. The survey teams also visit the same communities

six months after survey or clearance has taken place. A questionnaire is used containing roughly 70-80 questions. The purpose of the impact monitoring process is to assess the developmental outcomes resulting from DDG's mine action operations, including whether intended beneficiaries are using the land as intended.

The Swiss Foundation (FSD) conducts post-clearance assessments approximately six months after survey/clearance has taken place. It consults beneficiaries on issues including whether they have encountered any new hazards, if they are able to move freely, and if they are facing any other difficulties (for example, access to water and transportation are common problems). FSD's community liaison teams typically refer these development related problems to the relevant authorities and development agencies, and regularly share information with key humanitarian/development actors about their mine action operations, eg the International Organization for Migration (IOM), OCHA, etc. In other countries where FSD operates, this information would be used to check that priorities were set appropriately, identify whether cleared land was being used by intended beneficiaries and how, identify if there were any problems with handover, etc. However, in the Sri Lankan context, FSD is tasked by the government on where and when to clear, and does not set survey/clearance priorities, identify beneficiaries, or hand land over to beneficiary communities. Therefore post-clearance assessment information is of less value to their operations.

MAG conducts post-clearance assessments six months after tasks have been completed. If affected communities signal challenges with using released land, eg access to water, then MAG CL staff share this information with the relevant authorities. Unfortunately, due to access restrictions imposed by the Sri Lankan government, the number of humanitarian and development NGOs operating in the North and East is limited, though access is improving.

FINDINGS AND RECOMMENDATIONS

IMAS/NMAS Compliancy

While some of the NMAS reviewed explicitly state that handover ceremonies should ensure community involvement, it appears that, in practice, it is rare that community involvement is actively sought.

Recommendation: Push for greater compliancy with regards to community involvement in handover procedures, and require that relevant stakeholders document and report on community involvement in a sex and age disaggregated manner.



Deminer clearing vineyard in Jordan © M. Wareham

Female Mine Action Personnel

A number of mine action programmes shared information that illustrates that female mine action personnel greatly facilitate the access to, and inclusion of, women. In some cultural contexts, it is not seen as appropriate for women to interact with men outside of their families, which means that male mine action personnel cannot interact with them and share information. It is clear that a lack of female mine action personnel often results in mine action organisations not consulting and sharing information with women.

Recommendation: Improve access to women through the recruitment and deployment of female mine action personnel. Female mine action staff can facilitate the inclusion of women, ensuring they provide information on contamination and receive first-hand information related to which areas have been cleared, which are safe to use and which remain contaminated. Inclusion and active participation of female community members can also be sought through local structures like women's groups.

Gender Representative Community Involvement

It is clear that mine action programmes often do not pay attention to ensuring that both women and men are involved in handover procedures.

Recommendation: Ensure that women are included in handover procedures, and that they receive first-hand information related to which areas have been cleared, which are safe to use and which remain contaminated. As pointed out earlier, State Parties to the APMBC are expected to ensure the inclusion of women in handover, as this is explicitly mentioned in the Cartagena Action Plan's action points # 15 and # 20.³⁰

Inclusive Information Sharing

It appears that information sharing procedures with affected communities are generally weak and that village (male) chiefs are the default, and in many cases the only, focal points during information sharing in relation to handover procedures.

Recommendation: Ensure women receive first-hand information related to which areas have been cleared, which are safe to use and which remain contaminated. We also recommend that information sharing with community members be recorded in a sex and age disaggregated manner, in order to be able to monitor who in the affected communities receives first-hand information.

Clear and Consistent Handover Procedures

While a number of countries' NMAS do incorporate handover, many do not have any standardised procedures in place. In cases where there are no NMAS in place, three IMAS (IMAS 08.20 on Land Release, IMAS 08.21 on Non-technical Survey and IMAS 08.30 on Post-clearance Documentation) can provide useful guidance on handover procedures.

Recommendation: Consider the following key issues when developing handover procedures:

- involve as many community members as possible in the handover procedure, and ensure gender representative community involvement (women, girls, boys and men) throughout the handover process
- aim to conduct handover procedures as soon after completion of clearance as possible, in order to avoid misunderstandings and decreased confidence in cleared land
- share information with everyone present on the exact area that was cleared, items found, and inform of any outstanding dangerous and/or suspected areas and their exact location. It is recommended to walk around the cleared area with beneficiaries, to ensure that their awareness of the exact location of cleared areas is correct, and to increase their confidence in the cleared land
- ensure handover documents include fields for community representatives' signatures (ideally from women and men) as well as future users of the land

Post-handover Follow-up and Monitoring

Many mine action programmes lack standardised post-handover follow-up and monitoring procedures. A country like Cambodia, however, has solid procedures in place that allow for a wealth of sex disaggregated information to be collected in relation to post-clearance land use and impacts on livelihoods. This information is critical in gauging how mine action contributes to long-term development.

Recommendation: Recognising good practices in the Cambodian mine action programme, relevant aspects of these could be replicated in other countries, and be adapted to country specific contexts as deemed necessary.

30. Cartagena Action Plan, Action Point # 15: *Involve women and men in handover and #20*

ANNEX 1 - HANDOVER RESEARCH GUIDELINES

Research objective: To produce a typology of handover procedures, to gain a better understanding of their gender aspects, common procedures, good practices and lessons learnt.

Issues to be covered in country case studies

Below is a list of issues that should be covered during the research, to allow for the study to be comparative.

1. Common handover procedures

- a. What are the most common procedures for handover?
- b. What activities are included in handover ceremonies (ie games, music, performances)?
- c. Please describe the different steps involved
- d. Are they formally standardised or more ad-hoc?
- e. Do national mine action standards cover handover?
- f. In what circumstances are handover procedures organised (ie only when land is released through clearance, or also when land is released through non-technical and technical surveys)?

2. Handover documentation

- a. What handover documents are used?
- b. Are they standardised, or are different documents used by different organisations?
- c. What information is included in the handover documentation?
- d. Whose signatures are requested?
- e. Who receives copies of the handover documentation?
- f. Can we have a copy of the document?

3. Time frame

- a. How long after clearance/survey completion are handover ceremonies usually conducted?
- b. Is there a set time line, or is the timing of the handover decided on an ad-hoc basis?
- c. Are there any examples of how the timing of the handover has affected land use of the released land?

4. Roles/responsibilities

- a. Who is responsible for organising the handover ceremonies (operator, NMAA, National Mine Action Centre, local government officials, or community)?
- b. How does the coordination of the handover ceremonies work?

5. Participation

- a. Who is involved in the handover ceremonies?
- b. How is it decided who should be involved? Who makes these decisions?
- c. Is gender balance sought among participants?
- d. Is there a conscious decision to include community members, taking into account gender and diversity issues (sex, age, disability, high-risk groups, tribe, socio-economic status, etc)?

6. Land rights issues

- a. Are land rights-related issues (land ownership, land-tenure and land access) taken into account?
- b. How is it decided to whom the released land should be handed over?
- c. Are there any examples of land-rights related problems in relation to handover of released land?
- d. Do handover documents take into consideration national land law?

7. IMAS/NMAS compliancy

- a. Do mine/ERW operators comply with relevant IMAS (IMAS 08.20 Land Release, IMAS 08.21, Non-technical Survey, and IMAS 08.30 Post-Clearance Documentation)? If so, how (examples)?
- b. Do they comply with relevant NMAS? If so, how (examples)?

8. Liability

- a. Have there ever been any liability issues post-handover?
- b. How did these liability issues arise, and who was involved (please give examples)?

9. Follow-up/monitoring/evaluation

- a. Do mine/ERW operators, NMAA and/or NMAC conduct follow up visits post-handover?
- b. If so, what is the time line, and who is responsible?
- c. What issues are looked into during follow up visits?
- d. Which people do they consult with during follow-up visits?

10. Any additional information

- a. Are there any specific good practices/lessons learnt in relation to handover?

ANNEX 2 - LIST OF DOCUMENTS CONSULTED

Afghanistan Mine Action Standards (AMAS) 23 Task Handover Procedures,
http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/nmas-national-standards/afghanistan/AMAS-23-Task-Handover-Procedures.pdf

Cartagena Action Plan 2012 – 2014: Ending the suffering caused by anti-personnel mines,
<http://www.cartagenasummit.org/fileadmin/pdf/review-conference-2nd/2RC-ActionPlanFINAL-UNOFFICIAL-11Dec2009.pdf>

GICHD, “Departure of the Devil: Landmines and Livelihoods in Yemen”, Geneva, November 2006

IMAS 04.10 Glossary of mine action terms, definitions and abbreviations,
http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/imas-international-standards/english/series-04/IMAS-04-10-Ed2-Am4.pdf

IMAS 08.20 Land Release,
http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/imas-international-standards/english/series-08/IMAS-08-20-land-release-Ed1-Am1.pdf

IMAS 08.21, Non-technical survey,
http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/imas-international-standards/english/series-08/IMAS-08-21-Ed1-Am1.pdf

IMAS 08.30 Post-clearance documentation,
http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/imas-international-standards/english/series-08/IMAS-08-30-Ed2-Am3.pdf

IMAS 12.10 Mine/ERW Risk Education,
http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/imas-international-standards/english/series-12/IMAS-12-10-Ed2.pdf

McMichael, Gabie and Massleberg, Åsa, “Landmines, Livelihoods and Post-Conflict Land-Rights”, GICHD, July 2010

Mozambique Mine Action Standards, MMAS 10.10
http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/nmas-national-standards/mozambique/MMAS_10.10.pdf

Pound, B, Massleberg, Å., Ziaee, Q., Hashimi, S., Shapur, Q. and Paterson, T., Livelihoods Analysis of Landmine/ERW Affected Communities in Herat Province, Afghanistan, GICHD, July 2012,
http://www.gichd.org/fileadmin/pdf/ma_development/lm-livelihoods/LM-Livelihoods-Herat-Afghanistan-Oct2011.pdf

SLNMAS 01 Introduction to the Sri Lanka National Mine Action Standards and Mine Action Terms and Definitions,
http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/nmas-national-standards/sri-lanka/SLNMAS_01_-_SLNMAS_Terms_and_Definitions_Apr_2010.pdf

SLNMAS 04.70
http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/nmas-national-standards/sri-lanka/SLNMAS_04-70_Post-clearance_Documentation.pdf

SLNMAS 04
http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/nmas-national-standards/sri-lanka/SLNMAS_04_-_Land_release_process.pdf

Sudan NTSG:
http://www.mineactionstandards.org/fileadmin/user_upload/MAS/documents/nmas-national-standards/sudan/Sudan_NTSG-SINGLE-DOCUMENT.pdf

