

AMAS 05.01

Land Release

Mine Action Coordination Centre of Afghanistan (MACCA)

Post Box : 520 Kabul – Afghanistan

Website: www.macca.org.af

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Land Release

1. Introduction:

Land Release is the process of removing hazard or suspicion of hazard from reported and recorded Suspected and or Confirmed Hazardous Area through Non Technical Survey (NTS), Technical Survey (TS) and or clearance operations using evidence based and documented approach. Documented processes of NTS, TS and clearance operations for effectively and efficiently removing suspicion and or hazard from SHA and or CHA are essential to be considered during the land release operations.

Land release process shall be based on evidences and valid information gathered and collected during the implementation of NTS, TS and clearance operations. The evidence and information shall be documented and used as facts for decision making in land release process and shall be recorded in IMSMA database. This information helps mine action organizations to avoid waste of resources in those areas which should not be fully cleared in response to remove the suspicion of hazard from a piece of land.

2. Scope:

The Land Release process consists of three main activities, Non-Technical Survey, Technical Survey and Clearance. This AMAS describes the standard guidelines of land release process and related principles plus Non Technical Survey and Technical Survey standards. The clearance standards are described in AMAS 06.01, 06.02, 06.03 and 06.04.

3. Terms and Definitions:

The following terms and definitions should be used in relation to the land release process:

1) Land Release:

This describes the process of applying all reasonable effort to identify, define, and remove all suspicion of mines/ERW through non-technical survey, technical survey and/or clearance.

2) Suspect Hazardous Area (SHA):

Refers to an area suspected of having a mine/ERW hazard. A SHA can be identified by an impact survey, other form of national survey, or a claim of presence of explosive hazard.

3) Confirmed Hazardous Area (CHA):

Refers to an area identified by a non-technical survey in which the necessity for further intervention through either technical survey or clearance has been confirmed and where the presence of a mine/ERW hazard has been determined through an evidence based approach

4) Defined Hazardous Area" (DHA):

DHA refers to an area, generally within a CHA that requires full clearance operation. DHA is normally identified through technical survey and clearance.

5) Non-technical Survey (NTS):

NTS is an important survey process which involves collecting and analysing new and/or existing information about a hazardous area. The purpose of NTS is to collect evidence and information in order to confirm hazard or remove suspicion of hazard from a SHA and to identify the type and extent of hazards within a CHA. A non-technical survey does not normally involve the use of clearance or verification assets. Exceptions may occur when assets are used for the sole purpose of providing access for non-technical survey teams. The results from a non-technical survey can

replace any data relating to the previous survey of an area. NTS may indicate the absence of mines/ERW which could allow land to be cancelled.

6) Technical Survey (TS):

TS describes a detailed intervention with clearance or verification assets into a CHA, or part of a CHA. It should confirm the presence of mines/ERW leading to the definition of one or more Defined Hazard Areas and may indicate the absence of mines/ERW which could allow land to be released.

7) All Reasonable Effort:

“All reasonable effort” for the release of previously suspected land through non-technical survey, is reached at a point where sufficient and reliable information has been obtained to conclude, with the desired level of confidence, that there is no evidence of mines/ERW. IMAS 8.20 provides further guidance on “all reasonable effort”.

8) High Threat Area (HTA):

HTA is part or parts of a CHA identified by non technical survey team as a result of information gathering process where there are high quality information indicating the presence of mine or ERW.

The prominent signs for HTA are:

- a) Information of local about the location of mine accident happened to the people or animals;
- b) Mine victims information about the location of the accident happened to them;
- c) Visible mines or ERW;
- d) Reliable informants' information about the location of mine planted;
- e) Military positions; and
- f) Visible accident points.

9) Low Threat Area (LTA):

LTA is part or parts of a CHA identified by non technical survey team as a result of information gathering process, where there is low quality information about the presence of mine; however, people are afraid and uncertain to use the area because of vague information.

4. Land Release Approaches:

Mine action organizations shall apply more suitable and effective approach in order to release the land from hazard or suspicion of hazard back to the community for its intended use.

The following approaches should be applied during the land release operation as applicable:

a) Land release through non-technical survey:

Non-technical survey is a well managed process of collecting and analysing up to date information about an area suspected of containing a mine/ERW hazard without physical intervention into the area. In this context land can be cancelled if non-technical survey concludes, based on sufficient evidence, that the previously reported hazardous area does not contain a mine/ERW hazard, or

that a portion of the hazardous area does not contain a mine/ERW hazard, and that there is no requirement for technical survey and clearance operations. Refer to annex D to this AMAS.

b) Land release through technical survey.

Technical survey is an intrusive investigation of an area suspected of containing a mine/ERW hazard. In this context, through the findings of technical survey, the team may conclude that land can be released without full clearance based on objective evidence found as a result of physical investigation.

c) Land release through clearance:

Clearance is the complete removal of all mines/ERW to the required depth in areas known to contain a mine/ERW hazard using only manual asset or in conjunction with mechanical assets. Full clearance shall be conducted only in those areas where actual mine/ERW hazards have been defined through technical survey.

5. Land Release Principles:

The following principles should be considered in land release process by demining organizations in Afghanistan:

- a) Sequential response process of non-technical survey, technical survey, and clearance should be followed in land release operations until the suspicion and or presence of mine/ERW hazards is removed. This enables operators to better define the area requires full clearance and resulting in effective and efficient use of demining resources.
- b) Information gathered from the affected communities and other sources shall be documented and used as facts for decision making in land release process.
- c) Affected communities shall be involved during each stage of land release process in order to provide confidence to them that demining quality requirements have been met and that released land is indeed safe for use

6. Liaison with the Community

Involvement of the community is critical in order to return land for its intended use in a safe and efficient manner. Therefore the community shall be consulted and fully integrated into survey and clearance operations by the demining organization. Community involvement should include different groups within the community including men, boys, women and children. The appropriate local community members shall be consulted and sign off on any cancellation of a hazardous area on the Cancellation Report. See annex B to this AMAS.

7. Quality Management:

The quality of land release process shall be assured by both demining organization and MACCA/DMC. Monitoring should be conducted during non technical survey, technical survey and clearance operations. Demining organization shall develop their internal QA/QC SOPs in line with AMAS 03.01.

If, following the return of land to the intended beneficiaries, evidence of remaining explosive hazards is found, then a rapid response team with appropriate assets shall be deployed to remove the remaining explosive hazards and a transparent investigation shall be conducted in order to investigate why the explosive hazard was not identified, found and cleared. The result of the investigation shall be recorded and any lesson learnt circulated within the MAPA.

8. Documentation:

The records of non technical survey, technical survey and clearance implemented throughout the land release process shall be properly documented and recorded in line with AMAS 08.02. The reported information shall be recorded in IMSMA.

9. Post Demining Impact Assessment (PDIA):

Post Demining Impact Assessment should either be conducted by demining organizations involved in land release or the MACCA/DMC. This can mitigate the possible residual risk within the area.

If findings of PDIA indicated any evidence on existing of mine/ERW hazards, then a rapid response with appropriate assets shall be deployed as immediate action and also a transparent investigation process shall be conducted in order to find the main causes of this undesired issue. The result of the investigation shall be properly recorded as lesson learned.

10. Responsibilities and Obligations:

Mine Action Coordination Centre of Afghanistan (MACCA) and DMC shall:

- a. Accredite the demining organisations capable of land release, through non-technical survey, technical survey and clearance operations;
- b. Maintain the national database using the information collected through the land release process.
- c. Conduct quality assurance (QA) of the process in order to make sure the land release process has been conducted in a safe, efficient and effective way.

Demining organisations shall:

- a) Gain accreditation from MACCA/DMC to perform non-technical survey, technical survey, and clearance.
- b) Adhere to the concept of land release during survey and clearance.
- c) Develop standard operating procedure (SOP) for survey and clearance.
- d) Develop training packages used for training of their relevant personal involved in survey and clearance.
- e) Deploy suitably trained and experienced team command group and supervisors to ensure effective and efficient land release through survey and clearance.
- f) Report and make available all documentation as specified by the MACCA/DMC.
- g) Establish and maintain close liaison with affected communities with regards to all survey and clearance decisions.
- h) Develop and implement proper internal QA and QC mechanism for survey and clearance operations.

11. Liability in Post Land Release Accidents

Following the land release operations by any mine action organization applied in accordance with the requirements of AMAS and MACCA approved internal SOPs, related organization should not

be liable about any harm or death caused by mine or ERW especially on those areas where no evidence of hazard is reported and recorded. Unless it is determined, through detailed and investigation that the mine action operator failed to meet the requirements of AMAS and MACCA approved SOPs.

MACCA and DMC should convene a board of inquiry in order to technically investigate the circumstances of post land release accidents. Factual based decision shall be made about the liability of an organization about such accidents.

Adhering to the land release standard guidelines and the concept of all reasonable efforts mitigate the liability of a demining organization about post land release accidents.

12. Land Release in ERW Hazardous Area

The same principles should be applied during the land release process of all AIED contaminated areas including NTS, TS and clearance operations. Decision on releasing the land using appropriate approach during surface BAC clearance is easy; however it is challenging in subsurface BAC operations; therefore, any land release approach in BAC operations shall be based on analysis of evidences and information gathered during non technical survey, technical survey and clearance operations. For ERW clearance standards, refer to AMAS 06.02 and 06.03.

13. Land Release in Randomly Laid Mines

Hazardous areas may contain mines laid in a random pattern, where there are no clearly identifiable mine lines mainly in AT contaminated areas. In such cases, it may not be possible to determine through non-technical or technical survey LTAs or HTAs, or exactly where clearance within a CHA is required to remove all mines. As such, it may be necessary to clear an entire CHA in order to remove all suspicion of mines.