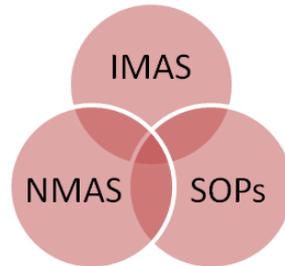


# Relationship between IMAS, NMAS and SOPs

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## Abstract

The relationship between International Mine Action Standards (IMAS), National Mine Action Standards (NMAS) and Standard Operating Procedures (SOPs) seems fairly clear to many in mine action. However, in practice, in some mine action programmes there is a degree of misunderstanding and misinterpretation when it comes to the development of the NMAS and their contents, or in distinguishing between NMAS and SOPs.

Questions often raised are; would it be true to state that “we have national standards – we do not need the IMAS”, or “we have national SOPs – we do not need to develop NMAS”?

To answer these questions, it is important to understand the differences between IMAS and NMAS, and between NMAS and SOPs, to clarify how they relate to each other, and to appreciate how these documents are applied in a national mine action programme. It is also important to understand which mine action entity is responsible for each document, and how consistency and compliance among these documents can be maintained.

This paper will shed some light on these differences, clarifying status and relationship, and highlighting the roles and responsibility of the mine action entities in relation to these documents.

## Introduction

The IMAS are the mine action community standards endorsed by the United Nations (UN). They have been developed to improve safety and efficiency, and to promote a common and consistent approach to the conduct of mine action operations. IMAS follow the format of the International Organization for Standards (ISO) and draw on the three main treaties in international law, which deal with landmines and other explosive remnants of war.

- 1) The Anti-Personnel Mine Ban Convention (APMBC)
- 2) Amended Protocol II and V to the UN Convention on Certain Conventional Weapons (CCW)
- 3) Convention on Cluster Munitions (CCM)

In addition, IMAS provide general information on existing regulations and treaties which affect mine action, particularly those referring to basic human rights, clearance requirements, hazard marking and general safety issues.

The central purpose of the IMAS is to assist national mine action authorities (NMAA) in the development of national mine action standards (NMAS). This means that national authorities should not reinvent the wheel by developing and establishing NMAS, but rather, carefully study the requirements of the individual IMAS and put national requirements in place, keeping in mind the local laws and norms particular to each respective country.

The IMAS can be adapted as the national standards where the United Nations or another international body temporarily assumes the responsibility of a NMAA. In such cases, IMAS will be the de-facto national standards until appropriate local modifications have been put in place. They can also provide the framework for legal contracts between donors and implementing organisations.

The IMAS are the source for the development of SOPs and training material in mine action. In practice, many international and national mine action organisations establish their SOPs based on the IMAS's requirements, knowing that when the SOPs are IMAS compliant, they will also be NMAS compliant, or else would need only moderate amendments to ensure NMAS compliance.

## Who is responsible for what in a national mine action programme?

To understand the relationship and differences between IMAS, NMAS and SOPs, it is important to understand who is responsible for what in a national mine action programme. Mine action is typically managed and implemented at three levels in a country. Those being;

- the National Mine Action Authority (NMAA)
- the National Mine Action Centre (NMAC)
- implementing organisations, also known as operators.

The NMAA refers to the government committee, typically inter-ministerial, in mine-affected countries. It is responsible for the regulation and overall management of the national mine action programme, as well as policy. The NMAA plays a critical leadership role in implementing national mine action policies, ensuring that international legal obligations are met and resources mobilised. An important function of the NMAA is to establish the regulatory framework for mine action by adopting clear national standards.

NMAC usually refers to the operational office of the NMAA. It is responsible for the day-to-day coordination of the national mine action programme, and acts as the focal point of mine action activities on the ground. The exact division of responsibilities between the NMAA and the NMAC varies from country to country. However, a typical NMAC does the following:

- develops draft strategies and other policies for review and adoption by the NMAA
- carries out the policies of the NMAA
- develops annual plans for operations and coordinates the work of the various organisations
- conducts reconnaissance of hazardous areas
- manages information and reports on the achievements of the overall national programme
- implements Quality Management (e.g. carries out accreditation, monitoring and post clearance sampling)

When it comes to the development of NMAS and SOPs, NMAC holds two responsibilities:

1. On behalf of the NMAA, it is responsible for drafting NMAS through a consultative process involving all stakeholders.
2. As an implementing organisation, NMAC needs to establish SOPs for the projects or tasks it implements, in accordance with the requirements of the NMAA.

Implementing organisation (IO) or operator refers to any organisation responsible for implementing mine action projects or tasks (such as government agencies, non-governmental organisations (NGO), military units or commercial companies). The IO may be a prime contractor, subcontractor, consultant or agent. They need to establish the SOPs for whatever tasks or projects they are responsible for, in accordance with the requirements of the NMAS.



The roles and responsibilities of these entities need to be clearly established in national legislation. In countries where two or three functions are carried out by one entity, the potential for mixing the NMAS with SOPs is high. In such situations, national mine action standards do not carry much weight.

## **What makes NMAS different from SOPs?**

NMAS are not SOPs. NMAS do not define the way in which mine action requirements are to be achieved in the field - that is covered in national and local SOPs.

NMAS are agreements that set the minimum requirements for mine action in a given country. They adhere to the principles of IMAS, reflect local laws and conditions, drafted through a consultative process involving all stakeholders, and are endorsed by the NMAA. The NMAS are legal documents that regulate national mine action programme and apply to all implementing organisations equally, including NMAC. NMAS discuss “*what*” the government minimum requirements are, for example; what the requirements for accreditation of demining organisations are, what the requirements for land clearance are, what are the requirements for cancelling suspected hazardous areas are etc.

SOPs are standard procedures which are established to achieve national requirements safety and efficiently. They are developed by IO keeping in view their projects, tasks and sub-tasks. SOPs should conform to the NMAS and be approved by the NMAA or NMAC on its behalf. SOPs differ to NMAS mainly in that they discuss “*how*” to do things, for example; how manual clearance should be carried out safely, how marking of hazardous areas should be conducted, how clearance progress report should be prepared and reported etc.

SOPs of one organisation may differ from another, depending on how they plan to achieve the NMAS requirements. For example, to meet NMAS requirements for clearance, one demining organisation may carry out clearance using manual methods, while another uses demining machines or dogs. The SOPs of these two organisations will be very different, even as both strive to meet the national requirements for clearance.

The SOPs can also overlap with the NMAS. In certain circumstances, the SOPs should be an integral part of the NMAS as an Annex.

Operational details such as how a prodder should be used in manual demining or how to prepare explosive charges for a demolition should not typically be placed in the NMAS.

## **What makes IMAS different from NMAS?**

The IMAS have been developed through a consultative process with representatives of the broader mine action community, including UN agencies, donors, the NMAA, the NMAC, NGOs, commercial companies and independent individuals. They are endorsed by the UN as international mine action standards. Therefore, they do not belong to a particular country or region, but apply equally to all countries and all situations. They do not have a legal standing as they are not specific to a country or a region except where they have been adopted by a national authority as national standards, or where one or more of the specific IMAS is specified in a contract or some other legal instrument, such as a memorandum of understanding.

To compare, NMAS have been developed through a consultative process which involved all stakeholders in the country. They should be legal documents or receive legal status in a country. The NMAS need to adhere to the principles of the IMAS and incorporate local laws. However, it is not necessary to have an NMAS for each IMAS or to capture every requirement of the IMAS in a NMAS. The chapters and contents of the NMAS should, rather, be established based on a careful analysis of local requirements. As a minimum, a programme may need to establish national requirements for information management, land release (surveys and clearance), and quality management (accreditation, quality assurance and quality control of mine action organisations). For others, such as medical support to demining, provision of personal protective equipment (PPE), explosive ordnance disposal (EOD) etc, normative references should be made to the relevant IMAS, unless the requirements in the national programme are significantly different from those specified in the IMAS.

In general, IMAS are guidelines, and contain recommendations to be included in the NMAS or national SOPs. Contrarily, the NMAS are a country’s specific requirements. As such, the level of requirements in the IMAS is different than those articulated in the NMAS. To clarify this further, IMAS use the terms “*should*” and “*may*”

and use only “*shall*” when an issue of safety is concerned. In opposition, in a typical NMAS, the term “*shall*” and “*should*” are used more frequently and “*may*” is used rarely. Having said this, even when the IMAS are adopted as national standards in a country temporarily, the level of the requirements should be adopted accordingly, for example, “should” should be read “shall”. Otherwise, they will create confusion in the application as to what is the requirement in a given situation as the IMAS are not specific.

In short, the IMAS are broad guidelines and do not have a legal status. National standards are country specific legal standards articulating the requirements for a given country. However, even though the NMAS are country specific, IMAS should be referred, in order to ensure that no gaps exist in applying the NMAS in the national context.

## **Inter-relationship and conclusion**

The UNMAS and the GICHD, with support from the mine action community represented through the IMAS review board, develop and maintain the IMAS. They are developed to provide guidance and promote safe and efficient mine action.

IMAS are developed and made available on an international platform to communicate best practice and efficient demining, in order to save national authorities’ time and energy in establishing and developing national standards. NMAS and SOPs should build on the principles and recommendations of the IMAS. There has to be a clear line of communication among the IMAS management and the national authorities, and a clear link between these documents. Effective NMAS should adhere to the principle of the IMAS. SOPs should adhere to the requirements of the NMAS and IMAS. IMAS should be an integral part of the NMAS and SOPs.

NMAA should develop as minimum as required number of NMAS, and refer to IMAS as normative references for other general requirements. Staff of the national mine action authority responsible for development and maintenance of the national standards should keep themselves up-to-date and participate in the development and discussion of IMAS.

Finally, it is important to mention that, while IMAS, NMAS, and SOPs are very different in their application in a national mine action programme, their relationships to each other are so close that changes in one will mean that changes in the other are necessary. ■