Certification of demining services in Ukraine

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The combat actions in Ukraine due to russia's full-scale invasion have caused the largest humanitarian crisis in Europe since the World War II. Vast areas of Ukrainian land have been contaminated with explosive ordnance. Given that land is one of the main production assets, this situation requires a fast-track solution for both safety of people and economic recovery of Ukraine.

According to the World Bank, the total cost of the necessary demining of Ukrainian territories is estimated at more than $37 billion. To this end, Ukraine is actively developing an open market for demining services, encouraging private initiatives through deregulation and digitalisation. Large-scale donor programmes and government support are also actively facilitating this market growth.

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Under these conditions, the demining market in Ukraine has unmatched prospects for development. National and international mine action companies are actively exploring it.

According to Ukrainian legislation, companies intending to provide demining services must obtain relevant certificates of conformity for the mine action processes carried out by the mine action operator. Once such a certificate is obtained, they acquire the status of mine action operators, can be registered as mine action operators and are allowed to carry out works and provide services in this area.

It should be noted that national certificates must be obtained even by the companies that already have similar international or foreign certificates.

1. Terminology peculiarities

Most companies that intend to conduct demining in Ukraine already have experience with international mine action standards. However, the peculiarities of translation and adaptation of these standards require an understanding of national terminology. This helps to avoid misunderstandings during preparation for certification and in further communication with regulatory authorities.

Under Ukrainian law, demining companies have a special name: "mine action operators (or entities)". Demining services and some related services are generally referred to as "mine action".

In Ukraine, mine action includes measures taken to ensure national security and to reduce the social, economic, and environmental impact of explosive hazards on the life and activities of the population.

In turn, demining (humanitarian demining) refers to a set of measures carried out by mine action operators to eliminate the hazards associated with explosive ordnance, including technical and non-technical survey of territories, mapping, detection, neutralisation and/or destruction of explosive ordnance, marking, preparation of post-demining documentation, provision of information on mine action to communities and handover of the cleared territory.

Mine action in Ukraine is supported by the following processes:

- non-technical survey;
- technical survey;
- manual demining;
- clearing the combat area;
- the procedure for neutralising (destroying) mines/explosive remnants of war;
- informing the public about the risks associated with mines and explosive remnants of war.

Implementing these processes is the core of demining companies' activities in Ukraine and requires certification.

2. Certification bodies

Certification of mine action operators and processes is carried out by accredited conformity assessment bodies.

Currently, these include:

- Mine Action Centre of the State Special Transport Service (SSTS) in Chernihiv;
- Interregional Centre for Humanitarian Demining of the State Emergency Service of Ukraine (SESU or DSNS) in Merefa;
- Demining Centre of the Armed Forces of Ukraine in Kamianets-Podilskyi.

3. Legislation on certification

Ukrainian legislation regulates certification of mine action entities at the general level. There is currently no single specific regulatory document that would clearly regulate certification procedures in Ukraine. Therefore, each certification centre may set forth its own specific requirements for the certification process (e.g., application content, list of documents, validity period of re-certification, period for re-application, etc.).

In each case, this situation requires careful preparation for the certification process, knowledge of the peculiarities of the procedures in different certification bodies and active communication with these bodies.

At the same time, all certification procedures follow a fundamentally similar algorithm. This algorithm can be generalised on the example of one of the certification bodies.

4. Certification procedure

In general, the certification procedure consists of several stages:

submission of an application for certification;

consideration of the application for certification;

assessment of compliance of the information and documentation provided with the regulatory documents;

on-site conformity assessment;

issuance of certificates.

4.1. Submitting an application

To start the certification process, the applicant company must submit an application and supporting documents. As a rule, the list of such documents is provided on the website of the relevant certification body.

The list is quite extensive and includes, inter alia:

- copies of the applicant company's statutory and registration documents;
- information on the qualification and practical experience of the applicant company's management and staff, taking into account work in other mine action organisations;
- confirmation of special education, completion of separate studies, workshops and trainings, certifications and permits for the applicant company's managers and staff;
- documents on job descriptions of the applicant company's staff;
- documents on quality management systems;
- information on the applicant company's staff management (recruitment, training, promotion, training and development system);
- standardised operating procedures or other documents (methodologies, regulations, etc.) that define requirements for information management, medical care, safety measures and environmental protection;
- information on all the available equipment to perform all the processes to be certified, as well as documents confirming the equipment's serviceability and

compliance with the conditions for the task performance;
- documents confirming the organisation's ownership of the technical means and equipment.

Note: all documents must be submitted in Ukrainian, copies of documents in a foreign language must be submitted with an official translation. When planning the certification process, the time required to translate all technical documentation for the equipment and its certification should be taken into account.

In practice, this means that the applicant company must set up a full-fledged mining company in Ukraine before the certification process begins, as well as:

- purchase and import all the necessary equipment to Ukraine;
- train and certify the staff;
- develop all the necessary documents (standardised operating procedures, quality management system, etc;);
- meet other requirements of national mine action standards.

This situation poses a risk to investment in mine action in Ukraine. Therefore, it is important to develop a plan to prepare for certification very carefully to avoid any misunderstandings with the certification body during the certification process and to be able to correct deficiencies within the established timeframe (e.g., timely delivery of equipment, staff training, development of internal documents).

4.2. Consideration of the application

During the initial analysis of the submitted application documents, a certification body determines whether the applicant company meets the requirements of Ukrainian legislation and whether it can acquire the status of a mine action operator, as well as whether such an organisation is entitled to certification free of charge. After that, the certification body usually enters into a contract with the applicant company to perform the certification work. Some certification bodies conclude such agreements for each certification stage.

The review of the received application and the package of documents is carried out to establish whether:

- the information about the applicant company is sufficient to conduct the certification process;
- there are no (unresolved) discrepancies in the understanding of standards or other regulatory documents between the certification body and the applicant company;
- the list of processes submitted for certification is defined;
- the applicant company has the means to carry out all the declared mine action processes;
- the certification body has the right to certify the applicant company.

Also, the completeness of the documents attached to the application is verified according to the lists established by the certification body. If the application is filled in incorrectly or the information and documents provided are insufficient, the applicant company may revise the submitted package of documents within the time limit set by the certification body (usually, within 60 days).

Some certification bodies also allow for repeated corrections, but no more than twice. If the applicant company fails to make the corrections, the application is cancelled and the certification process is terminated. It should be borne in mind that such a procedure (correction of deficiencies within the established timeframe and termination of the certification process if the deficiencies are not corrected) is applied at each certification stage.

4.3. Assessment of documentation compliance

The applicant company's regulatory documentation must ensure that the requirements of national standards are met with respect to the declared mine action processes and the general requirements of the Law of Ukraine "On Mine Action in Ukraine".

If a positive decision is made, the applicant company prepares for an on-site assessment. In practice, this means that equipment, infrastructure, and personnel must be in place and fully compliant with national mine action standards.

4.4. On-site conformity assessment

The on-site conformity assessment is usually carried out according to a plan agreed with the applicant company.

The on-site conformity assessment includes:

- inspection of the relevant premises, sites, equipment to determine whether they meet the provisions of the standardised operating procedures;
- demonstration of the processes indicated in the application (the demonstration should be as realistic as possible, including data collection, information management, emergency medical care and logistics, depending on the process requirements in line with the applicant's standard operating procedures);
- confirmation that the staff composition corresponds to that specified in the submitted documents and that the staff has the appropriate competence to perform their duties;
- confirmation that the standardised operating procedures and other governing documents and relevant quality management processes are in line with the documentation provided for the assessment and have been communicated to all personnel, etc.

4.5. Issuance of certificates

In case of a positive conclusion of the on-site conformity assessment, a decision is made to grant certification and the relevant certificates are issued.

5. Monitoring of activity

It is important to note that the activities of demining companies after they receive a certificate are subject to close monitoring to confirm that the certified processes continue to be carried out and managed in line with the documented procedures.

Monitoring is similar to the on-site conformity assessment stage. It is important to be prepared for such monitoring, as the certification body may decide to:

- leave the certification unchanged – if no inconsistencies are identified during the monitoring;
- leave the certification unchanged subject to certain conditions – if potential minor non-compliances are identified during the monitoring that do not require suspension of operations for the period of corrective measures;
- exclude certain processes from certification – if the monitoring reveals existing and potential critical non-compliances in the implementation of certain processes;
- suspend the certification for the period of corrective actions to be taken by the demining company – if any existing minor, significant or critical non-compliances that require suspension of operations for the period of corrective actions are identified during the monitoring;
- ultimately revoke (terminate) the certification – if the monitoring reveals existing and potential critical non-compliances in the implementation of all certified processes.

In the event of revocation (termination) of certification, re-certification is possible only after a certain period (from 1 month to 1 year, depending on the certification body). After the revocation, the certification follows the same procedure as the initial one.

6. Certification validity period

The initial certification is valid for 1 year. The validity of subsequent certifications is 3-5 years, depending on the certification body. When applying for an extension of the scope of certification, new certificates of conformity are usually issued with a validity period within the existing certification.