

DRC UKRAINE | LEGAL BRIEF

Institutional Architecture of Humanitarian Mine Action in Ukraine

This Legal Brief explains the institutional architecture of humanitarian mine action (HMA) in Ukraine, the legal position of the Centre for Humanitarian Demining (CHD) within that architecture, and the remaining allocation gaps between CHD, the Mine Action Centre (MAC), the National Mine Action Authority (NMAA) and other actors. It focuses on the practical effect of Cabinet of Ministers Resolution No. 738 of 4 June 2026. The assessment is based on publicly available sources.

Glossary

Term	Definition
CHD	Centre for Humanitarian Demining.
HMA	Humanitarian mine action / humanitarian demining, according to the context of Ukrainian legislation.
IMAS	International Mine Action Standards.
MAC	Mine Action Centre established by the Ministry of Defence (MoD) of Ukraine.
NMAA	National Mine Action Authority, an inter-agency auxiliary body chaired by the Minister of Defence of Ukraine.
Operator	An entity admitted to mine action work after certification of the relevant processes.
QA/QC	Quality assurance and quality control. Internal operator controls must be distinguished from external monitoring and inspection.
Tasking	Formal assignment or authorisation of operational work, distinct from strategic or sector prioritisation.

Legal Basis

Instrument	Relevance to the analysis	Subject
Law No. 2642-VIII	Defines the national architecture and the mandates of NMAA, MAC, CHD, operators and accredited bodies.	Law on Mine Action
Resolution No. 1207	Regulates the composition and tasks of NMAA and its role in coordinating Strategy implementation.	NMAA Regulation

Instrument	Relevance to the analysis	Subject
Orders Nos. 303-r and 358-r	Record CHD's establishment and the subsequent transfer of its unified property complex from the State Emergency Service of Ukraine (SESU).	CHD establishment and transfer
Joint Order No. 9/3/5	Sets the 2023 inter-agency coordination procedure but still describes CHD as a SESU institution.	Coordination procedure
Order No. 616-r, amended by No. 191-r	Approves the Strategy and 2024–2026 Operational Plan and expands CHD's participation in 2026.	Strategy and Operational Plan
Resolution No. 738	Provides the most specific public description of CHD's current practical functions.	CHD operational role
Resolution No. 963	Initiates the July 2026 ministerial reorganisation relevant to agriculture- and forestry-related coordination.	Ministerial reorganisation

Official links to the instruments are provided in the source list at the end of this section.

- Law: [Law of Ukraine 'On Mine Action in Ukraine' No. 2642-VIII](#)
- NMAA: [Cabinet Resolution No. 1207 of 10 November 2021](#)
- CHD establishment: [Cabinet Order No. 303-r of 7 April 2023](#)
- CHD transfer: [Cabinet Order No. 358-r of 21 April 2023](#)
- Coordination procedure: [Joint Order No. 9/3/5 of 9 January 2023](#)
- Strategy and plan: [Cabinet Order No. 616-r of 28 June 2024](#)
- 2026 amendments: [Cabinet Order No. 191-r of 25 February 2026](#)
- CHD role: [Cabinet Resolution No. 738 of 4 June 2026](#)
- Reorganisation: [Cabinet Resolution No. 963 of 17 July 2026](#)

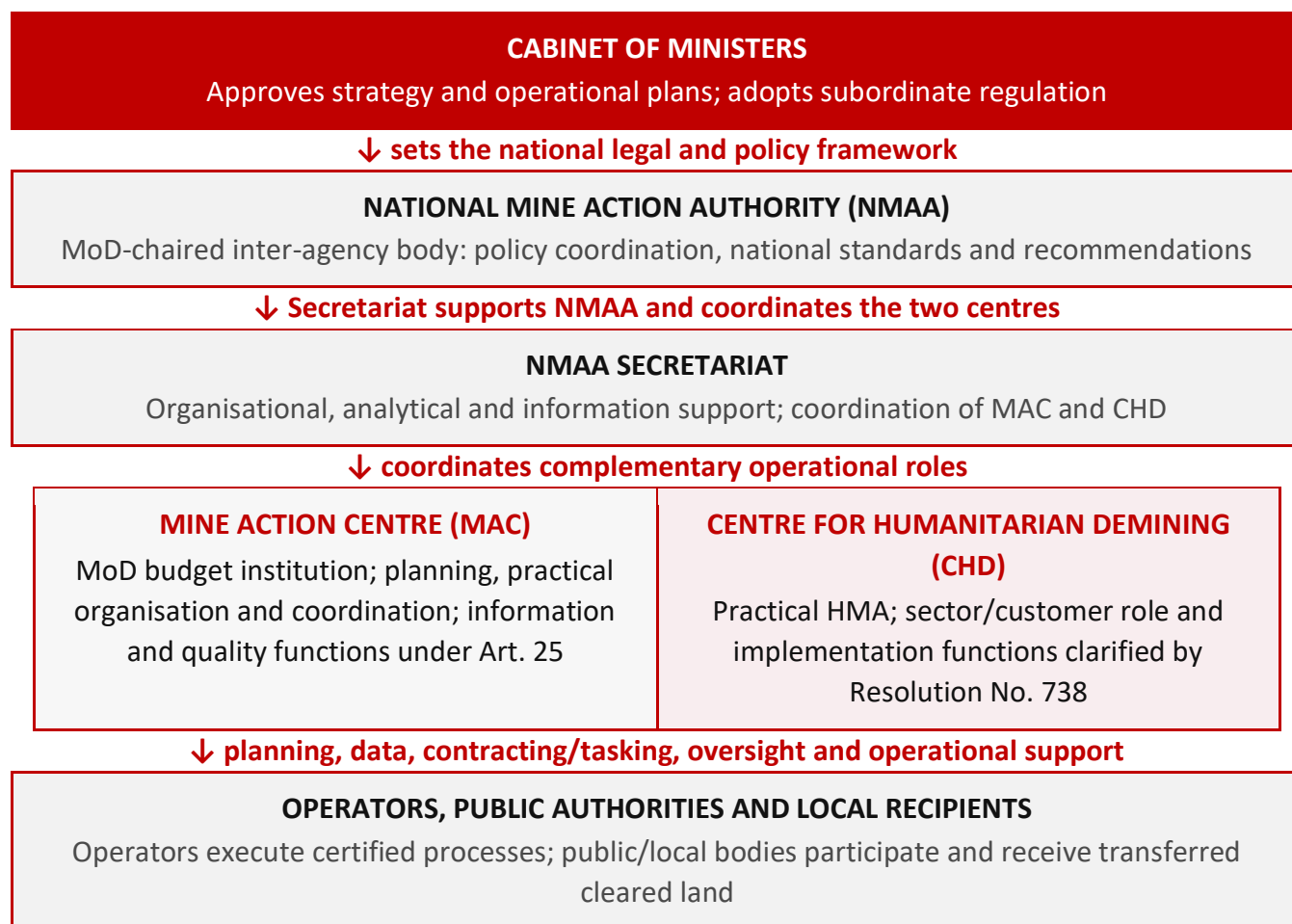
1. Institutional architecture of HMA in Ukraine

The architecture separates Cabinet-level approval, inter-agency coordination, coordination of the two centres and operational delivery. Its principal weakness is that the Law assigns many of the same functions to MAC and CHD, while later subordinate acts attempt to differentiate their practical roles.

1.1 How the current architecture developed

The current system was formed through successive legal and administrative steps rather than through one comprehensive institutional design. The Law established NMAA as the inter-agency coordination body and assigned MAC and CHD substantially parallel statutory functions. CHD was created in 2023, after which its unified property complex was transferred from SESU to the Economic and Financial Department of the Secretariat of the Cabinet of Ministers. The National Mine Action Strategy and its Operational Plan subsequently incorporated CHD into additional activities.

Resolution No. 738 represents the most significant recent attempt to differentiate CHD's practical role. It links CHD more clearly to agricultural and forestry land, information systems, organisation of HMA, QC, certification, risk education, incident data and donor communication. Because it is a subordinate act, however, it cannot remove the overlapping functions retained in Articles 25 and 25-1 of the Law.



1.2 How the architecture is intended to operate

The Cabinet of Ministers sets the strategic and regulatory framework. NMAA coordinates participating authorities, operators and national standards, while its Secretariat provides the institutional link between NMAA, MAC and CHD. Within that framework, the centres support planning, information management, organisation and oversight of HMA in accordance with their assigned roles. Certified operators carry out operational processes. Certification, external inspection and transfer-related QC must be performed within the applicable accredited scope, after which cleared land may be transferred to the relevant local authorities.

Why clear allocation matters. Institutional clarity affects the validity and impartiality of certification and inspection decisions, the reliability of national mine-action data, the allocation of public and donor resources, and the timely acceptance and transfer of cleared land. It also determines which institution is accountable when planning, tasking, information exchange or acceptance is delayed.

Actor	Role in the architecture	Practical significance
Cabinet of Ministers	Approves the Strategy and Operational Plans and adopts subordinate regulation.	Strategic and regulatory level.
NMAA	Coordinates policy, ministries, operators and national standards; provides recommendations. ¹	Inter-agency coordination, not routine operational execution.

¹ Law No. 2642-VIII, Art. 23: <https://zakon.rada.gov.ua/laws/show/2642-19#Text>; Cabinet Resolution No. 1207 of 10 November 2021: <https://zakon.rada.gov.ua/laws/show/1207-2021-%D0%BF#Text>

Actor	Role in the architecture	Practical significance
NMAA Secretariat	Supports NMAA, coordinates MAC/CHD and consolidates information-management activities.	Main institutional link between the two centres.
MAC	Planning, practical organisation and coordination; statutory information, quality, standards and training functions.	General national coordination role but extensive overlap with CHD.
CHD	Practical HMA and a parallel statutory list; Resolution No. 738 gives the role a clearer operational profile.	Sector/customer and implementation role, subject to legal conditions.
Accredited bodies	Certify operators/processes and inspect cleared territory within their accredited scope.	Legal gate for certification and transfer-related inspection.
Operators / local recipients	Operators deliver certified processes; local authorities receive cleared land after the transfer procedure.	Operational delivery and final public accountability.

1.3 Other institutional and delivery actors

The simplified diagram shows the principal governance line, but implementation also involves specialised operational, technical, accredited and regional actors. Their inclusion does not alter the distinction between national policy coordination, operational delivery and decisions reserved to bodies acting within an accredited scope.²

Actor group	Contribution to the architecture	Legal significance
Specialised MoD and Armed Forces bodies	Provide operational demining, Explosive Ordnance Disposal (EOD), training, technical testing or environmental support within their respective mandates.	They do not replace NMAA's policy role or automatically hold national tasking, certification or inspection authority.
SESU bodies, including the Interregional Centre	Perform humanitarian demining and rapid-response functions; the Centre also publicly identifies accredited certification and inspection functions.	Certification and inspection decisions remain limited to the body's current accredited scope.
Regional and local authorities	Provide territorial information and proposals, participate in planning and acceptance processes and receive cleared land under the applicable transfer procedure.	Regional coordination supports national prioritisation but does not itself create a separate national tasking mandate.

² Law of Ukraine 'On Mine Action in Ukraine' No. 2642-VIII, Arts. 22–25-1: <https://zakon.rada.gov.ua/laws/show/2642-19#Text>; Interregional Centre for Humanitarian Demining and Rapid Response of SESU, official information on certification and inspection functions: <https://mcgr.dsns.gov.ua/>

Actor group	Contribution to the architecture	Legal significance
Technical, scientific and training institutions	Support testing, research, standardisation, training and exchange of technical experience.	Their advice or testing does not constitute certification unless performed by the competent accredited body.

2. CHD's place within the architecture

Article 25-1 defines CHD as the institution for the practical implementation of humanitarian demining. Resolution No. 738 is the most detailed public instrument describing how that role should operate. It does not, however, replace the Law or remove accreditation requirements.

Function	CHD role after Resolution No. 738	Qualification
Planning and prioritisation	CHD participates as a customer in planning agricultural and forestry land clearance using the prioritisation mechanism.	A sector/customer role; not an express grant of sole national tasking authority.
Information management	CHD operates systems/resources it owns or holds and uses geospatial and analytical platforms.	Requires interoperability, authoritative datasets and clear data ownership.
Organisation of HMA	CHD organises HMA measures under the State Standard of Ukraine (DSTU) 8820 series.	Operators remain responsible for delivery through certified processes.
QC and certification	Resolution No. 738 expressly assigns these functions to CHD.	Exercise remains conditional on the required accreditation and impartiality safeguards.
Risk education and incident data	CHD plans/jointly implements risk education and monitors civilian incident data.	Requires common national standards and data-sharing rules.
International cooperation	CHD communicates with donors and international partners.	Should operate within agreed national representation and coordination arrangements.
Accountability	CHD reports quarterly to NMAA and may submit improvement proposals.	A basis for consolidated monitoring and non-sensitive public reporting.

IMPLEMENTATION STATUS

A formal mandate does not itself prove that CHD holds the required accreditation or is already exercising the function nationwide. An official ministry update of 12 June 2026 stated that CHD staff were undergoing QC training and that the institution was working towards relevant accreditation.³

³ Ministry of Economy update of 12 June 2026: <https://me.gov.ua/News/Detail/f4131b09-ecc3-4097-abe1-dc13ee02f0c5?lang=uk-UA&title=PosilenniaPromozhnostiTsgrTaChitkiiRozpodilRoleiVProtiminniiDiialnosti-UriadUkhvalivVidpovidnuPostanovu>

2.1 Current operational status

Resolution No. 738 assigns CHD a more specific implementation role, including functions relating to agricultural and forestry land, information systems, organisation of humanitarian demining, quality control, certification, risk education, civilian incident data and cooperation with donors. However, the existence of a legal mandate does not by itself establish that every function is already being exercised nationwide.

Publicly available information indicates that CHD currently has an active role in planning, programme support, information management and donor coordination, particularly in relation to humanitarian demining of agricultural land. By contrast, the available sources do not establish nationwide exercise of all functions assigned by Resolution No. 738, particularly certification and inspection/QC.

The 2026 amendment to the Operational Plan expanded CHD's participation in designated activities and standardisation work. The Accounts Chamber has also recommended stronger coordination and integration of mine-action information systems to prevent duplication and improve planning.⁴

3. Remaining legal and institutional issues

3.1 Overlapping statutory mandates

Articles 25 and 25-1 assign MAC and CHD near-parallel responsibilities for planning, information management, quality management, certification, inspection, standards, training, risk education, incident data, international cooperation and reporting. Resolution No. 738 differentiates CHD in practice but cannot amend this statutory duplication. The Accounts Chamber has also identified overlapping and inconsistent powers and risks linked to fragmented coordination and information systems.⁵

3.2 CHD's institutional placement

Article 25-1(2) still places CHD under the central authority responsible for civil protection. Cabinet Order No. 358-r transferred CHD's unified property complex from SESU to the Economic and Financial Department of the Secretariat of the Cabinet of Ministers, while Joint Order No. 9/3/5 continues to describe CHD as a SESU institution. The public framework therefore remains internally inconsistent on subordination and governance.⁶

3.3 Accreditation, QC and impartiality

Article 11 requires transfer-related QC to be performed by an accredited inspection body, while Articles 29 and 29-1 reserve certification decisions to accredited conformity-assessment bodies. Where CHD is simultaneously a customer, system owner or contracting actor, functional separation and impartiality safeguards are also required. IMAS distinguishes internal operator quality controls from external monitoring and inspection; QC should not be described as 'always external'.⁷

⁴ Cabinet Order No. 616-r of 28 June 2024 and Cabinet Order No. 191-r of 25 February 2026, approving and amending the Strategy and Operational Plan: <https://zakon.rada.gov.ua/laws/show/616-2024-%D1%80#Text>; <https://zakon.rada.gov.ua/laws/show/191-2026-%D1%80#Text>. Accounts Chamber, audit report approved by Decision No. 21-2 of 2025, findings and recommendations concerning coordination and information systems: https://rp.gov.ua/upload-files/Activity/Collegium/2025/21-2_2025/IP_21-2_2025.pdf

⁵ Accounts Chamber, audit report approved by Decision No. 21-2 of 2025, findings and recommendations: https://rp.gov.ua/upload-files/Activity/Collegium/2025/21-2_2025/IP_21-2_2025.pdf

⁶ Law No. 2642-VIII, Art. 25-1(2): <https://zakon.rada.gov.ua/laws/show/2642-19#Text>; Cabinet Orders Nos. 303-r and 358-r: <https://zakon.rada.gov.ua/laws/show/303-2023-%D1%80#Text> and <https://zakon.rada.gov.ua/laws/show/358-2023-%D1%80#Text>; Joint Order No. 9/3/5: <https://zakon.rada.gov.ua/laws/show/z0148-23#Text>

⁷ Law No. 2642-VIII, Arts. 11, 29 and 29-1: <https://zakon.rada.gov.ua/laws/show/2642-19#Text>; IMAS 07.12: <https://www.mineactionstandards.org/standards/07-12/>; IMAS 09.13: <https://www.mineactionstandards.org/standards/09-13/>

3.4 Prioritisation and tasking

Resolution No. 738 gives CHD an explicit sector/customer role for agricultural and forestry land. The framework does not yet provide one concise public workflow distinguishing strategic prioritisation, selection of land, procurement, operational tasking, QC, acceptance and transfer.

3.5 Regulatory transition in 2026

Resolution No. 963 of 17 July 2026 renamed the Ministry of Economy, Environment and Agriculture and restored a separate Ministry of Agrarian Policy. Resolution No. 738 still refers to the former combined ministry. Responsibility for agriculture- and forestry-related interaction with CHD should therefore be reflected in the updated ministerial and inter-agency framework.⁸

4. Recommendations

The identified gaps should be addressed through a coordinated package of legislative, institutional and operational measures.

Clarify the legal allocation of MAC and CHD mandates. Amend Articles 25 and 25-1 to identify lead, support and accreditation-dependent functions and align CHD's institutional placement. Responsible: Cabinet, relevant ministries and the Verkhovna Rada.

Adopt one architecture, workflow and reporting framework. Publish an end-to-end process covering prioritisation, tasking/contracting, information exchange, QC, acceptance and transfer, and use the same allocation in quarterly reporting and the 2027–2029 Operational Plan. Responsible: NMAA and its Secretariat, with MAC, CHD and relevant authorities.⁹

Update legacy and transitional acts. Amend or replace Joint Order No. 9/3/5 and update institutional references following Resolution No. 963. Responsible: MoD, Ministry of Internal Affairs (MIA) and the ministries succeeding to the relevant functions.

Confirm accreditation and impartiality arrangements. Verify and publish CHD's accreditation status and scope before certification or acceptance-related inspection, and document functional separation where CHD holds multiple roles. Responsible: CHD and the competent accreditation and oversight bodies.

Define a sustainable financing and capacity model for CHD. Map each assigned function to the required budget, staffing, systems, accreditation and donor-financing arrangements, while preserving state accountability for statutory functions. Responsible: Cabinet, Ministry of Finance, the competent ministries and CHD.

Plan the institutional model beyond martial law. Decide which MAC and CHD functions remain permanent, which require transition and how subordination, reporting and operational coordination will work after the martial-law framework ends. Responsible: Cabinet and NMAA, with MoD, MIA, CHD and the relevant successor ministries.

⁸ Cabinet Resolution No. 963 of 17 July 2026: <https://www.kmu.gov.ua/npas/deiaki-pytannia-optimizatsii-sistemy-tsentralnykh-orhaniv-vykonavchoi-t170726>

⁹ Cabinet Order No. 616-r of 28 June 2024 and Cabinet Order No. 191-r of 25 February 2026, approving and amending the Strategy and Operational Plan: <https://zakon.rada.gov.ua/laws/show/616-2024-%D1%80#Text>; <https://zakon.rada.gov.ua/laws/show/191-2026-%D1%80#Text>

Annex. Detailed functional allocation matrix

The matrix explains how the principal functions are allocated in law, how the institutional roles should be read in practice, and which legal or operational condition remains necessary. It should be read together with the architecture diagram in Section 1.

A. Governance, planning and tasking

Function	Legal allocation	Practical reading	Required clarification or safeguard
Policy and strategy	The Cabinet of Ministers approves the national strategy and operational plans. NMAA coordinates participating authorities, develops recommendations and organises work on national mine-action standards. MAC and CHD participate and submit proposals within their statutory mandates.	NMAA should be treated as the inter-agency policy and coordination body. Its Secretariat provides institutional support and links the participating bodies; it is not a substitute for the authorities that take operational or legally binding decisions.	The Strategy, operational plans and subordinate acts should use the same allocation of lead, supporting and decision-making responsibilities.
Planning	Articles 25 and 25-1 give both MAC and CHD planning functions. Resolution No. 738 further assigns CHD a planning and customer role for humanitarian demining of agricultural and forestry land through the applicable prioritisation mechanism.	MAC retains a general national planning and organisational role. CHD has a more specific implementation role in the agricultural and forestry stream. These roles are complementary only if the scope, inputs and decision points of each centre are documented.	A single planning procedure should identify who prepares the national picture, who selects land, who approves priorities and who converts priorities into funded tasks.
Prioritisation, contracting and tasking	The public framework distinguishes strategic coordination from implementation only partially. Resolution No. 738 refers to CHD acting as a customer and using the prioritisation mechanism, but it does not set out one complete national workflow for selection, procurement, contracting and operational tasking.	Strategic prioritisation should remain separate from procurement and the issue of an operational task. A customer may procure work, while certified operators execute the relevant processes under an agreed task and quality framework.	NMAA and its Secretariat should publish an end-to-end workflow showing the responsible actor, required decision and authoritative record at every stage.

B. Information, standards and operational assurance

Function	Legal allocation	Practical reading	Required clarification or safeguard
Information management	Both centres have statutory information-management functions. MAC also has a land-cadastre exchange role, while Resolution No. 738 expressly refers to CHD information resources and geospatial and analytical platforms.	The existence of several systems does not determine which dataset is authoritative. MAC and CHD may collect or process different operational information, but national reporting and task records require agreed ownership, identifiers and exchange rules.	Adopt an interoperability and data-governance protocol covering the authoritative dataset, access rights, update responsibility and reconciliation of conflicting records.
Standards and training	NMAA organises development and implementation of national standards. Articles 25 and 25-1 assign MAC and CHD substantially parallel functions concerning proposals, testing, implementation and training. Resolution No. 738 also links CHD activities to the DSTU 8820 series.	Participation by both centres can provide technical expertise, but final ownership and change control for a national standard must be clear. Training content should follow the same approved interpretation of the standard.	Designate one national standards process with named drafting, consultation, approval, publication and training responsibilities.
Certification, QC and inspection	The Law reserves certification decisions to accredited conformity-assessment bodies and transfer-related inspection/QC to an accredited inspection body. Resolution No. 738 assigns certification and QC functions to CHD but cannot disapply those statutory accreditation requirements.	MAC or CHD may perform these functions only within an accredited scope. Internal operator quality control, external monitoring, certification and acceptance-related inspection are different functions and should not be merged under the general label 'QC'.	Publish the accreditation status and scope of each body and document functional separation and impartiality safeguards wherever one institution holds customer, system-owner and assurance roles.

C. Public communication, reporting and accountability

Function	Legal allocation	Practical reading	Required clarification or safeguard
Risk education and incident data	MAC and CHD both have statutory functions relating to explosive-ordnance risk education and incident information. Resolution No. 738 gives CHD additional responsibilities for planning or joint delivery, monitoring civilian incident data and analysing trends.	Parallel participation is workable if the institutions use common definitions, messages, referral rules and incident classifications. Otherwise, national figures and public safety messages may diverge.	Approve one national coordination and data protocol identifying the lead for methodology, validation, publication and correction of information.
International and donor engagement	Both centres have international-cooperation functions. Resolution No. 738 expressly authorises CHD communication with donors and international partners in connection with its mandate.	Operational communication by CHD should remain consistent with the national policy position and should not create competing representations of priorities, results or institutional authority.	Adopt a representation protocol distinguishing policy commitments, operational coordination, fundraising and technical reporting.
Reporting and accountability	CHD must report quarterly to NMAA and may submit proposals for improvement. MAC also reports within the statutory coordination framework, while the NMAA Secretariat consolidates information supporting the Authority's work.	Quarterly reporting can become the main mechanism for showing whether the architecture works in practice, but only if MAC and CHD report against common functions, outputs, decisions and quality indicators.	Use one reporting taxonomy and publish a non-sensitive consolidated account of responsibilities, progress, accreditation-dependent functions and unresolved coordination issues.

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Additional official and technical sources

- **Ministry update:** [Government clarification on CHD's role and work towards accreditation, 12 June 2026](#)
- **Public audit:** [Accounts Chamber Decision/Report No. 21-2 of 2025](#)
- **IMAS:** [IMAS 07.12 — Quality management in mine action](#)
- **IMAS:** [IMAS 09.13 — Building clearance](#)