GENEVA CALL
APPEL DE GENÈVE
LLAMAMIENTO DE GINEBRA

The Involvement of Armed Non-State Actors in the Landmine Problem: A Call for Action

Executive Summary

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for the Nairobi Summit on a Mine Free World
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Summary of Findings and Recommendations

Between 2003 and 2004, 60 armed non-State actors (NSAs) were found to be using landmines in 21 countries. This represents over 25% of the estimated 200 armed NSAs that are currently active in the world. Of these, 21 groups have admitted to mine use, 31 are strongly believed to have used mines, while eight are unconfirmed users.

In addition to these specific groups, 'atypical' NSAs or unknown groups have made frequent use of factory-made and handmade landmines - improvised explosive devices (IEDs) - in Pakistan, Chechnya and Iraq.

NSAs mainly use landmines *offensively*, targeting agents of the State (military personnel, police and paramilitary forces). In many cases, NSAs are present at the time and place of the landmine attack. This suggests that for NSAs, who employ landmines in such a way, command-detonated landmines could be an alternative, and, hence, a total ban on AP mines is possible.

Credit: Swiss Foundation for Mine Action

Hand grenade converted to be victim-activated by use of a tripwire.

In terms of types of landmines, just over 20 NSAs have used mines that were *command-detonated*. Nevertheless, practically all of these groups have – or allegedly have – also made use of victim-activated devices. In fact, it is alleged that 46 groups have used *victim-activated* antipersonnel (AP) mines and/or IEDs that could be triggered by a person.

Just over 30 NSAs were found to have made use of *factory-made* landmines, while close to 40 used IEDs.

There are big differences between NSAs as to the frequency of landmine use. There are also significant *region-specific variations.* For instance, African NSAs currently use exclusively factory-made landmines, while Asian NSAs are major producers and users of IEDs. These NSA and region-particular characteristics are crucial to take into account when choosing the most appropriate strategy for engagement.

This clearly shows that NSAs are part of the landmine problem. Since they generally have more limited resources as compared to the States they are fighting, they are therefore more likely to use landmines, "the poor man's weapon". Because of their low cost and easy availability, landmines – victim-activated or command-detonated – have become a weapon of choice for NSAs in many conflicts. There are two possible solutions to this problem:

1. Target the availability of and access to landmines and materials necessary for manufacturing IEDs.

2. Engage NSAs in the mine ban.

The fact that mine use and the production of IEDs is widespread among NSAs indicates that a strategy that solely targets access to factory-made landmines and explosives is not sufficient:

- IEDs do not always constitute indiscriminate weapons; as this depends on how they are put to use.
- NSAs are capable of making IEDs out of widely available explosive material, such as unexploded ammunition or what is commonly referred to as unexploded ordnances (UXO).
- Flows of cheap and easily accessible explosives for the manufacturing of mines are difficult to control since these are used in various industries, such as road construction and mining. Some NSAs even manufacture their own explosives.
- Wide areas of the world are beyond the effective control of any State, which facilitates not only the trade in arms but also the trade in materials for IED production.
- Among different NSAs, it is common to find arms and explosives being transferred as well as the knowledge and technology necessary for manufacturing arms.

Also factory–made landmines are accessible to NSAs through at least two additional sources:

- Landmines are already available to NSAs in minefields or stocks.
- States have reportedly supplied NSAs in other countries with landmines.

In light of the above, it is therefore crucial for the international community to engage NSAs in a total ban on AP mines. To prevent the proliferation of the use of such indiscriminate weapons, it is particularly important to work preventively with NSAs in areas where mines, explosives and the knowledge about how to produce and use mines are readily available.

Introduction[1]

Background

Antipersonnel (AP) mines and similar victim-activated explosive devices are indiscriminate weapons. Their use is contrary to universally accepted principles of international humanitarian law. During war, they blindly strike civilians and soldiers, friends and foes alike. AP mines recognize no ceasefire and they remain active and continue to pose a danger to civilians long after hostilities have ended. As so aptly described by Commander Lino from the Sudanese People's Liberation Movement/Army (SPLM/A), "mines are war after the war".[2] Beyond the direct threat they pose to the physical safety of those who live with them, landmines prevent communities from having safe access to land, water and infrastructure, and constitute a serious obstacle to the return of internally displaced persons and refugees. These remnants of war impede reconstruction efforts, socio-economic development and create further insecurity in already vulnerable societies.

Since 1992, humanitarian organizations, most notably the International Campaign to Ban Landmines (ICBL) and the International Committee of the Red Cross (ICRC), have campaigned tirelessly against AP mines. In 1997, these efforts culminated in the adoption of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, commonly referred to as the Ottawa Convention or Mine Ban Treaty (MBT). The treaty entered into force on 1 March 1999. Today, over three-quarters of the world's States have acceded to the Treaty. Despite this significant step in the fight against landmines, five years after the entry into force of the MBT, landmines continue to be an acute problem threatening human security in over 80 countries around the world.[3] More concretely, it is said that the landmine problem causes

1. This report was authored by Anki Sjöberg, PhD candidate at the Graduate Institute of International Studies, Geneva, Switzerland, with contributions from Katherine Kramer, Pascal Bongard, and Elisabeth Reusse-Decrey, all from Geneva Call. The report received expert input from many individuals and organizations, including Landmine Monitor researchers, national campaigns to the International Campaign to Ban Landmines, other locally based organizations, and NSA representatives. Particularly warm thanks to Raza Shan Khan, Dr. Balkrishna Kurvey, Shoab Hakimi, Patrick Hirard, Camilo Serna, and Mehmet Balci for their valuable inputs. Important contributions were also made by a number of dedicated Geneva Call research assistants: Anne-Kathrin Glatz, Veronique Barbelet, Alexandra Boivin, Agnieszaka Kiràly, and Anne-Sophie Dufetre. Editing was undertaken by Alexandra Boivin and Katherine Kramer.
2. Commander Edward Lino, SPLM/A speech held at a conference entitled "An Inclusive Approach to Armed Non-State Actors and International Humanitarian Norms", co-organized by Geneva Call, the Program of International Organization(s) of the Graduate Institute of International Studies, and the Armed Groups Project of the University of British Columbia, held in Geneva 31 October – 2 November 2004.
3. *Landmine Monitor Report 2003*, International Campaign to Ban Landmines, 2003, p. 22.

between 15,000 and 20,000 victims around the world every year, of which only about 15% are identified as military personnel.[4]

One of the important challenges that faces the mine ban movement is the inclusion of armed non-State actors (NSAs). It is estimated that there are approximately 200 NSAs in the world today, be they rebel groups, guerrilla groups, liberation movements or de facto governments. Like all treaties, the MBT can only be acceded to by States. NSAs are not eligible to join, and yet:

- Many NSAs manufacture, stockpile and use landmines in armed conflicts.
- NSAs operate in or exercise de facto control over mined land, as in Burma, Somalia and Sri Lanka, and the people living in these affected regions face serious problems due to landmines, often without proper assistance.
- The presence of NSAs has an adverse and counter-productive impact on the mine policy of States. In some cases, governments have linked their accession to the MBT with a mine ban commitment on the part of the NSAs living and operating within their borders. In the Sri Lankan case, the government has stated that it would sign the Mine Ban Treaty, on the condition that the Liberation Tigers of Tamil Eelam (LTTE) sign the Deed of Commitment (see below). Other governments point to the presence of landmines in territories under NSA control, which makes it difficult, if not impossible, for them to fulfil their obligations under the Treaty.

In order to achieve a truly universal ban on AP mines, it is essential to engage NSAs in the fight. A ban that is participated in by States alone will not resolve the landmine issue. NSAs are part of the problem; therefore they must also be part of the solution.

This is the spirit in which Geneva Call was launched shortly after the coming into force of the MBT. Geneva Call seeks to obtain commitments from NSAs toward the mine ban through a unique mechanism entitled the "Deed of Commitment for Adherence to a Total Ban on Anti-Personnel Mines and for Cooperation in Mine Action" (Deed of Commitment). The custodian of these Deeds is the Government of the Republic and Canton of Geneva.

Four years into Geneva Call's work, there is still not sufficient information available regarding the extent to which NSAs are implicated in the landmine problem. This report represents an attempt

4. Estimations of causalities caused by landmines, causalities defined as individuals killed or injured due to incidents involving AP mines, antivehicle mines, IEDs, cluster munitions, and UXO. *Landmine Monitor Report 2003*, pp. 38-39.

on the part of Geneva Call to fill the information gap by compiling and analysing currently available information on NSA mine use for the period of 2003-2004.[5] The aim is to reflect with as much accuracy as possible the contribution of NSAs to the landmine problem. By mapping the scope of mine use by NSAs as well as the logic behind this use, Geneva Call hopes to better understand the problem and, ultimately, to use this information to increase the engagement of NSAs in the mine ban.

Rationale and Context

On a global scale, those who monitor the landmine problem and the implementation of the MBT (primarily the Landmine Monitor) focus their attention on States, signatories and non-signatories alike. With a few noteworthy exceptions, NSA mine use has not been explored in any depth. This is mostly due to the lack of available information and limited experience in researching NSAs. It is also the case that in some situations, States have been reluctant to allow research on the subject or provide information. Moreover, researchers in the field may face security problems in gathering information on a subject that is considered sensitive.

In light of the considerable number of active NSAs around the world and the impact their mine use has on the lives of civilians, Geneva Call believes that it is essential to complement available information on State use of AP mines by collecting data on mine use by NSAs. Once systematized and analysed, this information will serve as a useful tool for engaging NSAs in the mine ban. The underlying rationale for this report is the need to gain a better understanding of what information is currently available and to use this to conduct a first analysis of the global trends of how and why NSAs use landmines.

For the executive summary of the first report, the focus will be on the extent to which NSAs contribute to the problem by using landmines, the assumed reasons for their mine use, the type of landmines NSAs use, and the frequency of their use. Although the *use* of landmines remains the main focus of this report,[6] NSA supply of mines and material for making improvised explosive

5. To a more limited extent 2002 incidents could have been included in the analysis. This is due to the extensive use of the *Landmine Monitor 2003*, which includes incidents after May 2002.
6. The concept of "use" mainly refers to the planting of new landmines. The detonation of "old" mines will not be included in this report when it is possible to determine that a mine was planted before the beginning of 2003, for example in cases in which a conflict is settled and no new mines have been reported to have been planted.

devices (IEDs) and the relationship between the use of mines by States and by NSAs are also briefly examined. The full report will also address the issue of transfer and stockpiling.

It is important to insist on the fact that even though many NSAs contribute to the global AP mine problem through the use, production, transfer and stockpiling of these weapons, some are also contributing to the solution by committing to a total landmine ban and cooperating in the implementation of mine action programmes. Therefore, the purpose of this project is not to point the finger at NSAs since they may be just as "good" or "bad" as States. This report is one in a two part series; a forthcoming report will focus on the contribution of NSAs to the solution of the mine problem, including their commitment to a ban, involvement in demining, victim assistance and mine risk education programmes, stockpile destruction, and promotion of the mine ban to other NSAs. Together these reports will provide a more complete picture of the complex role that NSAs play in the landmine problem and its solution.

"NON-STATE ACTOR"

GENEVA CALL DEFINES AN NSA AS ANY ARMED ACTOR WITH A STRUCTURE OF COMMAND OPERATING **OUTSIDE STATE CONTROL** THAT USES FORCE TO ACHIEVE ITS **POLITICAL/QUASI-POLITICAL OBJECTIVES.**[7] SUCH ACTORS INCLUDE ARMED GROUPS, REBEL GROUPS, LIBERATION MOVEMENTS AND DE FACTO OR NON-RECOGNIZED GOVERNMENTS. THIS DEFINITION THEREFORE EXCLUDES PARAMILITARY GROUPS, SINCE THESE, IN A STRICTER OR LOOSER WAY, ARE TIED TO A STATE APPARATUS. RESPONSIBILITY COULD CONSEQUENTLY BE ATTRIBUTED TO THE STATE FOR THE ACTIONS OF THESE GROUPS. THE USE OF LANDMINES BY CRIMINAL GROUPS OR INDIVIDUALS ARE ALSO EXCLUDED FROM THE ANALYSIS, WHICH DOES NOT RULE OUT THAT LANDMINE USE BY SUCH ACTORS CAN BE A PROBLEM IN SOME REGIONS, AS FOR EXAMPLE IN PAKISTAN AND IN AFGHANISTAN.

7. In this report some cases where groups do not easily fall under Geneva Call's definition were not included, as for example Pakistan, Chechnya, Iraq and Thailand. Very frequent use of IEDs and factory-made mines was reported in both Iraq and Chechnya. However, we have not been able to identify the groups responsible. Nevertheless, all the above-mentioned cases will be included in the full report.

Limitations and Problems Encountered

This report is an ambitious attempt to provide a detailed look at the contribution of NSAs to the landmine problem. In compiling the report, Geneva Call consulted a number of secondary sources, including Landmine Monitor reports, journals, newspaper articles as well as the websites of certain armed groups, non-governmental organizations, and international organizations. In addition, Geneva Call sent questionnaires to regional and country experts, NSAs and governments.[8] Due to limited resources and time, the report relies heavily on currently available English-language secondary sources with all the limitations these sources involve, as there was no possibility of conducting independent field missions to verify, clarify or explore further allegations of mine use by NSAs.

Information about NSA mine use is unevenly distributed. For some countries and for certain NSAs, there is abundant material. For others the material available is scarce. This has made it difficult – and in a few cases even impossible – to draw complete mine use profiles for every armed group. In this sense, the limitations of this report amount to the limitations of the available public sources. Nevertheless, it is hoped that this report will mobilize the mine ban community to assist Geneva Call in collecting the missing information, and thus, to get a more complete representation of the role played by NSAs in the landmine issue.

Early on in the research process, it became evident that attributing mine incidents to a particular actor can be extremely difficult, whether an NSA or a State. Incidents are sometimes reported as mine incidents, even when they are the result of other explosives, such as unexploded ordnance (UXO).[9] Conversely, it also happens that landmine incidents are not reported as such, given the fact that Geneva Call uses a broader definition of landmines than most organizations and media, especially by including IEDs.

Another difficulty for attributing responsibility arises in cases where there are multiple actors operating in the same territory. This is true even in cases where there is an official State institution formally responsible for reporting mine incidents and attributing them to perpetrators.[10] Landmine

8. Unfortunately the response received from both NSAs and governments was limited.
9. Unexploded ordnance can be defined as "munitions (bombs, shells, mortars, grenades and the like) that have failed to detonate as intended, usually on the impact with the ground or other hard surface." A Guide to Mine Action (second edition), Geneva International Centre for Humanitarian Demining, Geneva 2004, p. 9.
10. For example the Colombian government's Antipersonnel Mine Observatory said it could not attribute user responsibility in approximately half (or 283) of the 2002 mine incidents. Landmine Monitor 2003, p. 179.

use by NSAs is even more challenging to attribute as often their own voice is not heard.[11] Another problem is that some actors may have an interest in attributing mine incidents to a specific group, even going so far as to invent mine incidents where there are none.[12] In some cases, the reverse is true: some States may not want to attribute responsibility to an armed group for an incident, if this would mean admitting that the NSA in question controls part of the territory[13] or that it is in possession of more elaborate arms than was previously thought. Sometimes, it also happens that more than one NSA claims responsibility for the same incident.[14] Caution therefore needs to be used when examining allegations of mine use.

Because of the difficulties mentioned above, allegations of mine use have been categorized according to three levels of reliability: confirmed use, substantiated allegations, and unconfirmed allegations of use.

1. **Confirmed use (C):** cases of mine use in which there have been allegations that point at a particular NSA, which are later acknowledged by a representative of the group or when an incident is claimed by a group and there are no particular circumstances that contradict the claim.

2. **Substantiated allegations (SA):** cases of mine use in which there is strong indication and/or independent allegations from experts or locally based organizations that a certain NSA is responsible; for example from a Landmine Monitor researcher, or other representatives of non-governmental organizations (NGOs) and international organizations. Cases of mine use in which it is very likely that a certain NSA is responsible will be included in this category unless the NSA itself has declared responsibility.

11. Many of the alleged groups were contacted for more information, but unfortunately not many took the opportunity to reply.
12. For example, in Colombia, on 1 October 2002, a civilian died during fighting between the Fuerzas Armadas Revolucionarias Colombians (FARC) and the army in the village of Caño Don Juan, Antioquia. The Colombian army claimed that the casualty was caused by an AP mine. However, it was later confirmed by eyewitnesses and a medical report that the victim had actually been caught in the crossfire. Landmine Monitor Report 2003, p.179.
13. In August 2003 the Ugandan army both confirmed and denied reports that Lord's Resistance Army (LRA) had mined a road with AP mines to keep hold of it. According to an army spokesperson: "They're not controlling anything, (…) It was us who closed the road in order to pursue them. There's no evidence that they have planted land mines anywhere." See "AAGM - LRA rebels declare full scale war on Teso", The Monitor, Kampala, Uganda, 12 August 2003, by Patrick Elobu Angonu, and "LRA rebels reportedly kill 11 in north", The Monitor, Kampala, Uganda, 12 August 2003.
14. This seems to have been the case for example for a landmine blast that hit a bus Srinigar, Indian Kashmir, in May 2004. See for example "Landmine blast, clashes leave 22 dead in Kashmir", Daily Times, 2004. <http://www.dailytimes.com.pk/> Last checked 18 October 2004, and "28 killed in J&K mine blast", India's National Newspaper (on-line edition), 24 May 2004, by Shujaat Bukhari.

3. **Unconfirmed allegations of use (UC):** this category includes allegations made from partial sources, for example governments, military, police, etc., as well as media reports, and where independent sources were not found. Though less certain, these allegations still point to possible NSA involvement.

The same level of reliability is employed for determining the different types of landmines used and for what purpose they are employed. "Confirmed use" is employed if it can be shown that an incident claimed by a group was caused by a specific type of mine. One problem encountered in identifying the type of mine used relates to the stigma attached to the use of AP mines. In several cases, States accuse NSAs of using victim-activated landmines while the group itself may deny such use. There have been several examples of this, such as the case of the Chechen rebels in Russia, People's Congress of Kurdistan (KONGRA-GEL, formerly known as Kurdish People's Working Party (PKK)) in Turkey, and the Acheh Sumatra National Liberation Front/Free Acheh Movement (ASNLF/GAM) in Indonesia. In cases where there are contradictions between what is said by the NSAs and the States, and no independent source clearly points in one direction or the other, the allegation is registered as "unconfirmed use".

"ANTIPERSONNEL MINES"

THE MBT PROHIBITS THE USE, STOCKPILING, PRODUCTION AND TRANSFER OF AP MINES BY STATE PARTIES, AND IT REQUIRES THE DESTRUCTION OF SUCH MINES. THE DEED OF COMMITMENT, DEVELOPED AND USED BY GENEVA CALL TO ENGAGE NSAS IN THE MINE BAN, FOLLOWS THE MBT IN THAT IT REQUIRES A TOTAL PROHIBITION OF THE USE, PRODUCTION, TRANSFER AND STOCKPILING OF AP MINES. ONE IMPORTANT DISTINCTION IS THAT THE DEED OF COMMITMENT, IN CONTRAST WITH THE MBT,[15] INCLUDES **ALL MINES THAT CAN BE CONSIDERED TO BE VICTIM-ACTIVATED**, EVEN IF THEY ARE NOT SPECIFICALLY DESIGNED TO BE SO. ACCORDING TO THE DEED OF COMMITMENT, AN AP MINE IS ANY DEVICE THAT EXPLODES BY THE PRESENCE, PROXIMITY OR CONTACT OF A PERSON, INCLUDING OTHER VICTIM-ACTIVATED EXPLOSIVE DEVICES AND AV MINES WITH THE SAME EFFECT. CONSEQUENTLY THIS DEFINITION OF AP MINE INCLUDES FACTORY-MADE AP MINES, IEDS AND AV MINES THAT CAN BE TRIGGERED BY THE WEIGHT OR PRESENCE OF A PERSON. IT ALSO INCLUDES BOOBY TRAPS PREPARED WITH EXPLOSIVES, I.E. MINES THAT ARE DESIGNED TO LOOK LIKE HARMLESS OBJECTS, AND THAT ARE VICTIM-ACTIVATED.

15. The MBT instead puts the weight on the original purpose of the mine, not its consequences, and consequently "Mines designed to be detonated by the presence, proximity or contact of a vehicle as opposed to a person, that are equipped with anti-handling devices, are not considered anti-personnel mines as a result of being so equipped". MBT, article 2.1. (Emphasis added). The importance of focusing on the consequences, not the design, was stressed at the Conference "Engaging Non-State Actors in a Landmine Ban – a Pioneering Conference", *Summary Proceedings, 2000*.

A. Overview of NSA Mine Use

It was found that 60 armed groups allegedly used landmines in 21 countries during 2003-2004. Of these groups, 21 have admitted to mine use, 31 are strongly believed to have used mines, while 8 are unconfirmed users.

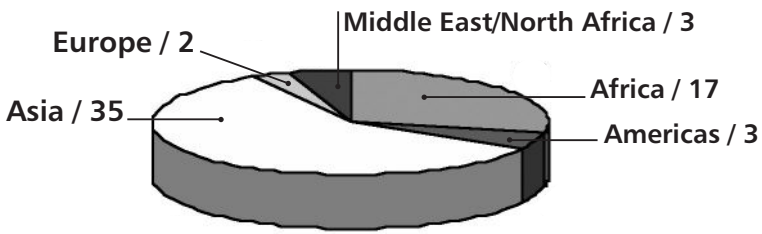
46 groups are believed to have used victim-activated mines, of which 3 are confirmed and 32 are strongly believed to have done so. In 11 cases, the use of victim-activated mines is unconfirmed. In the remaining 14 cases, 5 NSAs were believed to have used only AV mines, while it is not clear what kind of mines were used by the others.

In addition to these groups, 'atypical' NSAs[16] and unknown groups have used mines very frequently in Pakistan, Chechnya and Iraq. There were also allegations about IED use by an unidentified group in southern Thailand. None of these groups are included in the following tables.

Figure 1 shows the geographic spread of both AP and AV mine use by NSAs, whether activated by the victim, a vehicle or through command-detonation. Most of the mine-using NSAs are concen-

Figure 1

Use of mines (AP and AV) by NSAs per region
(AP mines: Antipersonnel mines. AV mines: Antivehicle mines)

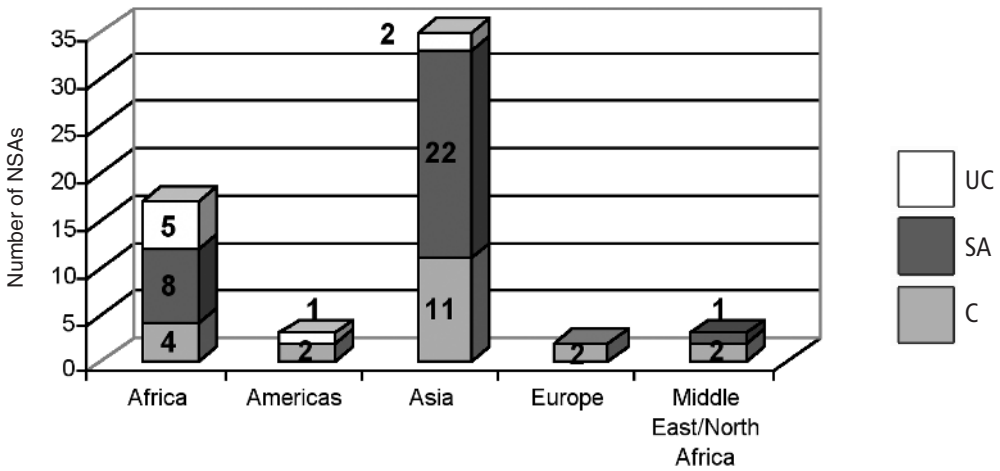


16. 'Atypical' NSAs are groups that do not easily fall the working definition chosen. Pakistani mine using groups currently go under this category. The difficulty of classifying Pakistani groups has been underlined by the Landmine Monitor researcher for Pakistan. (Email to Geneva Call from Raza Shan Khan, received 4 October 2004.) A detailed description of the mine use by Pakistani groups, provided by Raza Shan Khan, will be included in the full report.

trated in Asia: close to 35 groups have allegedly made use of landmines in the region. In Africa, 17 groups are alleged mine users, while the Americas and the Middle East/North Africa regions have three groups each. Two NSAs are confirmed mine users in Europe.

The level of reliability of the allegations is not shown in Figure 1. Figure 2 (see below) indicates that the highest level of reliability is in Asia. This could also indicate that more reliable information is available relating to Asian NSAs than to those active in other regions. Figure 2 also illustrates that NSAs frequently do not take responsibility for mine use, nor do they make general declarations about using landmines. The predominant level of reliability is substantiated allegations, suggesting that Landmine Monitor researchers and other members of the mine ban community have gathered reliable data on ongoing or recent use.

Figure 2 **Use of mines (AP and AV): level of reliability per region**



B. Logic behind NSA Mine Use

The reason for landmine use is a particularly important issue since knowing why and how NSAs use these weapons can contribute to developing a successful strategy for engaging groups in the landmine ban. Four types of purposes or modes of use are distinguished: (a) defensive; (b) offensive; (c) for economic gain; and (d) nuisance mining. To be certain, these are not clear cut divisions, and in some cases overlaps are possible.

(a) Defensive: AP mines are primarily known to be defensive, tactical battlefield weapons, intended to deny ground to the enemy, presenting barriers that must be breached or circumvented. Defensive mine use therefore implies planting mines for the protection of a camp and/or arms caches, but also for slowing down the pace of enemy advance. A further defensive use can be laying mines for the protection of an ethnic group or relatives of group members.

(b) Offensive: Increasingly, AP mines have shifted from being primarily a defensive, tactical weapon to being an offensive, strategic weapon. Examples of offensive use of landmines is the employment of mines in planned attacks such as the targeting of individuals representing the State, or ambushes where members of a NSA plan to attack military personnel after an explosion, i.e. so called "hit and run operations".[17] Offensive use is predominant among NSAs that do not control territory, but even groups that do control territory often employ landmines for offensive purposes as well.

(c) Economic gain: Closely related to the defensive use is what we have labelled "economic gain", i.e. mine use that does not serve any direct military purpose, but mainly the economic interest of the NSA. The *Mouvement des forces démocratiques de Casamance* (MFDC) in Senegal was formerly known to use landmines to displace populations from economically rentable land, for example cashew nut cultivations.[18] A similar approach has been followed by the Democratic Karen Buddhist Army in Burma (DKBA), who has planted AP mines around timber concessions to control them.[19]

(d) Nuisance mining: The fourth category includes other types of mine use that serves no direct military or economic purpose, and is sometimes labelled "nuisance mining". This type of mining has

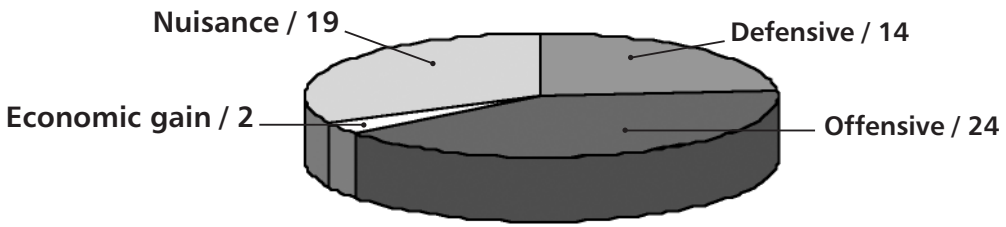
17. "Armed non-state actors and the ban of antipersonnel mines", Journal of Humanitarian Assistance, 13 October 2003, by Graeme R. Goldsworthy and Dr Frank Faulkner. <http://www.jha.ac/articles/a124.htm> Last checked 7 October 2004.
18. Email to Geneva Call from Boubine Toure, received 26 October 2004.
19. Landmine Monitor Report 2002, International Campaign to Ban Landmines, 2002, p. 628.

been used to disrupt access to and rebuilding of strategic infrastructure (communications, railways, electric or food supplies, etc.). Also mine use that is aimed deliberately at civilians (the so called 'land denial' or 'population control'), in order to empty a territory, deny use of basic facilities such as water sources, displace communities, isolate a region, or simply spread terror also falls under this category. Explosive traps, such as booby-traps, are also included here.

Trends

As shown in Figure 3, the main purpose for which NSAs use landmines is offensive.[20] In many cases, it appears that NSAs are present at the time and place of the attack. This means that in a these cases, NSAs could use command-detonated landmines instead of victim-activated mines and achieve a similar result. The Communist Party of Nepal ("Maoists"), KONGRA-GEL in Turkey, the People's War Group/Maoists Communist Center (PWG/MCC)[21] in India, the ASNLF/GAM in Indonesia, the New People's Army (NPA) in the Philippines, the Taliban in Afghanistan, as well as Kashmir groups (Harakat-ul-Jihad-i-Islami, Hizb-ul Mujahideen, Lashkar-e-Toiba, etc.) all used mines in this form.

Figure 3 **Logic behind NSA mine use**



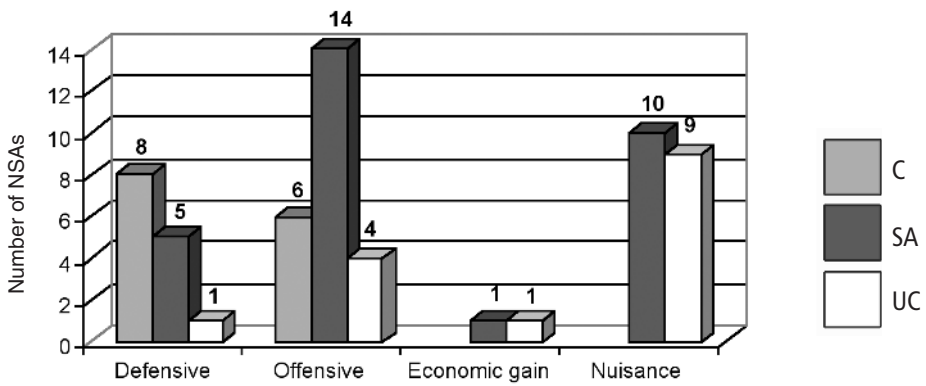
20. The following two tables do not include all NSA landmine users because of lack of information about the reasons for their mine use. Moreover, in some cases, some NSAs have been included more than once if several types of mining were found to be employed.

21. The PWG/MCC changed name to the Communist Party of India-Maoist in 2004.

Figure 3 indicates general trends that can explain why NSAs use landmines. However, for engaging NSAs in the mine ban, it is important to know how NSAs themselves justify their mine use. Figure 4 offers a better picture of this.

Not surprisingly, there are many cases of defensive and offensive mine use. No NSA has stated economic gain or nuisance mining as a reason for their mine use. Landmines are utilized for defensive purposes according to most NSAs. For example, the Burmese Karen National Liberation Army (KNLA) has told the Landmine Monitor that it needs landmines to protect internally displaced Karen people from attacks by the Myanmar Army.[22] The Lord's Resistance Army (LRA) in Uganda has reportedly used AP mines to avoid attacks on their families and relatives.[23] Both major Burundi groups, Conseil National pour la Défense de la Démocratie- Forces pour la Défense de la Démocratie (CNDD-FDD) and Parti pour la Libération du Peuple Hutu-Forces National de Liberation (FNL-PALIPEHUTU), have admitted using landmines to protect ammunition depots and to slow down enemy troops.[24] Also, the Abu Sayyaf Group in the Philippines is believed to use mines mainly to delay pursuing government troops.[25]

Figure 4 **Logic behind NSA mine use: level of reliability**



22. Landmine Monitor 2003, p. 565.

23. "Progress on banning landmines in Africa", Afrol, 7 September 2000. <http://www.afrol.com/News/afr012_landmines_ban.htm> Last checked 14 October 2004.

24. "Engaging armed non-state actors from the greater horn of Africa in a landmine ban. Report of proceedings", regional meeting of experts, Nairobi, Kenya, 1-2 September 2003, p. 11.

25. "Abu Sayyaf deters troops with landmine", Xinhua News Agency, Philippines, 7 July 2003.

There are only two NSAs that have used landmines for economic purposes (although this is probably due to underreporting rather than the insignificance of this kind of use): the Fuerzas Armadas Revolucionarias Colombians (FARC) reportedly use landmines for the protection of coca plantations; and the Senegalese MDFC have allegedly used landmines in order to protect cannabis fields.[26]

Grouping together all three levels of reliability, "nuisance mining" is the second most prevalent reason for mine use. Contrary to the cases of defensive mining, the number of unconfirmed cases in the category of "nuisance mining" is significant. Yet, if one considers only the number of confirmed or substantiated cases, defensive use is more frequent. The most cited example of nuisance mining is that of the LRA. The LRA has been known to use mines to control the movement of people.[27] According to humanitarian organizations based in Uganda, mines are planted specifically to target civilians, as they are laid close to areas frequented by villagers, such as "villages, boreholes, granaries, gardens, water sources and footpaths".[28]

Another example of nuisance mining comes from the Democratic Republic of Congo where, in 2003, numerous sources indicated that two NSAs, Rassemblement congolais pour la démocratie-Goma (RCD-Goma) and the Union of Congolese Patriots (UPC), together with Rwanda's national army, had mined a city before leaving it.[29] Similar allegations were attributed to the FARC in October 2003 when the group allegedly mined the entrances to a town and placed AP mines and explosives inside houses and vehicles before the town was to be overtaken by the army.[30] Infrastructure and other non-military targets, especially railways and energy sources, have been attacked by several groups, such as the Albanian National Army in Macedonia, a number of groups from India, and allegedly by KONGRA-GEL in Turkey.[31]

26. "Senegambia's trafficking hubs", Jane's Intelligence Review, 1 March 2004, by Richard Reeve.
27. "AVSI publishes a `Mine Risk Education Module`, Association of Volunteers in International Service, Uganda/Italy, 20 September 2004.
28. Ibid.
29. Landmine Monitor 2003, p. 196.
30. Allegedly the FARC used this strategy in Santa Rosa in the State of Cauca. It is of course difficult to determine what mines were planted with a defensive purpose on an earlier state, and what mines were planted with the aim of punishing and causing damage. "Colombian army retakes town occupied by guerrillas", Xinhua News Agency, Bogota, Colombia, 16 October 2003.
31. "Mine explosion derails freight train in Turkey", Xinhua, Ankara, Turkey, 30 August 2004.

C. Types of Mines Used

Victim-Activated and Command-Detonated Mines

Of the numerous types of landmines used by NSAs, the main focus is on those that are victim-activated, such as pressure mines, bounding mines, and stake mines.[32] Nevertheless, in addition "non-victim activated" mines, such as electronically and string-pulled command-detonated (CD) mines have been included.

Command-detonated landmines are included in the analysis for two main reasons. The most obvious reason is that in many cases it can be difficult to determine how a mine has been triggered. Another reason is that if a NSA has the capacity to use command-detonated mines it has the potential also to use victim-activated mines. As we will see further down, the trend is that NSAs that use command-detonated mines also use victim-activated varieties.

Trends

Over 20 NSAs have made use of command-detonated landmines or IEDs during 2003-2004. Unfortunately, an even greater number made use of some kind of victim-activated device (46), such as factory-made and handmade AP mines, booby-traps, or AV mines that can be triggered by a person.[33] In some cases, the trigger mechanism could not be determined. It is therefore possible that the number of command-detonated landmines is higher than is reported here, just as it is likely that the number of NSAs using victim-activated detonation is higher.

Credit: Colombian Army

Improvised mine from Colombia.

32. Technical experts often divide AP mines in four categories according to how they cause injuries: blast, fragmentation, bounding, and directional fragmentation. A Guide to Mine Action, 2004, p. 7.

33. Some NSAs that use victim-activated devices use more than one type (for example, a combination of victim-activated IEDs and commercially manufactured AP mines, and/or booby-traps). These groups are only included once in the table.

Figure 5 compares the use of victim-activated and command-detonated mines. It should be noted that the level of reliability is not factored into the results, which means that unconfirmed allegations of landmine use are included. The use of command-detonated mines is widespread and appears to be on the increase (there is increased use of such triggering mechanisms in Nepal and in Afghanistan). However, the most commonly used mechanisms among NSAs are still victim-activated devices.[34]

Command-detonated landmines are the most frequently confirmed type. This is probably a sign that a growing taboo surrounds the use of victim-activated mines. KONGRA-GEL, NPA, and the Maoists of Nepal have stated that they only use command-detonated mines, whereas ASNLF/GAM goes further, specifically stating that they do not use victim-activated landmines due to the risks this would entail for the population in whose name they are fighting.[35] A similar argument has been put forward regarding the Chechen forces: they would avoid using AP mines in order not to loose local support on which they are dependent for their operations. For this reason many of the mines reportedly laid by Chechen forces are either command-operated IEDs or AV mines.[36]

When comparing regions in Figure 6, it becomes clear that most users of command-detonated mines are concentrated in Asia, while victim-activated AP mines are dominant in Africa. What is striking is that even though NSAs make use of command-detonated mines, they still – at least partially – also rely on victim-activated mechanisms. However, since unconfirmed use is included in this Figure, it is possible that some allegations of victim-activated mine use are unfounded.

34. The high level of uncertainty that is represented in the last bar in Figure 5 (twelve NSAs) is due to the numbers of both unconfirmed use of victim-activated and command-detonated mines.

35. ASNLF/GAM has admitted ongoing mine use against the Indonesian government. However, is states that it does not use victim-activated devices, and that it uses mines exclusively to ambush military vehicles. As stated in a declaration handed over to Geneva Call: "We do plant bombs in ambush of military vehicles, but we don't use automatic triggering device. We use either cable or radio control detonation mechanism." The group has also stated that it does not use booby-traps, since these could kill civilians. "Anti personnel landmines – the Acheh conflict experience", paper prepared by the ASNLF/GAM for a workshop co-organized by Geneva Call and the Program for the Study of International Organization(s), Geneva, Switzerland, 26-29 August 2004.

36. "Chechnya: Reconstruction Amidst the War", Landmines in Eastern Europe and the Caucasus, Journal of Mine Action, August 2003, Issue 7.2, by Kristina Davis, MAIC. <http://maic.jmu.edu/journal/7.2/focus/davis/davis.htm> Last checked 27 September 2004.

Figure 5

NSA use of victim-activated and command-detonated mines: level of reliability

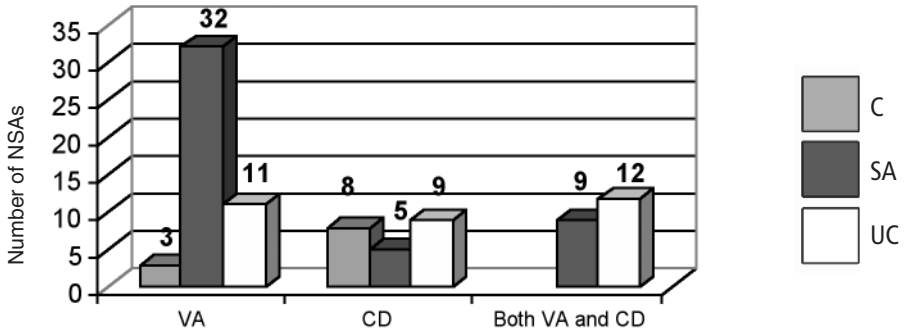
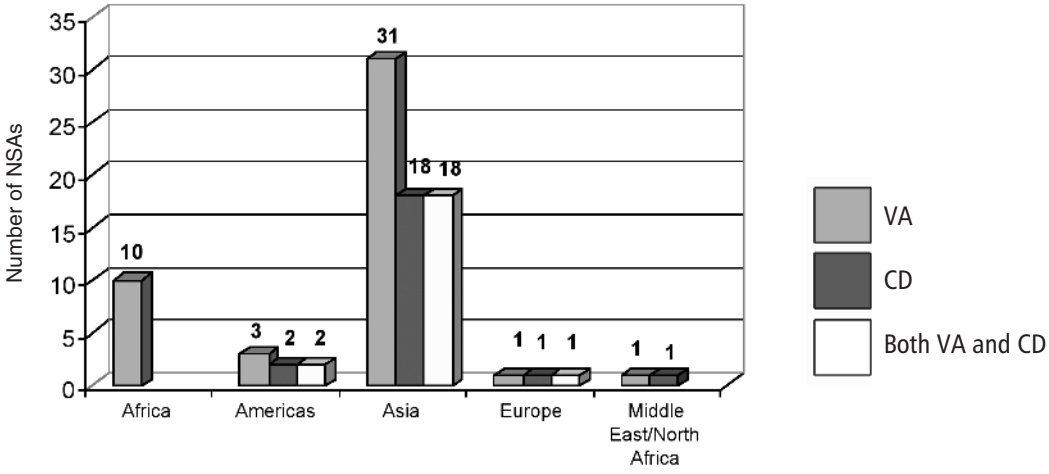


Figure 6

NSA use of victim-activated and command-detonated mines per region

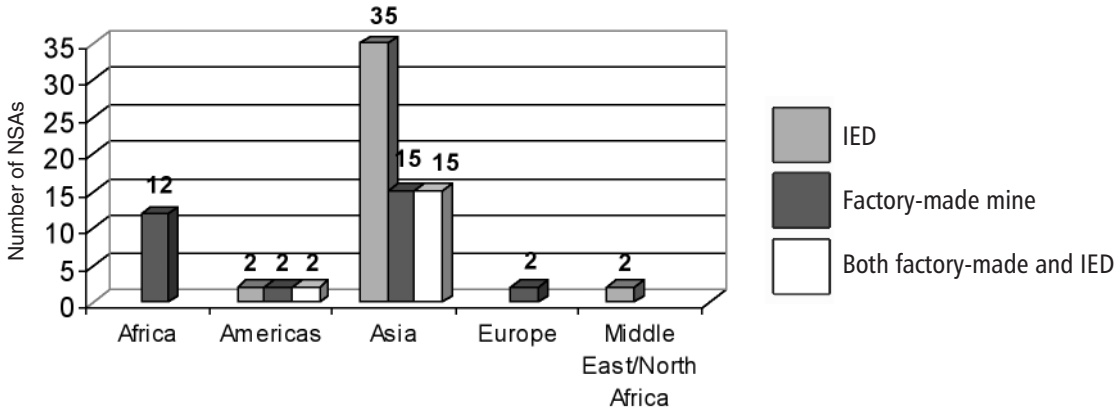


Handmade and Factory-Made Mines

Handmade weapons complicate clear-cut definitions. The MBT prohibits the use of landmines specifically manufactured as AP mines. This therefore does not include items which can be converted into victim-activated weapons by the use of a tripwire, such as in the case of hand grenades or claymore mines. Even mortars have been shown to be manipulated into victim-activated devices. However, Geneva Call does include these victim-activated devices in its definition.

There are two main differences between factory-made landmines and IEDs: their life span and predictability. Once in the ground, IEDs normally have a shorter life span than factory-made landmines. This clearly facilitates mine clearance. On the other hand, the possibility of predicting the strength of an IED is limited because the composition and quantities of explosives used are difficult to determine. It is therefore possible that handmade landmines are more deadly than commercially manufactured ones.

Figure 7 **NSA use of factory-made and handmade mines per region**



Trends

Figure 7 shows that practically all NSAs that use IEDs are concentrated on the Asian continent (35). Of the remaining four, two are based in the Middle East/North Africa region and the other two are in Colombia (Americas). The high concentration of IED use (and presumably production) in Asia can be seen as resulting from a "domino-effect". In other words, IED use by one NSA in a region may have led to use by other NSAs. Hence the heightened importance of targeting NSAs in regions where know-how and materials for the production of handmade mines are readily available.

Figure 7 does not indicate the quantities of IEDs produced and used in a given region. The Colombian NSAs, for instance, use relatively large numbers of IEDs, a fact that is not represented in Figure 7.

It should be noted that in the category of "factory-made mines", we include the few cases in which only factory-made AV mine use has been reported. This has been the case for two African and one European group.

D. Frequency of Mine Use

It is clear that there are enormous differences among NSAs, not only in terms of the reasons that motivate their mine use and the types of mines they use, but also in terms of the frequency of use. Some NSAs use landmines as their weapon of choice, such as the Maoists in Nepal; FARC and Ejército de Liberación Nacional (ELN) in Colombia; several Burmese and Kashmir groups; NPA in the Philippines; KONGRA-GEL in Turkey, the Taliban in Afghanistan[37] and PWG/MCC in India. Other groups use mines regularly, although they depend less on them, as for example the LRA in Uganda, and Groupe Salafiste pour la Prédication et le Combat (GSPC) in Algeria.

Other groups are sporadic or even unconfirmed users, such as the Albanian National Army (active in several countries, including Macedonia), which has claimed responsibility for at least one mine incident, the MFDC in Senegal (formerly frequent users but currently unconfirmed), Oromo Liberation Front in Ethiopia (formerly sporadic users but currently unconfirmed), and the Sendero Luminoso in Peru.

Keeping in mind the differences in mine use between NSAs is crucial for choosing the most appropriate strategy for engagement. Indeed, priorities must be set as to where to locate scarce resources: if one targets a group that is a frequent user and manages to involve it in the mine ban, the benefits for the population are greater. Yet, a sporadic user may be more open to renouncing the use of mines since mines are not a crucial part of its military strategy. These are questions that humanitarian actors must ask themselves all the time, hence the relevance of knowing the frequency of each group's mine use.

This report covers only mine use between 2003 and 2004. NSAs can and do change their landmine policy because of changing political circumstances such as the negotiation of a ceasefire. For example, the Nepalese Maoists had practically no registered mine incidents during the ceasefire with the government in 2003. However, after the ceasefire ended, no less than 250 roadside IED ambushes and 280 unexploded IEDs were registered by the army in less than a year.[38] A similar situation arose in the case of KONGRA-GEL who, since its decision to end the ceasefire on 1 June 2004, has made frequent use of command-detonated AV mines, with close to 20 registered incidents. In short, just as frequent users may stop their use permanently or temporarily, sporadic users may become frequent users due to the acquisition of know-how and IED materials, new access to factory-made landmines, or simply due to a policy change as a reflection of new political or military situations.

37. The Taliban have claimed responsibility for some mine use in Afghanistan, and some allegations have been made against Hezb-i-Islami and al-Qaeda. There is also mine use by unnamed "warlords".

38. "IEDs emerge as major weapon in Nepal's Maoist insurgency", Jane's Intelligence Review, 1 September 2004, by John Hill.

E. Regional disparities

In this report, important regional differences have been detected, especially when comparing the two regions in which most mine using NSAs are operating; Asia and Africa. Understanding these regional differences is essential, since they could have important consequences for the engagement and implementation of strategies for a mine ban.

In Africa, there is currently no reported use of IEDs. NSAs instead rely on factory-made landmines. These mines are both AP and AV. In fact, African NSAs are frequent users of AV mines.[39] Another characteristic is that States have reportedly supplied NSAs in Africa with landmines. Some fruitful strategies for the engagement of African NSAs are therefore: advocacy for a total ban on victim-activated AP mines, and, possibly, a total ban on vehicle-activated AV mines.[40] Another focus is on stockpile destruction of mines stored by NSAs, in order to avoid that these mines reach other NSAs. A complementary approach is to pressure States to adhere to the Mine Ban Treaty and respect the total prohibition of transfer that this imposes. For State parties, it is important that they are held responsible for this violation of their obligations as set by the treaty.

In Asia, NSAs rely to an important degree on IEDs, of which some command-detonated but most victim-activated. Hence, a different strategy is preferable: a focus on targeting NSAs in regions where proliferation of landmines and know-how of how to make IEDs are available. A second focus is advocacy in order to stop victim-activated use of landmines and IEDs.

39. 25 groups were found to have used AV mines. Of these, 11 operate in Africa and seven are believed to have used improvised AV mines. The use of AV mines will be further explored in the full-length report.

40. Victim-activated AV mines are already banned by the Geneva Call Deed of Commitment.

F. Source of Mines

States

One of the main sources of factory-made landmines for NSAs is the very State they may be fighting. Incidents of NSAs managing to loot or capture landmines from the State are reported regularly. For example, the NPA in the Philippines has stated that it has confiscated Claymore mines from the army.[41] In Burma, army mines have been seized during operations but they have also been lifted and sometimes re-planted. In fact, it has been reported that at least several hundred landmines in NSA arsenals in Burma derive from army mines that have been lifted.[42]

NSAs have reported that soldiers from State armies have offered to sell them landmines, as was the case on the Thai-Burmese border in 2001.[43] In other countries, NSAs have claimed that they were buying weapons from State soldiers, although mines were not specifically mentioned.

Credit: Geneva Call

Burmese MM1 and MM2 mines lifted from a minefield by an NSA

Another source of factory-made mines for NSAs is States other than the target State. Some States supply, or allegedly supply, NSAs in other countries with landmines. For example Ethiopia has been accused of supplying Somali factions with landmines,[44] and Sudan has repeatedly been blamed for being a major source of AP and AV (particularly antitank) mines for the LRA.[45]

41. Email from "Ka Julian", New People's Army, to Fred Lubang, Philippine Campaign, forwarded to Geneva Call 17 May 2001.
42. "Landmines are used extensively both by the Burmese army and insurgent armies", Myanmar (Burma), Global IDP Project, 2003. http://www.db.idpproject.org/Sites/idpSurvey.nsf/wViewCountries/0EF085EC30C46980C1256ECC002DC3E8> Last checked 14 October 2004.
43. Landmine Monitor Report 2002, p. 626.
44. Landmine Monitor 2003, p. 517.
45. "Kony Returns to Sudan Base", The Monitor, Kampala, Uganda, 26 August 2003, by Oketch Bitek and Irene Nabwire, <http://allafrica.com>. Last checked 26 August 2003.

Black Market

Large areas of the world are not under the effective control of any State, which facilitates the trafficking in arms and explosives among NSAs. This has been the case in Burma, Colombia, Iraq, and in the South Caucasus (Armenia, Azerbaijan and Georgia). Both AP and AV mines can also be bought openly at the Barkat market in Mogadishu, Somalia. Burmese NSAs can reportedly buy U.S. made landmines easily on the black market from former conflict zones, such as Cambodia and Vietnam.[46]

One of the most recent examples can be found in Iraq, where there is a very large black market for landmines (AP and AV) or UXOs that used to be stocked in the former Iraqi army stores. During the beginning of the war, large quantities of ammunitions were either stolen by the soldiers themselves or by resistance groups, or simply abandoned. The result is that much of the ammunition now used by the current Iraqi resistance is the same that was used by the State during the Gulf War. With respect to landmines, this includes AP mines from China, the former Soviet Union and Italy.[47] Consequently, landmines that formerly belonged to the Iraqi State are now purchased and transferred within the country, thus providing easy access to factory-made mines for the national resistance.[48] Mines are also spreading to NSAs in neighbouring countries, such as to the Kurdish rebel group KONGRA-GEL, which operates in Turkey.[49]

Self-Production

In some cases, when other sources of mines are blocked, many NSAs turn to the self-production of mines. Another reason for self-production is an abundant supply of material for making handmade mines, such as artillery shells, grenades, explosives, etc.[50]

46. "Myanmar's 'human minesweepers", Asia Times, Bangkok, Thailand, 15 September 2003, by Richard S Ehrlich. From <http://www.atimes.com/atimes/Southeast_Asia/EI16Ae04.html>
47. Email to Geneva Call from Patrick Hirard, Iraq, received 20 October 2004.
48. Ibid.
49. Telephone interview with Mehmet Balci, Landmine Monitor researcher for Turkey and Geneva Call staff, 11 October 2004.
50. These reasons were stressed for the Chechen case for example in the Landmine Monitor 2002, p. 802.

NSAs all over the world, but mainly in Asia and in Colombia, have proven to be extremely inventive when it comes to the fabrication of IEDs. Their "creativity" appears to be endless, in terms of how they acquire/prepare both the content (explosives) and the containers of the devices. It was found that nearly 40 NSAs manufacture their own landmines. An unspecified number of NSAs have the capacity and knowledge to do so, but do not currently produce their own mines, as for example KONGRA-GEL.[51]

The material for making IEDs is often easily available for NSAs, either because they can produce it or because it is used in legitimate industrial contexts and therefore readily available. It is for example believed that the Nepalese Maoists acquire explosives from the Indian construction industry, but they are also known to produce their own explosives. The example of the People's War Group in India suggests multiple sources of explosives for NSAs: by raiding police station and coal mines, through "local dealers and contractors who are involved in drilling operations... In some cases, naxalites collect the explosive material as a substitute for funds."[52]

According to the Coalition forces in Afghanistan (ISAF), Afghan NSAs have also been inventive in manufacturing explosive devices, using explosives, UXOs and ammunitions taken from storage.[53] In Burma, NSAs are able to produce blast and fragmentation mines, including Claymore-type directional fragmentation mines.[54] The increased sophistication of NSA mine production can be seen in Colombia where handmade mines have proven to contain very low levels of metal, and where the mix of explosives and coffee make them difficult to detect for both metal detectors and for dogs.[55] When landmines are produced in these ways, they obviously cause greater difficulties for demining than do commercially manufactured mines.

The use of IEDs makes it difficult to draw a line between booby-traps and handmade landmines. Again, to use the Colombian example, NSAs use soda cans, boxes of sweets, metal cans, and even footballs or football-shaped containers for making mines. It is therefore difficult to say that a mine was produced as a booby-trap to trick soldiers into thinking that the object is harmless, or that it was made in this way because no other containers were available.[56] Similar trends have been observed in Nepal.

51. Telephone interview with Mehmet Balci.
52. "Mines top source of Naxalites' bombs", The Times of India, Warangal, India, 5 October 2003, by PV Kondal Rao.
53. Email to Geneva Call from Captain Pete Gray, ISAF Headquarters Press Information Centre, received 5 October 2004.
54. "Landmines are used extensively both by the Burmese army and insurgent armies", Global IDP Project, 2003.
55. "Colombia rebels increase use of land mines", Associated Press, Bogotá, Colombia, 19 May 2004, by Kim Housego.
56. E-mail to Geneva Call from Camilo Serna Villegas, Landmine Monitor researcher for Columbia, received 13 October 2003.

Transfer

Different NSAs have allegedly transferred not only arms and explosives, but also the knowledge and technology about how to manufacture landmines to each other, for example in Burma and the Philippines. According to allegations from the Government of the Philippines, since 1997-1998, NSAs have conducted joint training in explosive making and use in camps in the Mindanao region. The training camps were allegedly run by members of Jemaah Islamiyah and logistic support provided by the Moro Islamic Liberation Front (MILF).[57] The Philippine government has also accused the MILF of training the NPA in manufacturing explosives, including landmines.[58] The MILF has denied this, as well as having any links with Jemaah Islamiyah.

Burmese groups have allegedly transferred knowledge to each other, and, according to the government, the KNU/KNLA and the All Burma Students Democratic Front conducted courses in explosives training in Thailand at separate occasions during 2003.[59] It has also been claimed that the LTTE from Sri Lanka have trained the cadres from the Indian NSA United Liberation Front of Assam (ULFA) in handling explosives.[60]

Credits: Swiss Foundation for Mine Action

LTTE manufactured mines, Jony 95 and Jony 99

57. "US expresses concern over JI training camps in Mindanao", INQ7.net, Philippines, 6 July 2004. <www.inq7.net/btk/2004/jul/06/brkpol_11-1.htm> Last checked 27 October 2004.
58. "Philippine army commander: Moro rebels train communists in bombmaking", Philippine Star On-line, Philippines, 29 January 2004.
59. "Karen insurgents attack Myanmar pipeline", Jane's Intelligence Review, 1 June 2003, Number 015/006, by Anthony Davis.
60. "United Liberation Front of Asom (ULFA) - Terrorist Group of Assam", Asia Terrorism Portal, Institute for Conflict Management, 2001. <http://www.satp.org/satporgtp/countries/india/states/assam/terrorist_outfits/ulfa.htm> Last checked 14 September 2004.

G. NSA Mine Use versus State Mine Use

Poor Man's Weapon

Landmines are often considered a poor man's weapon. Low cost and widespread availability make landmines especially attractive to NSAs with scarce resources. Indeed, the cheapest landmines can be bought for only two dollars[61] and produced for half of that price.[62]

As has been shown in this report, the number of NSAs using landmines significantly exceeds the number of states using this indiscriminate weapon. One can find several explanations for this. Firstly, States have considerably larger military budgets than NSAs and therefore have access to more diverse weaponry, such as tanks and helicopters. Secondly, States have easier access to the international legal arms markets for buying weapons, while NSAs have more limited sources and often turn to self-production. Consequently, because of their low costs and easy availability, landmines – whether victim-activated or command-detonated – have become one of the weapons of choice for NSAs in many conflicts.

It has to be underlined, however, that due to the States' larger resources and organizational capabilities, their mine use, when they do use mines, is often on a larger scale with higher costs in human lives. For instance, the consequences of the planting of 10,000 landmines by a State army can be more devastating to a community than the mine-laying of a NSA, even if this is a very frequent user.

61. Landmine prices in Colombia, according to the Colombian army. "Colombia: Land mine curb is a key part of rebel peace plan", Inter Press Service, Bogotá, Colombia, 8 June 2004, by Constanza Vieira.

62. "Futuro minado", Revista Cambio, "Derechos humanos", Ejército Nacional de Colombia, 2004. <http://www.ejercito.mil.co/index.php?idcategoria=330> Last checked 12 October 2004. Another source estimates the price of a hechiza (handmade mine) to be around 3 dollars). "Where every step could be your last", Guardian Weekly, Bogotá, Colombia, 4 October 2004.

The Relationship between NSA and State Mine Use

Obviously, not only NSAs, but also States, contribute to the landmine problem. Some recent developments stress that there is a connection between the landmine use by States and that of the NSAs active on their territory, as for example in the positive developments in Southern Sudan. This link – or "tit-for-tat" principle – is emphasized by both States and NSAs, most notably in the Sri Lankan conflict. In fact, many NSAs underline reciprocity as an important feature in arms regulation negotiations.[63] This principle can also have delaying effects on a mine ban, since mine use is not only dependent on the mine use by the opponent, but also justified by it.

State and NSA use can also be indirectly linked by the mine use of paramilitary groups or militias. Paramilitaries have been known to have used landmines in some former and current conflicts, for example in Colombia and Sudan. This link is particularly clear in situations in which States are reported to have provided paramilitaries with landmines to be used against NSAs. More specific details about mine use by paramilitaries are currently not available.

A third link between State and NSA mine use is, as we have seen, the role of the target State as a source of mines for NSAs. Even a State that is no longer using mines but that still keeps stockpiles can evidently serve as a source of mines for NSAs.

Even though the relationship between NSA and State mine use needs to be further explored, it is evident that the greater proportion of NSA mine use occur in non-signatory countries.

63. Reciprocity was stressed by several NSA representatives in discussions about hinders to NSA engagement in the landmine ban. "An Inclusive Approach to Armed Non-State Actors and International Humanitarian Norms", conference held in Geneva 31 October – 2 November 2004.

Conclusion

NSAs have more limited resources than the States they are fighting and therefore more often use landmines, "the poor man's weapon". If factory-made landmines are not readily available, NSAs may turn to self-production. Consequently, because of their low cost and easy availability, landmines – victim-activated or command-detonated – have become a weapon of choice for NSAs in many conflicts.

NSAs mainly use landmines offensively, targeting State personnel (military personnel, police and paramilitary forces). In many cases, NSAs are present at the time and place of the landmine attacks. This suggests that for these NSAs, command-detonated landmines could be an alternative, and, hence, a total ban on AP mines is more likely.

Widespread use and production of IEDs indicates that a strategy that solely targets access to factory-made landmines and explosives is not sufficient. Easy availability to IED material – UXO, self-manufactured explosives, as well as cheap and easily accessible industrially produced explosives – as well as knowledge and technology transfer among NSAs contribute to spreading the landmine problem.

It is therefore crucial for the international community to engage NSAs in a total ban on AP mines. Of particular importance is preventive work with groups in areas where mines, explosives and the knowledge about how to produce and use mines are easily available, in order to prevent the proliferation of the use of these indiscriminate weapons.

There are different ways of conducting advocacy for a mine ban, and the choice of an approach or the development of a strategy depends on the characteristics of the group and the conflict situation in which they find themselves. For this reason, Geneva Call is working on a more detailed report that will draw NSA profiles along the lines of mine use. Of the different, often complementary, ways of conducting advocacy, one way is through establishing direct contact with the groups' leadership. Another way is by disseminating mine ban information within civil society, since many

of the groups do not exist in a vacuum, but are dependant, at least to some extent, on popular support. That said, the understanding of why NSAs choose to renounce the use of landmines is still limited and needs to be further explored.

This report shows that NSAs, as well as States, are reluctant to admit that they are using a victim-activated weapon. This provides a hint that an inclusive approach involving advocacy based on accurate information, which was the main tool for the ICBL network in the struggle for a mine ban, could also be the secret of success for a mine ban among NSAs.

By focusing on the use of landmines by NSAs and explaining the need for further research, Geneva Call hopes that the international community will agree on the importance of involving NSAs in the mine ban, especially for the sake of the populations living in mined territories under the control of NSAs. Convincing these groups that they can reach their objectives without the use of an indiscriminate weapon is an indispensable step for the mine ban community on its way toward a mine-free world.

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