



ARMED NON-STATE ACTORS AND LANDMINES

VOLUME II: A GLOBAL REPORT OF NSA MINE ACTION

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PREFACE

Armed non-state actors (ANSA) that are parties to armed conflicts have become one of the most salient features of contemporary warfare. We even witness conflicts involving no states at all.

To be sure, ANSAs are not a new phenomenon. The drafters of the 1949 Geneva Conventions were prompted by their role in armed conflicts to include in Common Article 3 – a legal framework applicable to all parties to non-international armed conflicts. This was expanded in 1977 through the inclusion of more detailed rules in Additional Protocol II. Throughout the years, norms applicable to situations of non-international armed conflicts involving ANSAs have also experienced an important customary development.

As ANSAs are part of the problem, any solution must include them. However, such actors are not, by definition, subjects of international law. Ways had to be found for ensuring respect by ANSAs of existing norms on the protection of civilians in armed conflicts, whereby making sure that the international law system would not be weakened.

Geneva Call's Deed of Commitment is one such way. It has decisively contributed to better compliance by ANSAs with the existing norms in the field of the ban of anti-personnel (AP) landmines. In the past six years, 31 armed groups have signed the Deed of Commitment, thereby declaring unilaterally to renounce the use of AP landmines. This development is very encouraging and shows that there are shared values in the field of protecting civilians in times of armed conflict.

Now it is time to move a step further. The AP mine ban, as accepted by armed groups through the Deed of Commitment, needs to be implemented. Mine action programs based on the five traditional pillars are necessary also in areas controlled by ANSAs. Action 46 of the Nairobi Action Plan 2005 – 2009 provides a welcome basis for States, but also for all other actors concerned, to promote and carry out mine action in such areas.

The present "Armed Non-State Actors and Landmines. Volume II: A Global Report of NSA Mine Action" provides an interesting overview and useful insights into mine action activities carried out with or through ANSAs. It allows us to better understand the rationale behind mine action in such circumstances and its possibilities and limitations.

Switzerland takes a keen interest in the issue of ANSAs from a perspective of humanitarian action, the implementation of international humanitarian law and conflict transformation. It is convinced that the pioneering work of Geneva Call in engaging armed groups in the AP mine ban, as well as this report, will allow for future endeavors in this field to be carried out with even more prospects of success.

Ambassador Thomas Greninger
Head of Political Affairs Division IV
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The report was authored by Anki Sjöberg, Research Coordinator and Principal Researcher. Framework, direction, oversight and quality control for the overall project were provided by Elisabeth Reusse-Decrey, Geneva Call (Project Coordinator), and Dr. Daniel Warner of the Program for the Study of International Organization(s) of the Graduate Institute of International Studies.

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Gustavo Laurie of the United Nations Mine Action Service (UNMAS) Geneva Office provided overall advice and expertise. The Geneva International Centre for Humanitarian Demining contributed its technical and operational expertise. Professor Marco Sassoli of the University of Geneva and Professor Andrew Clapham of the Graduate Institute of International Studies contributed legal expertise on specific questions. Professor Marco Sassoli also authored the section on "State Consent".

The report received input from many individuals and organizations, including mine action experts from non-governmental organizations and agencies of the United Nations, armed non-state actors, members of the International Campaign to Ban Landmines and other locally-based organizations, Landmine Monitor researchers and academics. We also appreciate the contribution by UNMAS and United Nations International Children's Emergency Fund Headquarters in the information gathering process.

Particular warm thanks go to the mine action experts who shared valuable information, experience and reflections with us. Special thanks also go to Landmine Monitor. Without the expertise and accumulated knowledge of these actors, this report would not have been possible.

ABSTRACT

At the global level, current and former armed non-state actors (NSAs) are contributing to humanitarian mine action, understood as activities which aim to reduce the social, economic and environmental impact of landmines and unexploded ordnance. The present report, which completes the 2005 report "Armed Non-State Actors and Landmines. Volume I: A Global Report Profiling NSAs and Their Use, Acquisition, Production, Transfer and Stockpiling of Landmines", aims to add to the knowledge concerning the involvement of NSAs in mine action. Together, the two reports provide a balanced picture of NSA involvement in the landmine problem.

This report compiles and analyzes data on NSA involvement in the five pillars of mine action (mine ban advocacy, stockpile destruction, mine clearance, mine risk education, and victim assistance), including stakeholders' views on the benefits, difficulties and lessons learned in this regard. NSAs have been active in mine action efforts both formally (through mine action programs) and informally (through spontaneous or *ad hoc* efforts) in the areas of each of the mine action pillars. The research indicates that, for mine action practitioners, the primary benefits of NSA mine action are the same as those arising from other forms of mine action; i.e. principally humanitarian and developmental benefits. Importantly however, the complementary effects of NSA mine action (employment and stability; peace-building; security and disarmament; and openness to discussing other humanitarian norms) were considered to be different from other forms of mine action, and sometimes even more important than the primary benefits.

The report shows that it is possible to engage in humanitarian mine action with NSAs. Given the benefits of such engagement, it is important not to discriminate against populations in areas under the control or influence of NSAs, which, as compared to populations in areas controlled by a state, less frequently benefit from mine action programs. Difficulties and challenges can be - and have been - overcome. The main conclusion of the research is that engaging NSAs in mine action has significant benefits, since their involvement supports efforts to reduce the humanitarian impact of anti-personnel mines and unexploded ordnance.

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ANALYSIS

1.1 Introduction

1.1.1 Context

According to 2004 data from the Uppsala Conflict Data Program, all 19 conflicts classified as “major armed conflict” were fought within the borders of a state¹ and consequently involved armed groups or armed non-state actors (NSAs). In addition, NSAs are involved in most so-called “low-intensity conflicts” and instances of internal violence.

Although NSAs have always existed, in the last twenty years the international community has become acutely aware of their importance to achieving universal compliance with human rights law and international humanitarian law (IHL). It has become increasingly evident that for a true universalization of the rules and principles of these laws, the involvement of NSAs has to be considered. This is equally true for the norm prohibiting the use of anti-personnel (AP) landmines, due to the specific implication of NSAs in the employment of these devices.² Nevertheless, the “1997 Convention on the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines” (hereafter the “Mine Ban Treaty”), unlike Article 3 common to the four Geneva Conventions, is not addressed to NSAs.³ Thus, an inter-state ban on AP mines alone will not be sufficient to resolve the landmine problem (see Box 1).

Involving NSAs in the mine ban is necessary to reduce the risk of new mine use. In addition, in order to ensure that mine action benefits those in need, it is necessary to involve NSAs in mine action activities.⁴ If NSAs have laid the mines, they will know where the mines are, and hence will be in a good position to assist in removing them. In some cases, NSAs might not be responsible for having placed the mines, but may control or strongly influence mined territories. Some NSAs have been involved not only in mine clearance and in committing to a mine ban, but also in stockpile destruction, mine risk education (MRE) and victim assistance. Engaging NSAs in mine action is also a way to find work for demobilized rebel soldiers and to build confidence between parties to a conflict. International organizations and non-governmental organizations (NGOs) are currently cooperating in humanitarian mine action with NSAs (or former NSAs) in many frozen conflict or post-conflict situations, notably in Abkhazia, Iraqi Kurdistan, Sri Lanka, Somaliland, South Sudan and Western Sahara. However, it should not be forgotten that NSA mine action does not only refer to the participation or facilitation by these actors of different mine action programs: NSAs can and do also conduct spontaneous and *ad hoc* mine action, for example when requested by the local communities. This report describes and analyzes both formal mine action as part of mine action programs and informal or spontaneous mine action by NSAs.

1 Caroline Holmqvist, “Engaging Armed Non-State Actors in Post-Conflict Settings,” *Security Governance in Post-conflict Peacebuilding*, eds. Alan Bryden and Heiner Hänggi (Geneva: Geneva Centre for the Democratic Control of Armed Forces, 2005) p. 45.

2 As documented in the first volume of this report series, *Armed Non-State Actors and Landmines. Volume I: A Global Report Profiling NSAs and their Use, Acquisition, Production, Transfer and Stockpiling of Landmines* (Geneva: Geneva Call and the Program for the Studies of International Organization(s), 2005).

3 For further information, see Andrew Clapham, *Human Rights Obligations of Non-State Actors* (Oxford and New York: Oxford University Press, 2006). pp. 291-299.

4 Understood as “activities which aim to reduce the social, economic and environmental impact of mines and UXO” *A Guide to Mine Action*, second ed. (Geneva: Geneva International Centre for Humanitarian Demining, 2004). p. 194.

Box 1 - The Anti-Personnel Landmine Problem

AP landmines and similar victim-activated explosive devices are indiscriminate weapons. Their use is increasingly considered to be contrary to universally accepted principles of international humanitarian law.⁵ They are therefore either prohibited or regulated by widely accepted treaties. In times of war they blindly strike civilians and soldiers, friends and enemies alike. Landmines recognize no cease-fire. They remain active and continue to pose a danger to civilians long after the end of hostilities. The Landmine Monitor Report estimates that landmines and unexploded ordnance (UXO) claim between 15,000 and 20,000 new victims around the world each year.⁶

Apart from the direct threat posed to the physical safety of those who live near 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 (IDPs) and refugees. Landmines also impede, limit or delay the access of humanitarian agencies to vulnerable populations during conflict as well as reconstruction efforts and socio-economic development in post-conflict societies.

Due to the disastrous humanitarian and socio-economic consequences of landmines, currently 151 of the world's states have acceded to the 1997 Mine Ban Treaty (also known as the "Ottawa Treaty").⁷ Despite this significant step in the fight against landmines, and the considerable efforts of humanitarian mine action agencies, seven years after the entry into force of the Mine Ban Treaty, landmines and UXO continue to constitute an acute problem threatening human security in numerous countries and territories.⁸ One of the important challenges facing a global mine ban is the inclusion of NSAs in the process. This was the rationale behind the launching of the NGO Geneva Call shortly after the coming into force of the Mine Ban Treaty: engaging NSAs in the AP mine ban and in other mine action activities. Geneva Call proposes that NSAs sign a "Deed of Commitment under Geneva Call for Adherence to a Total Ban on Anti-Personnel Mines and Cooperation in Mine Action" (hereafter "Deed of Commitment"). To date, 31 NSAs have signed the Deed of Commitment.



Survivors, Somalia, May 2005

Geneva Call 2005

⁵ According to an ICRC study on customary international law, customary law imposes obligations on the parties to a conflict to take particular care to minimize the indiscriminate effects of landmines. In addition, the parties using landmines must record where they place mines, as far as possible. After the end of a conflict parties that have used mines "must remove or otherwise render them harmless to civilians". Although this customary law regulation follows the logic of the Convention of Conventional Weapons rather than the Mine Ban Treaty, the authors argue that there is an increasing movement towards a total ban. See Jean-Marie Henckaerts and Louise Doswald-Beck, eds., *Customary International Humanitarian Law*, vol. 1, 2 vols. (Geneva: International Committee of the Red Cross, 2005) pp. 280-286.

⁶ *Landmine Monitor Report 2005*, [Ottawa: Mines Action Canada, 2005], p. 47.

⁷ This is the figure as of 8 October 2006, Latest Campaign News, 2006, International Campaign to Ban Landmines, Available: <http://www.icbl.org/>, Accessed 8 October 2006.

⁸ According to the Landmine Monitor Report 2006, there were new casualties registered in 58 countries and seven non-state territories in 2005. Landmine Monitor Report 2006 [Ottawa: Mines Action Canada, 2006]. p. 1.

1.1.2 Background and Rationale

In its work with NSAs and in discussion with other humanitarian actors, Geneva Call found that there was a need to further research mine action by NSAs in conflict and post-conflict situations in order to map the benefits and challenges related to involving these actors in humanitarian mine action. No specific analysis of mine action with NSAs had previously been undertaken. This report endeavors to fill this gap as well as to encourage further consideration and work in this field.

This report lies within the framework of actions designed to promote NSA mine action, notably Action 46 of the “Nairobi Action Plan”, according to which states parties in a position to do so will “[c]ontinue to support, as appropriate, mine action to assist affected populations in areas under the control of armed non-state actors, particularly in areas under the control of actors which have agreed to abide by the Convention’s norms.”⁹ Hence, one underlying objective of the report is to encourage the international community, in accordance with Action 46, to support mine action efforts in all affected territories, even if these are under the control or influence of NSAs. Moreover, it is expected that by obtaining access to information about NSA mine action, NSAs which are not currently involved in mine action can discover what other NSAs have done in this respect and thus become aware of the possibilities available to them as well as their responsibilities in this regard. It is hoped that this will encourage them to engage in mine action as well as to comply with existing international humanitarian and human rights law.

In November 2005, Geneva Call and its project partners produced a global report, “Armed Non-State Actors and Landmines. Volume I: A Global Report Profiling NSAs and their Use, Acquisition, Production, Transfer and Stockpiling of Landmines,” (hereafter, Volume I) which mapped and profiled the around 60 groups that were found to have used landmines during the reporting period (2003-2005).¹⁰ Both this report and Volume I are part of a larger project, “Involvement of Armed Non-State Actors in the Landmine Problem and Recommendations for their Positive Contribution to a Landmine Ban and Mine Action.”¹¹ The aim of this project is to provide a comprehensive picture¹² of the complex role that NSAs play in the landmine problem and propose recommendations for their role in banning landmines and cooperating in mine action. The project argues that only through studying the involvement of NSAs in the landmine problem, both in a positive and negative perspective,¹³ can a comprehensive picture be achieved and strategies for action developed.

1.1.3 Content and Structure of the Report

This report is organized into two main parts; the first part (“Analysis”) maps global trends and draws a comparative analysis of different instances of NSA mine action. It focuses on aspects such as the advantages and successes of NSA mine action as well as the main challenges and lessons learned.

⁹ Nairobi Action Plan, 2004, Available: http://www.gichd.ch/fileadmin/pdf/mbc/MSP/6MSP/Nairobi_Action_Plan.pdf, Accessed 2 June 2006.

¹⁰ Armed Non-State Actors and Landmines. Volume I.

¹¹ The project is supported by the Geneva International Academic Network (GIAN/RUIG), the Swedish Ministry of Foreign Affairs, the Italian Ministry of Foreign Affairs (through the United Nations Mine Action Service, UNMAS) and the continued support of the Swiss Federal Department of Foreign Affairs. Institutions contributing to the report are the Program for the Study of International Organization(s) (PSIO), UNMAS, the Geneva International Centre for Humanitarian Demining (GICHD), the University of Geneva and the Graduate Institute of International Studies, Geneva.

¹² Important work reporting on NSA mine use and action has been undertaken by Landmine Monitor and its locally-based researchers. This project is intended to complement the work done by the Landmine Monitor, providing an in-depth survey and analysis of NSA mine use and action.

¹³ Geneva Call conducted a first analysis of the general trends of the 2003-2004 involvement of NSAs in the landmine problem between July and November 2004. See Anki Sjöberg, The Involvement of Armed Non-State Actors in the Landmine Problem: A Call for Action. Executive Summary (Geneva Call, 2004).

The second part (“Mine Action Pillars”) outlines the involvement of currently existing (2005-2006) NSAs in mine action activities. This analysis has been divided into the five commonly used “mine action pillars”: mine ban advocacy, stockpile destruction, mine clearance, MRE and victim assistance. Each mine action section starts with a short general discussion of NSA involvement in the activities included under the pillar. Some NSAs operating in the same country are treated together, if the available information was insufficient.

The report concludes with some findings and suggestions for action in order to strengthen NSA mine action.

1.1.4 Short Overview of Humanitarian Mine Action

Although there have been significant mine clearance efforts since the end of the Second World War, the first humanitarian mine action operations (i.e. having the objective of making land safe for civilians) started in Afghanistan in 1989. The first international humanitarian mine action NGO, HALO Trust, was created just prior to that time,¹⁴ while others were founded in late 1991 and 1992.¹⁵ Since that time, humanitarian mine action has undergone some significant changes. The early operations of the mid-1990s were criticized for focusing too much “on technicalities rather than the affected populations” and for having “failed to coordinate with or learn from the larger humanitarian assistance community.”¹⁶

In 1997 some of these criticisms were addressed by the creation of a set of development-oriented guidelines (known as the “Bad Honnef Framework”).¹⁷ According to Kristian Berg Harpviken, Researcher with the International Peace Research Institute, Oslo (PRIO), these guidelines were developed as a response to an increasing awareness that mines, in addition to being a direct physical threat to the civilian population, can also pose a major obstacle to reconstruction and development.¹⁸

Harpviken and Bernt A. Skåra have highlighted what they see as important remaining challenges to humanitarian mine action. These include:

- the reluctance of parties to a conflict to commit to a mine ban and allow for sufficient transparency and total clearance of the territory under their control (for instance by maintaining strategically situated minefields); and
- the perception among the mine action community of landmines as “remnants of war” rather than “instruments of war”,¹⁹ thus ignoring the fact that many mines in an armed conflict have an “owner”,²⁰ as compared to most explosive remnants of war (ERW), which are composed of UXO and abandoned explosive ordnance.

Current and former NSAs have been involved in humanitarian mine action since the first program started in Afghanistan through the sponsorship of the United Nations (UN). They are also an essential part of the challenges to mine action mentioned above. Nevertheless, no specific analysis of the problems relating to mine action with NSAs has previously been undertaken. This analysis endeavors to fill this gap.

14 *A Guide to Mine Action*. pp. 21-22.

15 Sayed Aqa, “Mine Action: Successes and Challenges,” *Journal of Mine Action* 9.1 (2005).

16 Kristian Berg Harpviken, “The Future of Humanitarian Mine Action: Introduction,” *Third World Quarterly* 24.5 (2003): p. 777.

17 Kristian Berg Harpviken and Bernt A Skåra, “Humanitarian Mine Action and Peace Building: Exploring the Relationship,” *Third World Quarterly* 24.5 (2003): p. 812.

18 *Ibid.*: p. 815. A 2005 PRIO report investigated how to maximize the beneficial impact of mine action on development through the analysis of two case studies: Cambodia and Bosnia and Herzegovina. Rebecca Roberts and Gary Littlejohn, *Maximizing the Impact: Tailoring Mine Action to Development Needs* (Oslo: International Peace Research Institute of Oslo, 2005).

19 Harpviken and Skåra, “Humanitarian Mine Action and Peace Building,” p. 813.

20 *Interview (10)*, Geneva, May 2006 (2006).

1.2 Methodology

1.2.1 Focus and Delimitations

The overall focus of this report is on NSA involvement in mine action. Thus, it is what the NSAs themselves have been doing, or how they have been facilitating mine action, that is highlighted, rather than the general mine action efforts that may (or may not) be conducted by the mine action centers and organizations in their respective countries of operation. In addition, the report focuses on humanitarian mine action, but also mentions instances of purely military demining when these have been indicated. (See Box 2 on the difference between these two concepts).

The scope of this analysis covers existing NSAs that have been involved in mine action. The groups whose mine action is included in this analysis are those that have been in existence during 2005 and 2006. This temporal limitation is necessary because it is not possible to cover all previously existing NSA involvement in mine action in a comprehensive manner in this volume. However, one exception to this limitation is the section on mine ban/advocacy, where registered mine ban commitments or limitations on the use of AP mines by some previously existing NSAs will be mentioned. The sections on particular NSAs' mine action will not focus exclusively on current action, but will also briefly describe how those NSAs first became involved with mine action, discussing events prior to 2005 if relevant. Some aspects of former NSA mine action will be discussed in order to highlight particular issues.

While the overall focus of the report is the comparative analytical part, the second part, "Mine Action Pillars" serves as an illustration of actual NSA mine action activities. The mine action profiles presented in this second part are not exhaustive since: (i) there is no need to duplicate the information on the well-known cases of NSA mine action provided by the Landmine Monitor Report; and (ii) for lesser-known cases, it may be that the NSAs themselves constitute the sole source of information, which limits not only the data available, but also the capacity to verify this data.

Box 2 - Humanitarian vs. Military Mine Action

The military forces of many NSAs, like their regular state counterparts, have considerable expertise in military mine action. They would bring experience, knowledge of techniques and advanced skills in explosive ordnance disposal (EOD) to mine action,²¹ if engaged appropriately. Regular military forces have played an important role in mine action efforts globally and are key actors for mine action in many countries, especially in the absence of conflict.

Nevertheless, the involvement of NSAs or of regular military forces in mine action during ongoing conflict raises the question of humanitarian versus military mine action (notably demining). The differences – and sometimes tensions – between the two have been discussed at length.²² For example, one respect in which the two differ is that the rationale for military demining is often to increase the mobility of troops, for instance by breaching

21 Ian Mansfield and Eric Filippino, "The Role of the Military in Mine Action" *Journal of Mine Action* 8.1 (2004). For further information, see also section 1.3.2. "Advantages".

22 For an interesting discussion on the development of humanitarian mine action from its roots in military demining to its current state see for example Colin King, "The Demining Kit," *Mine Action: Lessons and Challenges*, ed. Geneva International Centre for Humanitarian Demining (Geneva: Geneva International Centre for Humanitarian Demining, 2005) pp. 17-37.

minefields, while humanitarian mine action is based on humanitarian and/or development concerns. Since the rationales and priorities are different, other equipment (usually battle tanks for military demining)²³ and methods are generally necessary. Nevertheless, it is possible that mine action activities undertaken for a military purpose may still be capable of providing some humanitarian relief to the civilian population, for example by opening up roads or clearing areas close to communities. For this reason even limited, *ad hoc* mine action such as the clearance of military camps on departure, are included in this report.

Some have argued that the military is not always the best actor to conduct other mine action, especially in a conflict or post-conflict situation, because of its perceived lack of neutrality²⁴ and the lack of trust it enjoys within the affected communities. Referring to MRE, Ian Mansfield and Eric M. Filippino found that “[w]hile the military may be able to provide warnings about technical dangers of landmines and UXO, they are not suited to undertake community-based MRE programmes, where social issues and helping to develop alternative coping mechanisms are important.”²⁵ It is possible that these arguments apply also to NSAs which, as will be discussed in the second part of this report, have not shown any significant involvement in formal MRE activities. In addition, despite some notable exceptions, few military officials are active in advocating a landmine ban. They do, however, generally play a key role in stockpile destruction.²⁶

1.2.2 Methodology and Material

This report provides a survey and analysis of NSA mine action globally. As written material on this subject is not readily available, the research process began with a review of the literature related to this area, notably (but not limited to) studies of lessons learned in mine action,²⁷ the role of the military in mine action,²⁸ the possible link between mine action and peace-building,²⁹ and the role of mine action in post-conflict societies.³⁰ Studies conducted by the Geneva International Center for Humanitarian Demining (GICHD) and PRIO, and articles published in the *Journal of Mine Action* were consulted during this process. Local and international media were also used to some extent. The *Landmine Monitor Report* was used extensively to map the relevant groups and their mine action efforts, as was information provided by local and international NGOs, agencies active in mine action and NSAs themselves.

Field trips took place in Western Sahara (25 February - 2 March 2006), Colombia (18 April - 1 May and 14-23 August 2006) and Iraqi Kurdistan (19 - 27 June 2006). Local researchers were commissioned in Senegal and Western Sahara. Information was also gathered during Geneva Call missions to the Thai-Burma/Myanmar border, Somalia as well as Sri Lanka and during engagement work with NSAs. Information gathered prior to the research project was also taken into account.

23 Mansfield and Filippino, “The Role of the Military in Mine Action”

24 Ibid.

25 Ibid.

26 Ibid.

27 See for example *Mine Action: Lessons and Challenges*, (Geneva: Geneva International Centre for Humanitarian Demining, 2005)., Alan Bryden, “Optimizing Mine Action Policies and Practice,” *Security Governance in Post-Conflict Peacebuilding*, eds. Alan Bryden and Heiner Hänggi (Geneva: Geneva Centre for the Democratic Control of Armed Forces, 2005). and Harpviken, “The Future of Humanitarian Mine Action: Introduction.”

28 Mansfield and Filippino, “The Role of the Military in Mine Action”

29 See for example Kristian Berg Harpviken and Rebecca Roberts, eds., *Preparing the Ground for Peace: Mine Action in Support of Peacebuilding* (Oslo: International Peace Research Institute, 2004). and Bryden, “Optimizing Mine Action Policies and Practice.”

30 Notably Alan Bryden and Heiner Hänggi, eds., *Security Governance in Post-Conflict Peacebuilding* (Geneva: Geneva Centre for the Democratic Control of Armed Forces, 2005).

The principal methodologies used in the next step in the information-collection process were questionnaires and structured and semi-structured interviews with stakeholders.³¹ The key respondents (hereafter “informants”) were international and national mine action practitioners with experience working with NSAs, mainly in clearance-related activities, MRE and advocacy.³² Information was also collected in consultation with NSAs, mine action NGO representatives, international organizations (mainly UN agencies), academics, Landmine Monitor researchers and NGOs. In addition to the questionnaires and interviews, meetings, observations and informal conversations took place in Geneva, New York and Zagreb as well as during the above-mentioned field missions.

Due to the different nature of the sources and the relatively limited number of interviews, a statistical presentation has not been used. Rather, themes and lead-arguments were identified using matrixes and are presented in text form. The information available on NSAs is unevenly distributed. For some countries and for certain NSAs, abundant material exists. For others, the available material is scarce. In addition to the limitations on the information available, this report cannot provide an all-encompassing picture of NSA mine action due to four main factors:

- NSA mine action, if not part of a formal mine action program, is not “publicized”;
- the concerned government generally does not have any incentive to disseminate information about NSA mine action, even if it possesses such information, for fear of legitimizing the group; it will, on the contrary, generally deny that NSA mine action takes place;
- individuals might not disseminate information about NSA mine action due to fears of state repression for doing so; and
- it is sometimes difficult to obtain access to NSAs for information-gathering purposes.

These factors, among others, have contributed to the collection of information which, on a few occasions, appears to be contradictory. In these cases, the conflicting data was even received about the same NSAs and the same governments. During the research process for Volume I, difficulties were often encountered in accessing and verifying data on NSA mine use. It became evident that accessing reliable data on NSA mine use could be a very sensitive issue. International and national staff members of mine action agencies or other NGOs and organizations are sometimes reluctant to share information for fear of jeopardizing their work in areas controlled by the NSA. Sharing experiences regarding the challenges of, and non-cooperation in, NSA mine action proved to be equally sensitive and informants are mostly kept anonymous, especially in the first part of the report, in order not to create collaboration or safety problems. However, the anonymity of the informants did have the advantage that it enabled them to share information that they might otherwise have been unwilling to provide. While in some cases it was difficult to assess the reliability of information provided by some NSAs that operate outside internationally-supported mine action programs, mine action operators could generally substantiate the information provided for this report.

1.2.3 Definitions

1.2.3.1 The Concept of NSA

In this report “mine action by NSAs” covers not only the direct actions performed by an NSA itself, but also instances in which an NSA facilitates the work of other organizations, or has

³¹ The questionnaire, which was also used as a base for the interviews, can be found in the Appendix.

³² Some fifteen informants were interviewed. The interviews lasted one to two hours each. Due to the semi-structured method used in many of them, not all informants responded to all questions, but were allowed to develop on aspects that appeared as especially relevant to them. Three people were interviewed twice. Due to the time span between two of them (six months' difference) and the slightly different replies in one, these were included separately.

mandated an organization (formally or informally) to conduct mine action on its behalf. Notable examples are the Tamils Rehabilitation Organization of the Liberation Tigers of Tamil Eelam, LTTE, Sri Lanka (TRO), the Operation Save Innocent Lives of the Sudan People's Liberation Movement/Army, SPLM/A, Sudan (OSIL), and the Islamic Health Council (also Society) and the Welfare Association for the Care of the Injured and Disabled of War in Lebanon, both of which are closely linked to Hezbollah. Hence, the concept of NSA used for the purposes of this report is slightly wider in scope than the one employed in Volume I (see Box 3 below).

In fact, the report identifies three "levels" of NSA mine action:

1. NSA mine action directly conducted by an integral body of the armed group;
2. Mine action by indigenous organizations that have been mandated by the NSA; and
3. NSA facilitation of mine action conducted by independent indigenous or international organizations.

Box 3 - Armed Non-State Actors

Volume I defined an NSA as any armed actor with a basic structure of command operating outside state control that uses force to achieve its political or allegedly political objectives.³³ Such actors include rebel groups and governments of entities which are not (or not widely) recognized as states.³⁴ It is apparent that NSAs (also called non-state armed groups or simply armed groups) are very diverse. Some of these groups may have clearly defined political objectives, while this may be less clear-cut in other cases. Some NSAs may control territory and have established administrative structures parallel to those of the state, while others have loose command structures and weak control over their members. Some concentrate their forces on attacking military targets, while others attack civilians. They can be composed of men, women, and children. In some groups, female members are estimated to comprise one-fifth or even one-third of the recruits to the group's combatants and other members.³⁵ Members of these groups may have been recruited voluntarily or forcefully. Certain NSAs allegedly even provide services that aim at protecting the human security needs of their members, such as "social or psycho-sociological needs."³⁶ Mine action can also be such a service.



Women combatants of the People's Defense Forces

³³ Landmine Monitor has chosen to use a wider definition of NSA, including criminal groupings and paramilitaries. Non-State Armed Groups and the Mine Ban, Landmine Monitor Fact Sheet (Mines Action Canada, June 2005). An United Nations Office for the Coordination of Humanitarian Affairs (OCHA) produced manual on humanitarian negotiations with armed groups defines these actors as:

"groups that have the potential to employ arms in the use of force to achieve political, ideological or economic objectives; are not within the formal military structures of States, State-alliances or intergovernmental organizations; and are not under the control of the State(s) in which they operate."

This definition also includes criminal groups, but not paramilitaries. Gerard McHugh and Manuel Bessler, Humanitarian Negotiations with Armed Groups: A Manual for Practitioners (New York: United Nations, 2006). p. 87.

³⁴ Paramilitary groups are thus excluded from this definition, since these are tied (whether strictly or more loosely) to a state apparatus. Consequently, responsibility could be attributed to the state for the actions of these groups.

³⁵ The National Liberation Army (ELN) in Colombia has stated that it has even more female fighters, close to 50%. Meeting with Commander Antonio Garcia, La Havanna, December 2005 (2005).

³⁶ Holmqvist, "Engaging Armed Non-State Actors in Post-Conflict Settings," p. 48.

1.2.3.2 The Five Mine Action Pillars

According to the UN Inter-Agency Policy (2005), the mine action pillars can be summarized as:

- 1) “**Landmine and ERW clearance** including technical survey, mapping, marking, clearance, post-clearance documentation, community mine action liaison and the handover of cleared land.”
- 2) “**Mine risk education**, including educational activities which seek to reduce the risk of injury from landmines and ERW by raising awareness and promoting behavioural change including public information dissemination, education and training and community mine action liaison.”
- 3) “**Victim assistance**, including rehabilitation and reintegration.”
- 4) “**Stockpile destruction**”, referring to the destruction of AP mines in the possession of an actor.
- 5) “**Advocacy** in support of a total ban on anti-personnel landmines; and to promote the development of, and compliance with, international legal instruments that address the problems of landmines and ERW, and promote the human rights of affected people.”³⁷

The mine action pillars are obviously interrelated. As underlined by Harpviken, demining is often considered to form the core activity of mine action, especially at the field level.³⁸ (As noted in the second part of this report, mine clearance and related activities and committing to a mine ban are the activities in which NSAs are most frequently directly involved.) MRE and survey activities are closely linked to demining, but sometimes function as substitutes for it, especially during ongoing conflict when security may not allow for clearance. Victim assistance is more closely integrated with national health systems, implying that insufficient general health care may pose serious challenges to victim assistance efforts. Stockpile destruction and advocacy efforts tend to focus more on national authorities³⁹ or NSAs.

Whilst this report is based upon the extended and generally-agreed understanding that mine action is composed of five main pillars,⁴⁰ it also aims to evaluate the extent to which this approach applies to mine action activities undertaken by NSAs. The resources of NSAs are typically more limited than those of national authorities and NSAs do not necessarily count on effective organizational structures for mine action; a circumstance that might pose obstacles for covering all five mine action pillars. For example, NSAs normally do not have the means to provide public health care to assist victims and even less to ensure their socio-economic reintegration. On the other hand, in many cases NSA possess relatively fewer stockpiles of AP landmines, which could in principle make it easier for them to undertake stockpile destruction activities compared to various state actors. Nevertheless, NSA stocks and minefields sometimes include improvised explosive devices (IEDs),⁴¹ which may complicate both stockpile destruction and clearance (see Box 7). In general, NSAs also possess less technical expertise for these actions. As to clearance, NSAs allegedly less frequently keep maps of mined areas than state actors (see “Limited Mapping” under section 1.3.3.1.).

There is also the consideration (discussed in section 1.2.3.1. “The Concept of NSA”) that mine action may be conducted or facilitated by the NSA itself, or performed by a NGO more-or-less closely linked to the NSA (i.e. approved or mandated by the NSA.) In light of this complexity, and given the varieties of actors within the scope of the term NSA, the categories of mine

³⁷ *Mine Action and Effective Coordination: The United Nations Inter-Agency Policy* (New York: United Nations, 2005). p.1.

³⁸ Harpviken, “The Future of Humanitarian Mine Action: Introduction,” p. 778.

³⁹ Ibid.

⁴⁰ This approach is embraced for example by the IMAS 04.10 (Glossary of mine action terms, definition and abbreviations), the GICHD’s *A Guide to Mine Action*, or the *Mine Action and Effective Coordination: The United Nations Inter-Agency Policy*.

⁴¹ Allegedly states sometimes also use and possibly stockpile IEDs. *Interview (1) Geneva, September 2005* (2005). and *Interview (13), Geneva, May 2006* (2006).

action mentioned above have been further divided into different “levels”:

- The “Advocacy” concept has been expanded to include also the commitment to a mine ban or a stated moratorium on or limitation of landmine use and production. In this sense the commitment to a landmine ban is considered to be a contribution to advocacy efforts. For this reason, the “Advocacy” aspect (in the report “Mine Ban Policy”) has been subdivided into three categories of action:
 - Mine Ban;
 - Limitations on the impact of, or halt (also temporarily) in, mine use; and
 - Advocacy towards other actors.
- The “Stockpile destruction” pillar is divided into two types of action:
 - Substantial stockpile destruction; and
 - Limited or *ad hoc* stockpile destruction.
- The “Landmine and ERW clearance”⁴² category has similar categories to those mentioned for stockpile destruction, namely:
 - Substantial, generally as part of a mine action program; and
 - Spontaneous or *ad hoc*.
- The “Mine risk education”⁴³ pillar has been subdivided to differentiate between:
 - MRE provided by the NSA;
 - Information provided by the NSA about the location of mines in a spontaneous and/or sporadic manner; and
 - MRE provided by other actors and allowed or facilitated by the NSA.
- The victim assistance concept has a similar division:
 - Assistance provided by the NSA to civilians;
 - Assistance provided by the NSA to its own combatant victims; and
 - Assistance provided by other actors and allowed or facilitated by the NSA.

One additional difficulty that should be kept in mind with reference to the mine action pillars is the question of the International Mine Action Standards (IMAS). Do NSAs comply with IMAS? Why or why not? Is it at all possible to demand of NSAs that they do so? Many NSAs lack knowledge of IMAS.⁴⁴ However, some NSAs, generally those which are more resource-rich and organizationally advanced, have strived to comply with IMAS.⁴⁵

⁴² In general a mine ban implies only the ban of AP mines. Nevertheless, mine action also includes the clearance of AV mines and ERW. It should be noted that the Deed of Commitment proposed by Geneva Call covers not only the ban, clearance and destruction of factory-made mines, but also improvised mines if these are victim-activated.

⁴³ In the literature and in discussions it is not always clear what is understood under “MRE” and differences between this activity and “mine awareness”. In general, mine awareness involves a lower level of education, which includes, for example, awareness raising activities in schools and within the general population in risk communities, while MRE aims at and monitors behavioral changes. In addition, so-called “operational MRE” or community liaison is closely linked to a clearance program and provides a link between the program and the community, for example, by informing not only about the threat, but also about the program objectives and activities, the areas which have been cleared and those which still pose a risk. Roberts and Littlejohn, *Maximizing the Impact: Tailoring Mine Action to Development Needs*, p. 29. See also Andy Wheatley, “Mine risk education,” *Mine Action: Lessons and Challenges*, ed. Geneva International Centre for Humanitarian Demining (Geneva: Geneva International Centre for Humanitarian Demining, 2005). pp. 154-160.

⁴⁴ For example, as formulated by an NSA: “We were not aware about international standard that time. However, we applied both indigenous and mechanical devices. [...] [W]e superficially knew that there are international standards while we were mostly using traditional method in the absence of modern devices.” *Email from NSA representative, received May 2006* (2006).

⁴⁵ For instance, through Geneva Call and the Saharawi Campaign to Ban Landmines (SCBL) facilitation, a representative of the Polisario Front Mine Action Team has received training in IMAS, provided and sponsored by the Swedish EOD and Demining Centre (SWEDEC).

1.3 Comparative Analysis

This section of the report provides a comparative analysis of NSA involvement in mine action globally by looking into four main aspects:

- general elements for the assessment of NSA mine action;
- advantages of involving NSAs in a mine ban;
- challenges or difficulties met when implementing mine action activities with NSAs; and
- how challenges and difficulties have been overcome.

The overall conclusion and suggestions are to be found at the end of the report, following the “Mine Action Pillars” section.

1.3.1 General Elements for the Assessment of NSA Mine Action

This first section in the comparative analysis considers why NSAs become involved in mine action, the relationship (if any) between their decision to engage in a mine ban and in other mine action activities, and the similarities among NSAs involved in mine action.

1.3.1.1 Reasons for NSA Involvement in Mine Action

There are different explanations of the reasons why NSAs become involved in mine action. Recurring themes are humanitarian and development concerns and self-interest. These themes are not mutually exclusive and an NSA’s decision to engage in mine action could be motivated by a combination of factors.

Humanitarian and development concerns

Impact on the civilian population

Several informants mentioned humanitarianism, including protection of the population, as a reason (and sometimes the main reason) for NSA involvement in mine action.⁴⁶ Some even specified that the humanitarian motivation for engaging in mine action is sometimes even more significant for NSAs than it is for states, since the former are often marginalized within the state structure.⁴⁷ Evidently, in cases where the NSA controls a territory which it is not able to clear by itself, international assistance in mine action is the only way of clearing the land.⁴⁸

Several NSAs themselves underlined that seeing and living with the disastrous humanitarian effects of landmines, especially on civilians, was a trigger for their mine action.⁴⁹ One NSA further stated that it occasionally demines “some mined areas in order to facilitate for civil-

⁴⁶ Interview (1), Geneva, May 2006 (2006)., Interview (2), Geneva, May 2006 (2006)., Interview (4), Geneva, May 2006 (2006)., Interview (5), Geneva, May 2006 (2006). and Interview (14), Geneva, May 2006 (2006).

⁴⁷ Interview (5), Geneva, May 2006. and Interview (8), Geneva, May 2006 (2006).

⁴⁸ Interview (2), Geneva, May 2006.

⁴⁹ Email from NSA representative, received May 2006., Letter from NSA military wing, received October 2005 (2005)., Meeting with NSA representative (6), March 2006 (2006). and Interview with NSA deminer, Geneva, May 2006 (2006). See also “Resolution on the Problem Posed by Proliferation of Anti-personnel Mines in Liberated Parts of New Sudan”, 1 November, 1996, in *Mine Ban Education Workshop in Southern Sudan: Report of Proceedings and Recommendations*, (Geneva: Geneva Call, 2004). Annex B, p. 64.

ians to be able to access their land or homes.”⁵⁰ In one case, an NSA stated that the humanitarian concern was “ideologically rooted” in its religion.⁵¹

Requests by the community

In some cases NSAs have initiated mine action at the request of the communities in their areas of operation or control. Sometimes these requests have been backed up by national and international NGOs.⁵² This has been stated by mine action practitioners,⁵³ local communities⁵⁴ and the NSAs themselves.⁵⁵ One NSA specifically mentioned that the civilian population had requested that it clear paths.⁵⁶

Impact on the land and the NSAs

In some cases NSAs appear to have realized that there is no point in winning control over a territory if it is mined: it would then be useless.⁵⁷ In others, it was highlighted that the decision of the NSAs to start mine action was clearly motivated by the fact that the landmine problem was a real concern in their area of operation.⁵⁸ Interestingly, in one case of major landmine and UXO impact, a mine action agency was allegedly approached by the concerned state (and not by the NSA), requesting assistance in clearing an area not under its control. The NSA concerned also invited the mine action.⁵⁹

An explanation which is related to the “land” motive is that of “nationalism”. One informant suggested that, in at least one case, NSA mine action was triggered mainly by “nationalism”, i.e. the NSA engages in mine action “to serve what hopefully will become their own state.”⁶⁰ One NSA also stated that it initiated mine action within the framework of a wider environmental strategy.⁶¹

Linked to this argument is the fact that some NSA fighters, including at a leadership level, have themselves been the victims of landmines.⁶² NSAs have confirmed the importance of this factor. One NSA claimed that it stopped the production and use of victim-activated improvised landmines because of the dangers posed to group members, both in the production and laying of explosive devices, and also when the person who placed the mine had died.⁶³

Interests

Sometimes, it is alleged that NSAs commence mine action partly or fully out of the groups’ self-interest. There are at least four variations on this argument: military reasons, material gain, and internal and international reputation. They are briefly discussed below.

⁵⁰ [Letter from NSA military wing, received October 2005.](#)

⁵¹ [Email from NSA representative, received March 2006 \(2006\).](#)

⁵² [Interview \(12\), Geneva, May 2006 \(2006\).](#) and [Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group, Zagreb, 27 November 2005 \(Geneva: Geneva Call and the International Campaign to Ban Landmines Non-State Actor Working Group, 2006\).](#) pp.15-29.

⁵³ [Interview \(8\), Geneva, May 2006.](#) and [Interview \(12\), Geneva, May 2006.](#)

⁵⁴ This has been reported to Geneva Call from mine-affected communities during different missions.

⁵⁵ [Letter from NSA military wing, received October 2005.](#) and [Email from NSA representative, received May 2006.](#)

⁵⁶ [Letter from NSA military wing, received October 2005.](#)

⁵⁷ [Interview \(2\), Geneva, May 2006.](#)

⁵⁸ [Interview \(9\), Geneva, May 2006 \(2006\).](#) and [Interview \(8\), Geneva, May 2006.](#)

⁵⁹ [Interview \(8\), Geneva, May 2006.](#)

⁶⁰ [Interview \(1\), Geneva, May 2006.](#)

⁶¹ [Interview with NSA deminer, Geneva, May 2006.](#)

⁶² [Interview \(2\), Geneva, May 2006.](#) and [Interview \(14\), Geneva, May 2006.](#)

⁶³ [Meeting with Representative of an NSA, May 2005 \(2006\).](#)

Military reasons

One informant indicated that he was aware of one case where NSAs initiated mine action to “save their respective soldiers and to insure their own movement.” Nevertheless, once mine action (and particularly demining) had started, its scope was widened to include mine action with a humanitarian rationale.⁶⁴ One NSA which claims to conduct humanitarian mine action confirmed that it also has military reasons for demining:

“Our guerrilla forces did demine in the past and today still are doing demining in accordance of their capacity. [...] We do more demining or UXO/ERW cleaning in order to have safe areas and to reuse the explosives.”⁶⁵

Material gain

It has even been contended that mine action may be undertaken by NSAs (as well as by states) not for humanitarian reasons, but in order to gain access to resources,⁶⁶ including both employment opportunities⁶⁷ and resources for material gain.⁶⁸

Internal reputation

NSAs have allegedly also taken up mine action in order to increase their standing in communities. By taking action, the NSAs show that they are taking concrete measures against the mine problem⁶⁹ or that they are ensuring that something is done by other actors (notably international NGOs).⁷⁰ By showing that they care about the welfare of the population, they gain the support of the latter.⁷¹ One NSA mentioned that its involvement had actually helped build “confidence among the local people and our own community.”⁷²

International reputation

Mine action can also allegedly raise the profile of NSAs internationally and gain them public and media attention⁷³ by showing that they agree to cooperate with international organizations⁷⁴ and that they are concerned about the civilian population.⁷⁵ This would specifically be the case for NSAs which possess a leadership that is well-educated and knowledgeable about international affairs⁷⁶ and cares about its reputation.⁷⁷ One informant stated that even though mine action can be used politically by NSAs, the humanitarian impact was still more than significant⁷⁸ (which might have influenced the decision to become involved in mine action in a considerable manner). Two NSAs felt that their involvement in mine action as part of their larger commitment to IHL had helped their cause internationally⁷⁹ by showing that they were not to be included on “the list of terrorist organizations”.⁸⁰

64 [Email from national NGO working in mine action, received April 2006](#) (2006).

65 [Letter from NSA military wing, received October 2005](#).

66 [Interview \(8\), Geneva, May 2006](#).

67 [Interview \(1\), Geneva, May 2006](#) and [Interview \(4\), Zagreb, December 2005](#) (2005).

68 [Interview \(1\), Geneva, May 2006](#) and [Interview \(10\), Geneva, May 2006](#).

69 [Interview \(11\), Geneva, May 2006](#) (2006).

70 [Interview \(8\), Geneva, May 2006](#).

71 [Interview \(14\), Geneva, May 2006](#).

72 [Email from NSA representative, received May 2006](#).

73 [Interview \(8\), Geneva, May 2006](#) and [Interview \(7\), Geneva, May 2006](#) (2006).

74 [Interview \(13\), Geneva, May 2006](#).

75 [Interview \(8\), Geneva, May 2006](#).

76 [Interview \(2\), Geneva, May 2006](#).

77 As argued by Holmqvist:

“Clearly a group such as the Sudanese SPLA/M, after years of partaking in a comprehensive and internationally supported peace process with the government of Sudan, would be more conscious of its international reputation than the Janjaweed militias, who have no ambition of assuming a political role, whose organizational structure and leadership is unclear, and who have earned their reputation as bandits.”

Holmqvist, “Engaging Armed Non-State Actors in Post-Conflict Settings,” p. 51.

78 [Interview \(11\), Geneva, May 2006](#).

79 [Email from NSA representative, received May 2006](#).

80 [Email from NSA representative, received March 2006](#).

Other reasons

In at least one case it appears that NSAs wish to become involved in mine action because they would like to follow the example of other NSAs.⁸¹ Clearly the examples of what NSAs are doing in other countries are also used in negotiations with NSAs and might contribute to transferring a positive image of mine action to NSAs.

1.3.1.2 Relationship between an NSA Committing to a Mine Ban and Its Involvement in Other Mine Action Activities

While some NSAs begin by committing to a mine ban before becoming involved in mine action (as was the case for the Moro Islamic Liberation Front (MILF) and the National Council for the Defense of Democracy/Forces for the Defense of Democracy (CNDD-FDD), others start some mine action activities due to community pressure or other factors (notably the LTTE in Sri Lanka (substantial mine action) and the National Liberation Army (ELN) in Colombia (limited mine action), although they may not feel ready to commit to a ban immediately. Other groups may be involved in mine action before they commit to a total mine ban, for example the SPLM/A, the Kurdish Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK).

In some cases a mine ban commitment has been the trigger for further involvement in mine action. For instance, the signature by the Polisario Front of the Deed of Commitment has been seen as its departure for international involvement in mine action.⁸² The Somali factions who are signatories to the Deed of Commitment have been more involved in mine action than their non-signatory counterparts. Unfortunately, the uncertain political and security situation and a lack of donor interest have slowed down international assistance in Somalia. In other cases, NSAs are already involved in mine action, but may increase or deepen their efforts after making a more official commitment to a ban (notably the SPLM/A in Sudan).

Generally, groups that have committed to a mine ban are more likely to be involved in mine action than groups that have not committed. One possible explanation is that the mine ban (whether unilateral, through the Deed of Commitment, or through a bilateral agreement with the concerned government) could enhance international and national interest in mine action and create a momentum. However, groups that have not committed to a ban may also be involved in mine action, which is the case, for example, for the LTTE, Nagorno Karabakh and Abkhazia. There is no reason to believe that mine action by non-ban groups would be undertaken for reasons other than those mentioned previously (i.e., various humanitarian and development concerns as well as self-interest).

1.3.1.3 Similarities between NSAs Involved in Mine Action

When considering more closely the characteristics of the NSAs involved in mine action and their particular situations, it appears that the differences between the groups are significant. Some groups are small and actively involved in warfare (e.g. Chin National Front (CNF)). Some more closely resemble governments of entities which are not, or not widely, recognized as states (e.g. Abkhazia, Polisario Front/Sahrawi Arab Democratic Republic and Somaliland). Some are frequent or formerly frequent mine users (e.g. ELN, LTTE and SPLM/A). Some have never used mines or made a more limited use of them (e.g. the National Socialist Council of Nagalim-Isaac/Muivah (NSCN-IM) and MILF).⁸³

⁸¹ Interview (7), Geneva, May 2006.

⁸² Interview (8), Geneva, May 2006.

⁸³ For in-depth information on NSA mine use, see [Armed Non-State Actors and Landmines. Volume I.](#)

With reference to involvement in a total ban (rather than a limitation) of AP mines, NSAs generally appear to be more open to a ban during peace processes. However, some groups have committed to a ban or agreed on limitations on the use of mines even during ongoing fighting (e.g. People's Defense Forces/Kongra-Gel - known as the PKK), ELN, CNF, and the Oromo Liberation Front (OLF) or in situations of frozen conflict (e.g. Polisario Front).

According to the "Landmine Monitor Fact Sheet: Non-State Armed Groups and the Landmine Ban", only NSAs with territories under their control are involved in mine action.⁸⁴ Although this is not always the case (e.g. in Colombia, Ethiopia, Iran and Somalia), it can be argued that if an NSA controls territory it might feel under pressure to provide different services to the population, including mine action. This could be so especially if a group not only controls territory but also is strong in manpower⁸⁵ and claims to fight for a specific population. Taking part in mine action might represent an opportunity for the NSA to provide some services to the population,⁸⁶ and if international organizations are involved, it is possible that the mine action also brings some improvement in generally deficient infrastructure. In addition, the more powerful the group, the easier it may be for international organizations to engage with them: i.e. the concerned state might not have the means to obstruct such interaction.⁸⁷

1.3.2 Advantages

This second comparative section investigates different positive factors related to NSA mine action, notably: the humanitarian and developmental benefits from involving NSAs in mine action; the advantages (especially for mine action operators) of working with NSAs on this issue; the complementary effects that NSA mine action might have; and the eventual "necessity" versus "success" of NSA mine action.

1.3.2.1 Primary Benefits of Mine Action by NSAs

In general the informants did not see any major differences between the primary benefits brought about by NSA mine action and mine action in general. The two main benefits were identified as humanitarian and development benefits.

Humanitarian

The informants highlighted that the primary benefits of mine action are humanitarian for the populations in the area of operation or control of NSAs⁸⁸ or the population of the concerned state in general.⁸⁹ The first and principal benefit of all mine action is the reduction of the number of mine victims, mainly thanks to MRE, demarcation and/or clearance.⁹⁰ One informant signaled the beneficial humanitarian effects not only for the local community but also for the NSAs themselves.⁹¹ Furthermore, it is a major relief for people to be able to move freely and use their land.⁹²

84 [Non-State Armed Groups and the Mine Ban, Landmine Monitor Factsheet](#), p. 4.

85 [Interview \(1\), Zagreb, December 2005](#) (2005).

86 *Ibid.*

87 *Ibid.*

88 [Interview \(5\), Geneva, May 2006.](#), [Interview \(12\), Geneva, May 2006.](#), [Interview \(14\), Geneva, May 2006.](#) and [Email from national NGO working in mine action, received April 2006.](#)

89 [Interview \(6\), Geneva, May 2006](#) (2006). and [Interview \(9\), Geneva, May 2006.](#)

90 [Interview \(11\), Geneva, May 2006.](#) and [Interview \(8\), Geneva, May 2006.](#)

91 [Email from national NGO working in mine action, received April 2006.](#)

92 *Ibid.*

Reconstruction and Development

One informant underlined that mine action with NSAs facilitates not only “get[ting] rid of mines and saving lives” by avoiding accidents, but preparing the ground for repatriation of refugees and/or IDPs ahead of the day peace will arrive.⁹³ Reconstruction and development in general was also highlighted, with mine action providing some degree of stability in a volatile society.⁹⁴ In order for reconstruction and development to be most efficient, mine action should be not only a remedial, but also a preventive action.

Mine action in NSA-controlled areas as well as in other areas can lead to development effects due to cleared agricultural land. Such land is often very fertile after years of non-use.⁹⁵ This factor, along with access to other resources and infrastructure, can significantly improve the living conditions of affected communities.⁹⁶

“Humanitarian actors should not punish a population because they live in NSA-controlled territory. For these populations mine action might make an even bigger difference.”

Mine action practitioner, Geneva, May 2006



Peter Mozynski

OSIL Deminers, South Sudan

1.3.2.2 Advantages for Humanitarian Actors of Involving NSAs in Mine Action

One NSA stated that its involvement in mine action was especially appropriate since its members were all former fighters and were “used to living with risks”. They also knew the area and the communities well and would stay in the area afterwards, which would facilitate accountability and responsibility towards the communities.⁹⁷ For international and national organizations, some of these arguments are valid. The main reasons that would encourage such organizations to engage with NSAs in mine action are: the NSAs’ military training and possession of information about the mines in the area; NSAs’ links to the territory and the population; and security and cost-effectiveness.

⁹³ [Interview \(8\), Geneva, May 2006.](#) and [Interview \(9\), Geneva, May 2006.](#)

⁹⁴ [Interview \(14\), Geneva, May 2006.](#)

⁹⁵ [Interview \(11\), Geneva, May 2006.](#) and [Interview \(6\), Geneva, May 2006.](#)

⁹⁶ [Interview \(12\), Geneva, May 2006.](#)

⁹⁷ [Interview with NSA deminer, Geneva, May 2006.](#)

Military training and knowledge of mines and their location

NSAs often have technical knowledge of landmines, since they may have produced, modified, placed or deactivated mines. As former soldiers (in general), they “might have substantial knowledge of explosives, landmines and even mine clearance”.⁹⁸ There might thus be a need for their military capabilities.⁹⁹ Aside from experience with explosives, their general military training (e.g. habits of discipline, respect for orders and procedures) may facilitate the formation of mine action teams.¹⁰⁰

In addition, if the NSAs have been involved in placing mines, they may be able to identify mined areas and provide detailed and accurate information that could facilitate mine clearance¹⁰¹ and survey. One NSA has confirmed that its information about mined areas and the methods used would contribute to rapid and efficient demining.¹⁰² This said, it appears that in most cases, NSAs are not able to provide maps of mined areas.¹⁰³

Territory and link to population

One advantage of involving NSAs in mine action is that in certain situations they can work more efficiently than other organizations due to their links to the territory and/or the population.¹⁰⁴ One NSA especially highlighted its ability to provide “knowledge and contact with the local community”.¹⁰⁵ In situations in which NSAs are de facto in control of the territory, or in the case of “failed states”, there is often no option but to “deal” with them.¹⁰⁶

Security

Some of the informants underlined that working with the NSA(s) provided security¹⁰⁷ to the demining agencies, directly (i.e. through NSA-provided protection) or indirectly. In practical terms, it has been argued that organizations that are not working with NSAs would be unable to work in certain areas.¹⁰⁸ One NSA indicated that it has provided security to mine action operators.¹⁰⁹

Cost-effectiveness

The military backgrounds of NSAs could, it has been argued, improve the possibilities that they would provide high-quality mine action¹¹⁰ (mainly related to clearance). In addition, NSA involvement, especially in clearance, has been described by one informant as being cost-effective,¹¹¹ possibly for the above reasons (i.e. military training and possession of information about the mines, links to the territory and the population, and ability to provide security).

98 Bernt A Skåra, “Risky Business or Constructive Assistance? Community Engagement in Humanitarian Mine Action,” *Third World Quarterly* 24.5 (2003): p. 845.

99 Harpviken and Skåra, “Humanitarian Mine Action and Peace Building,” p. 814.

100 Bryden, “Optimizing Mine Action Policies and Practice,” p.173.

101 Email from international mine action agency, received June 2006 (2006).

102 Meeting with NSA representative (6), March 2006.

103 For further information, see section “Limited mapping” in the 1.3.3.1 section.

104 Interview (4), Geneva, May 2006.

105 Email from NSA representative, received May 2006.

106 Interview (13), Geneva, May 2006.

107 Interview (6), Geneva, May 2006.

108 Interview (2), Geneva, May 2006. and Interview (5), Geneva, May 2006.

109 Meeting with NSA representatives (1), March 2006 (2006).

110 Interview (4), Zagreb, December 2005.

111 Email from international mine action agency, received 23 March 2006 (2006).

1.3.2.3 Complementary Effects of NSA Mine Action

Informants identified quite a few complementary effects of NSA mine action, which in several cases were considered to be as important as the primary benefits and advantages of working with NSAs. Of the quoted complementary effects, employment and stability, peace-building, security and disarmament, and openness to discussing other humanitarian norms, were the ones most frequently singled out. These factors are interlinked in a complex way, but are presented separately for clarity.¹¹²

Employment and stabilizing effects

One frequently-cited complementary effect is that mine action can provide employment to former combatants, which not only grants them economic support and a useful task to perform, but also produces a stabilizing effect in the area, especially in places suffering from high unemployment and with significant numbers of demobilized soldiers.¹¹³ In this sense, mine action can also contribute to the disarmament, demobilization and reintegration (DDR) process:¹¹⁴ absorbing former soldiers as part of a demobilization process by offering an “honest and respected job to ex-combatants”.¹¹⁵ Providing ex-combatants with an alternative occupation has been identified as crucial to the future of peace processes, since such activities give them reasonable employment, status, respect and the possibility to support their families.¹¹⁶ Former NSA combatants have carried out mine clearance for example in Angola.¹¹⁷

Indeed, a demining agency can be an important employer in an NSA economy which might have few other employment opportunities. NSA mine action could also bring important stabilizing and normalizing effects to the area by initiating humanitarian activities and contributing to normalization and the installation of law and order.¹¹⁸

Peace-building¹¹⁹

Several informants highlighted peace-building as an important, maybe even the most important, complementary effect of NSA mine action.¹²⁰ The beneficial effects would include, for instance, encouraging the exchange of information and contacts on a positive issue between the parties. It would also give people hope that the war is finally over.¹²¹ One aspect of peace-building, confidence-building, was also suggested as a complementary effect of mine action.¹²² One NSA also mentioned discussions on landmines and mine action as a potential entry-point for dialogue with the government.¹²³

112 See also the below “Box 4 Research on Humanitarian Mine Action and Peace-Building”.

113 Nevertheless, things are not always that clear-cut. In one case it appears that the fact that demining is a risky job created frustration among some former NSA fighters who took on such employment, while they saw their former companions being integrated in the national and/or regional political and administrative structures.

114 [Email from international mine action agency, received June 2006.](#)

115 [Interview \(8\), Geneva, May 2006.](#) and [Interview \(10\), Geneva, May 2006.](#)

116 [Interview \(13\), Geneva, May 2006.](#)

117 “Ex-Military Attend Seminar on Demining” [Angola Press Agency](#) 5 August 2003. and “46 Mine Fields Spotted,” [Angola Press Agency](#) 23 October 2003.

118 [Interview \(8\), Geneva, May 2006.](#)

119 See also “Box 4 Research on Mine Action and Peace-Building”.

120 [Interview \(5\), Geneva, May 2006.](#), [Interview \(8\), Geneva, May 2006.](#) and [Interview \(9\), Geneva, May 2006.](#)

121 [Interview \(9\), Geneva, May 2006.](#)

122 [Email from international mine action agency, received June 2006.](#), [Email from NSA representative, received March 2006.](#) and [Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group, Zagreb, 27 November 2005. pp. 15-29.](#)

123 [Meeting with NSA representative \(2\), March 2006 \(2006\).](#)

One NSA saw that its own mine action involvement, especially in a mine ban, was crucial to influencing the conflict in a positive direction by halting escalation of the conflict and the tendency of “the parties involved in the conflict [to] employ unlimited means to inflict destruction with each other.”¹²⁴

“As part of the provision of the GRP [Government of the Philippines] - MILF Cessation of Hostilities agreement it [mine action] promoted some degree of trust and confidence in both parties.”

Moro Islamic Liberation Front (MILF)

Mine action has occasionally been employed actively to encourage confidence-building between parties. In fact, in some cases it was peace-building, not mine clearance that was the main objective of a program.¹²⁵ However, one informant expressed concerns that if mine-action did not take place under the right circumstances, it might destabilize the situation rather than moving it forward. The same individual considered that an ongoing peace process would be a necessary condition for mine action to have peace-building effects.¹²⁶ However, another informant argued that mine action can even be used as an instrument to facilitate a cease-fire.¹²⁷ Notwithstanding arguments for its positive effects, it is evident that mine action does not always produce this beneficial effect, and that conflict may break out again despite such efforts.¹²⁸

Box 4 - Research on Mine Action and Peace-Building

“The willingness of former parties to a conflict to reveal the location of minefields, destroy stockpiles or agree to clearance in territory under their control is not just a disarmament activity but an evident confidence-building measure.”¹²⁹

Alan Bryden

In recent years the international community has increasingly focused attention on the links between mine action and peace-building. Notably PRIO,¹³⁰ but also the Geneva Center for the Democratic Control of Armed Forces (DCAF),¹³¹ have published interesting and useful studies on this relationship, focusing on how the linkages work and their various successes and challenges. The discussion on mine action and peace-building in this report has focused on their beneficial effects. However, the mentioned research efforts analyze not only the benefits, but also the challenges, of employing mine action to further peace-building. This box highlights and discusses some of the most relevant findings of these analyses.

As underlined by Harpviken and Skåra, “[p]eacebuilding is the consequence of an activity (an outcome or process), not an activity in itself.”¹³² As such, it can occur before, during, or after conflict. Peace-building has three main aspects: confidence-building, con-

124 [Email from NSA representative, received March 2006.](#)

125 [Interview \(1\), Geneva, May 2006.](#)

126 [Interview \(10\), Geneva, May 2006.](#)

127 [Interview \(13\), Geneva, May 2006.](#)

128 This was the case, unfortunately, in Angola. [Interview \(1\), Geneva, May 2006.](#)

129 Bryden, “Optimizing Mine Action Policies and Practice,” p. 172.

130 Harpviken and Roberts, eds., [Preparing the Ground for Peace.](#) and Harpviken and Skåra, “Humanitarian Mine Action and Peace Building.”

131 Bryden, “Optimizing Mine Action Policies and Practice.”

132 Harpviken and Skåra, “Humanitarian Mine Action and Peace Building,” p. 811.

flict-resolution and reconciliation.¹³³ The authors argue that peace-building efforts must be “political at heart”.¹³⁴ This may create a potential conflict with mine action, which has a humanitarian rationale. The authors recognize this, saying that given that the strength of mine action as a facilitator for peace-building is its “depoliticized” nature, there is clearly a risk in politicizing it. In addition, such explicit peace-building discourse may increase the risk that mine action personnel and organizations are subject to attacks. Nevertheless, the authors argue that there is a risk also in neglecting the potential peace-building role of mine action.¹³⁵

Another potential problem is that by collaborating with the parties to conflict, notably by providing them with training and employment, mine action organizations and donors may look like they are “rewarding perpetrators”.¹³⁶ However, this is a common DDR problem, which often implies that former combatants, including child soldiers, are “rewarded” as compared to those who did not take part in the conflict.

The authors argue that such criticism should be considered a relatively small price to pay, given that by involving former soldiers in mine action, one can “bring on board potential spoilers of a peace process”.¹³⁷ They highlight as a positive example the case of Afghanistan, where it has been argued that the inclusion of former fighters in mine action hindered their re-recruitment into other armed groups.¹³⁸

Another criticism of the use of mine action for peace-building is that this would involve too many aims and goals for mine action which would end up being blurred. Linked to this is the argument that instrumentalizing mine action slows it down and makes it dependent on the logic of the peace process.¹³⁹ Like the “spoiling” argument presented above, this phenomenon is not exclusive to mine action, but applies to other humanitarian and development assistance in conflict or post-conflict situations as well.¹⁴⁰

The major lessons learned from three in-depth studies on mine action and peace-building by Harpviken and Roberts are twofold. First, they suggest that it might be necessary to re-evaluate the prioritization of mine action as following strictly humanitarian principles in order to ensure support for mine action activities on all sides of a conflict. Consequently, it may be necessary to begin working in areas that are considered to be less sensitive by the parties to the conflict rather than in those where the humanitarian impact is greatest.¹⁴¹ Some mine action practitioners would not agree with this approach.¹⁴² Second, the authors see that mine action which aims to support peace-building “demands long-term commitment from all external actors and a recognition that work may progress slowly”. Hence, their recommendation is that donors “need to accept greater risk and fewer measurable impacts from investments in mine action in conflict and post-conflict situations.” In line with this, there is a need also for mine action organizations to adapt to the new objectives through efforts to “brief field staff and equip them with the skills required to support peace-building through mine action.”¹⁴³

133 The authors understand confidence-building as “the gradual building of mutual confidence between parties and securing their commitment to peace.” *Ibid.*: pp. 811-812.

134 *Ibid.*: p. 812.

135 *Ibid.*: p. 818.

136 *Ibid.*

137 *Ibid.*: p. 819.

138 *Ibid.*: p. 814.

139 The authors give the example of Mozambique. *Ibid.*: p. 819. This argument was advanced also by one of the informants, though for the case of Sudan. (*Interview (1), Zagreb, December 2005.*)

140 Harpviken and Skåra, “Humanitarian Mine Action and Peace Building,” p. 819.

141 Harpviken and Roberts, eds., *Preparing the Ground for Peace* p. iv.

142 *Interview (1), Zagreb, December 2005.*

143 Harpviken and Roberts, eds., *Preparing the Ground for Peace* p. v.

Bryden, although supportive, is critical of the link between mine action and peace-building. He states that, despite the “seemingly logical link between building mine action capacity and DDR with demobilized soldiers”, his study of the cases of Afghanistan and Kosovo provided contrasting signals about the peace-building effects of mine action.¹⁴⁴

Bryden argues that in Afghanistan, the international community was largely opposed to training former combatants for mine action, especially in the use of explosives.¹⁴⁵ In Kosovo the situation was even more complex, as illustrated by the creation and involvement of the Kosovo Protection Corps (KPC) in mine action. The KPC is a security body made up of demobilized ethnic Albanian combatants, which allegedly had close links to the Kosovo Liberation Army. Bryden highlights two important problems with KPC involvement in mine action which are related to its members’ status as former NSA fighters:

- Being composed of former militaries, the KPC mine action initiative reduced the possibilities for the development of civilian mine action capacity (including taking job opportunities from already trained civilians); and
- Due to the “ethnic” nature of the conflict, the employment of deminers from only one ethnicity led to suspicions of bias. This preoccupation allegedly led to limited support for the KPC by the Kosovo Force (known as the KFOR), which in turn caused delays in the work, particularly since the KFOR was reluctant to provide the KPC with explosives.¹⁴⁶

Security and disarmament

Harpviken and Skåra¹⁴⁷ claim that the security aspects of mine action have dominated the field. They refer on the one hand to disarmament, and on the other, to prevention of the future use of landmines by destroying stocks.¹⁴⁸ NSA mine action can thus enhance disarmament and reduce the security threat of landmines, UXO and other weapons to the population.

Although not expressly mentioned by any of the informants, it would appear that involving NSAs in mine action also is an effective confidence-builder, not only between the parties to conflict, but also between the NSAs and humanitarian organization(s). For example, NSA involvement in mine action has subsequently led NSAs to open up their stocks to destruction (even of other weapons), or to allow for the collection and destruction of small arms.¹⁴⁹ In this way, mine action could work as a potential enhancer of disarmament.



Peter Mozynski

Ammunition rounds, South Sudan

144 Bryden, “Optimizing Mine Action Policies and Practice.” p.173.

145 Ibid. p. 174.

146 Ibid. p. 178.

147 According to Berg Harpviken and Skåra mine action has three main aspects: security, development and political impact. They claim that the security aspect has dominated, while the political aspects have been overlooked. Harpviken and Skåra, “Humanitarian Mine Action and Peace Building,” p. 809.

148 Ibid.: p. 814.

149 [Interview \(2\), Geneva, May 2006](#), [Interview \(5\), Geneva, May 2006](#), [Interview \(11\), Geneva, May 2006](#).

Discussion of other humanitarian norms

The fact that NSAs embrace a mine ban or actively implement mine action activities which aim at improving the situation of the civilian population also provides a window of opportunity for the discussion of other humanitarian issues, notably other rules of IHL.¹⁵⁰ Furthermore, as mentioned by one informant, it shows that it is possible to work in an inclusive manner with these actors in furthering respect for IHL.¹⁵¹ Two NSAs specifically pointed out that their commitment to mine action was to be understood – and had in fact been understood – as part of their general commitment to IHL.¹⁵² However, as highlighted by one observer, there is a potential danger that this is merely rhetoric.¹⁵³

“Ownership” of the situation

An argument made by two informants was that, by working with NSAs, humanitarian agencies provide them with ownership of the problem, which allows for mine action to go further than would otherwise be possible.¹⁵⁴ In addition, both employment in, and involvement in the priority-setting and coordination of, the mine action could increasingly give NSAs ownership of the problem and make them feel included in the process of mine action and (possibly) reconstruction. In the cases in which the NSAs have employed mines themselves, it could also be argued that it is a matter of the NSAs taking responsibility for their actions. In such cases, it may be possible to regard the mine action activities of NSAs as a form of reparation for the damage caused to a community.

Capacity-building

NSA mine action can also enhance capacity-building.¹⁵⁵ For instance, victim assistance can help create capacity within the health care system and assist in highlighting the problem of health care in general. This may be particularly important in areas subject to the operation or control of NSAs, where such services generally are limited.

“Watchdog” effect

One informant has judged that in some situations of limited international access, the presence of international organizations in a conflict area allows them to serve as “watchdogs” of human rights abuses by governments. This may be more important for the communities than mine action per se,¹⁵⁶ even in heavily mine-polluted areas.

1.3.2.4 Necessity of NSA Involvement in Mine Action

All informants agreed that NSA involvement had been necessary in the cases discussed. A few did not indicate why this involvement was essential.¹⁵⁷ Others gave reasons which can be categorized as: political and military reality (including territorial control); a link between the NSAs and a constituency; and “utility”.

¹⁵⁰ Interview (1), Zagreb, December 2005 (2006), Interview (14), Geneva, May 2006, and Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group, Zagreb, 27 November 2005, pp. 15-29.

¹⁵¹ Interview (14), Geneva, May 2006.

¹⁵² Email from NSA representative, received March 2006, and Email from NSA representative, received May 2006.

¹⁵³ Interview (1), Zagreb, December 2005.

¹⁵⁴ Interview (13), Geneva, May 2006, and Interview (1), Zagreb, December 2005.

¹⁵⁵ Interview (1), Zagreb, December 2005.

¹⁵⁶ Interview (13), Geneva, May 2006.

¹⁵⁷ Interview (9), Geneva, May 2006, Interview (11), Geneva, May 2006, Interview (12), Geneva, May 2006.

Political and military reality

As put by one informant, “in highly militarized situations you need to cooperate with the military, both state and NSA.”¹⁵⁸ He also stated that (in a conflict situation):

“[Y]ou cannot allow yourself to operate in such a situation if you ignore the political process, be it democratic or not. If there are NSAs present in the area in which you are operating you will need to bargain with them.”¹⁵⁹

In a sense, the necessity to work with NSAs is tied to the territorial aspects of mine action, and particularly clearance: a demining team may have to work every day for months on the same spot.¹⁶⁰ This predictability makes it more vulnerable to targeted attacks than, for example, an aid convoy that alters its schedule and routes in order to avoid contact with NSAs.

Other informants pointed to the impossibility of moving ahead on mine action if NSAs were not involved. In the words of one informant, “it cannot be done without them: they control the territory and have the ability to put an end to mine action efforts.”¹⁶¹ The issue of territorial control and the impossibility of working in specific areas without the green light from an NSA were also specifically highlighted by other informants.¹⁶²

Two informants also considered NSA involvement in mine action to be necessary in a general political (the peace-process and the general political situation)¹⁶³ and legal context. They highlighted the universalization of the mine ban norm and the enabling of concerned (signatory) states to comply with their obligations withheld in the Mine Ban Treaty.¹⁶⁴ One informant also clarified that a solution would be impossible in the absence of NSA involvement, especially where the NSAs continue to use landmines.¹⁶⁵

Link between the NSAs and a constituency

In other cases it is not only the practical aspects, but also the fact that the NSAs may be considered as the legitimate authority, or enjoy widespread respect among the constituency,¹⁶⁶ that influences the decision to work with them. In some cases it is not the NSAs directly, but rather NSA-linked NGOs that are working in mine action in the areas of influence of the NSAs. Sometimes these organizations are considered to be the only ones that can conduct mine action in these areas. Such organizations are seen as part of society; hence, the social structure of the community makes NSA involvement necessary.¹⁶⁷ One informant underlined the need to consider close cooperation with groups with important community support, while on other occasions it might be preferable to keep mine action independent.¹⁶⁸

¹⁵⁸ [Interview \(1\), Geneva, May 2006](#).

¹⁵⁹ *Ibid.* The need to respect the political process was highlighted also by [Interview \(2\), Geneva, May 2006](#).

¹⁶⁰ [Email from international mine action agency \(2\), received February 2006 \(2006\)](#).

¹⁶¹ [Interview \(3\), Geneva, May 2006 \(2006\)](#).

¹⁶² [Interview \(5\), Geneva, May 2006](#), [Interview \(6\), Geneva, May 2006](#).

¹⁶³ [Interview \(14\), Geneva, May 2006](#).

¹⁶⁴ *Ibid.* and [Interview \(3\), Geneva, May 2006](#).

¹⁶⁵ [Email from national NGO working in mine action, received May 2006 \(2006\)](#).

¹⁶⁶ [Interview \(1\), Geneva, May 2006](#), [Interview \(2\), Geneva, May 2006](#).

¹⁶⁷ [Interview \(4\), Geneva, May 2006](#).

¹⁶⁸ [Interview \(2\), Geneva, May 2006](#).

Utility

Informants also suggested a variety of “utility” perspectives for the need to involve NSAs in mine action, most of which focus on the information and services they could provide, notably protection.¹⁶⁹ Informants mainly regarded the information aspect as being linked to the fact that NSAs are sources of information about the mines,¹⁷⁰ but also about other aspects.¹⁷¹ One mine action practitioner indicated that working with the NSA was necessary to “ensure local knowledge, know-how and ownership” and that in general it would be very difficult for an external organization to operate in the NSA’s area without its support.¹⁷²

Provision of security services was the other main utilitarian-based justification for working with NSAs. As one informant noted, “by working with them you are linked to the people who control the area.”¹⁷³ Another person clarified that the need to work with NSAs and governments was triggered not only by political, but also security reasons.¹⁷⁴

It was also underlined that the necessity of NSA involvement in mine action is very dependent on the context. One determining factor could be the utility of the information and services that they could provide.¹⁷⁵ The informant specified that:

“If NSAs request help, show that they care, control territory, have made a commitment (for example the Deed of Commitment) and the state of the peace process allows, then you should consider assisting. We need to analyze who asked you to intervene, when and why they asked. The political context determines.”

1.3.2.5 Elements that Facilitate Successful NSA Mine Action

Despite some difficulties (see section 1.3.3 “Difficulties and Challenges”) the informants generally considered that NSA mine action had been successful,¹⁷⁶ both in larger and smaller-scale interventions. No informant stated that NSA mine action had not been successful, although one stated that there had been no real mine action on behalf of the NSAs.¹⁷⁷

It was argued that specific NSAs had cooperated well with the international community in mine action, and also in different conflict situations (both before and after a cease-fire) and it was estimated that there were never any constraints on the NSA side. Other NSAs were considered to have facilitated the work well.¹⁷⁸ In still other cases in which NSA mine action was determined as successful, international standards were estimated to have been reached and maintained.¹⁷⁹ In another case, despite very difficult circumstances, NSA mine action had been successful in a few limited situations.¹⁸⁰ Two NSAs argued that their mine action had been successful, for instance in clearing a significant area¹⁸¹ and in encouraging its members to refrain “from participating in terrorist activities which is presently at its height.”¹⁸²

¹⁶⁹ Interview (10), Geneva, May 2006.

¹⁷⁰ Interview (1), Geneva, May 2006.

¹⁷¹ Interview (10), Geneva, May 2006.

¹⁷² Email from international mine action agency (1), received February 2006 (2006).

¹⁷³ Interview (1), Geneva, May 2006.

¹⁷⁴ Interview (2), Geneva, May 2006.

¹⁷⁵ Interview (10), Geneva, May 2006.

¹⁷⁶ Interview (2), Geneva, May 2006, Interview (8), Geneva, May 2006, Interview (9), Geneva, May 2006, Interview (12), Geneva, May 2006, Interview (13), Geneva, May 2006., Interview (14), Geneva, May 2006., Interview (4), Zagreb, December 2005., Email from national NGO working in mine action, received April 2006., Email from international mine action agency (1), received February 2006. and Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group, Zagreb, 27 November 2005. pp. 15-29.

¹⁷⁷ Email from national NGO working in mine action, received May 2006.

¹⁷⁸ Interview (2), Geneva, May 2006.

¹⁷⁹ Interview (13), Geneva, May 2006.

¹⁸⁰ Interview (12), Geneva, May 2006.

¹⁸¹ Email from NSA representative, received May 2006.

¹⁸² Email from NSA representative, received March 2006.

NSA mine action was considered to be most successful when the NSA has regarded mine action as a priority and there is good coordination between the different actors involved (generally the NSA, international and national NGOs and specialized UN agencies).¹⁸³ One informant clarified that early NSA mine action activities in one case had been uncoordinated, using dangerous methods, but that at a later stage it had developed into a successful activity,¹⁸⁴ through international support and training.

One NSA determined that its mine action had been most successful during a specific time period in which its fighters faced no obstacles to its mine action activity from the state in which the NSA was operating.¹⁸⁵ One representative from a mine action NGO has confirmed the success of the activity, which was not included in a formal mine action program.¹⁸⁶

In general, NSA mine action (with international involvement) appears to be most successful when the NSAs are in control of territory and the concerned state(s) have fewer possibilities to influence the activities¹⁸⁷ or do not create any major obstacles to such activities. Obviously mine action activities, particularly demining, have been facilitated by the existence of a peace agreement and maps of the mined areas, which allegedly is the case in Central America.¹⁸⁸ For further information, see the Box below, which highlights the case of Guatemala.

Box 5 - "Successful" Former NSA Involvement in Mine Action: The Case of Guatemala¹⁸⁹

"In the span of 15 years, one of Guatemala's NSAs transformed from a violent guerilla insurgency into a legitimate political party and important force behind local demining."

Sarah Sensamaust

After the end of the Guatemalan civil war in 1996, official estimates stated that there were some 1,500 mines and between 5,000 and 8,000 UXO items in the country. According to an article by Sarah Sensamaust, the clearance of these items was made possible by cooperation between the umbrella organization of the former guerrilla movement, Guatemalan National Revolutionary Unity (URNG) and the government deminers in the identification and destruction of landmines.¹⁹⁰

During the war, the NSA mainly used improvised mines and also some factory-made mines. The Guatemalan government has not admitted to having employed landmines. A peace accord signed by the government and the URNG in December 1996 not only ended the conflict and facilitated the transformation of the NSA into a legal political entity, but also triggered cooperation on the landmine issue. As highlighted by Sensamaust: "[a]s the result of agreements established during the peace accord process, the Guatemalan government issued Legislative Decree 60-95 calling for a national mine and UXO clearance program."¹⁹¹

According to Sensamaust, the URNG's contribution to the mine action efforts in Guatemala was substantial. Not only did the group hand over its minefields to the UN Mission

183 [Interview \(9\), Geneva, May 2006.](#)

184 [Email from international mine action agency \(1\), received February 2006.](#)

185 [Email from NSA representative, received May 2006.](#)

186 [Email from national NGO working in mine action, received April 2006.](#)

187 For example in Abkhazia, Iraqi Kurdistan, South Sudan, Somaliland and Western Sahara.

188 [Meeting with UN official, 25 April 2006 \(2006\).](#)

189 Based on Sarah Sensamaust, "Non-State Actors in Colombia, Guatemala and Nicaragua," [Journal of Mine Action](#) 8.2 (2004).

190 *Ibid.*

191 *Ibid.*

for Guatemala for clearance, but demobilized NSA members also played an active role in mine action. More precisely, as indicated by Sensamaust, former URNG members facilitated identification of the location of mines by acting as guides. In addition, they took part in mine awareness activities in schools in mine-affected communities.¹⁹²

1.3.3 Difficulties and Challenges

In both discussions with and written replies of mine action operators, and in literature, various problems related to NSA mine action have been identified. These have been divided into categories relating to: (i) the political context; (ii) the NSA; and (iii) third-party actors. They will each be discussed below. In addition, some of the specific problems faced by those involved in NSA mine action during an armed conflict are highlighted. The main problems identified in this respect were the uncertain and sensitive political situation, security, and continued mine use and ERW contamination. The impact of the concerned state on NSA mine action is a frequently mentioned issue which, owing to its importance, is discussed separately after the other challenges.

1.3.3.1 Constraints and Challenges Faced by Humanitarian Actors and NSAs in NSA Mine Action

Related to the political context

Uncertain political situation and lack of commitment and confidence

Informants have pointed to the lack of commitment to a mine ban, to mine action and to a peace process, and the lack of agreement between or from the actors,¹⁹³ as real obstacles to enabling NSA mine action.¹⁹⁴ Even when there is an agreement between the parties (e.g. a peace agreement that involves demining), the pace of implementation of the agreement might slow down mine action.¹⁹⁵

Political circumstances are a major challenge to mine action during conflict. The generally sensitive, difficult and uncertain situations were specifically singled out. For instance, one informant mentioned that political tensions between the two parties frequently led to halts in the operations.¹⁹⁶ In addition, NSAs might be suspicious of, and lack confidence in, the government and an eventual peace process.¹⁹⁷

Moreover, in the absence of a comprehensive solution to the conflict, there is always a risk that the parties will return to armed clashes and “that what you are building disappears”.¹⁹⁸ In addition, the political difficulties in working with both governments and NSAs and the slowness of the process were underlined by one informant.¹⁹⁹ The political use of the mine issue was also mentioned as a real problem.²⁰⁰

¹⁹² Ibid. However, it has been argued that the URNG did not submit complete information about mined areas. See *Engaging Non-State Actors in a Landmine Ban: a Pioneering Conference. Full Conference Proceedings* (Geneva: Swiss Campaign to Ban Landmines in cooperation with the Colombian Campaign to Ban Landmines, Mines Action Canada, Philippine Campaign to Ban Landmines, the UK Working Group on Landmines, and the Zimbabwean Campaign to Ban Landmines, 2000). p. 65.

¹⁹³ *Interview (12), Geneva, May 2006.* and *Interview (14), Geneva, May 2006.*

¹⁹⁴ *Interview (3), Geneva, May 2006.* *Interview (6), Geneva, May 2006.*

¹⁹⁵ *Interview (3), Geneva, May 2006.*

¹⁹⁶ *Email from international mine action agency (1), received February 2006.*

¹⁹⁷ *Interview (8), Geneva, May 2006.*

¹⁹⁸ *Interview (5), Geneva, May 2006.*

¹⁹⁹ Ibid.

²⁰⁰ *Email from national NGO working in mine action, received May 2006.*

Researchers Rebecca Roberts and Mads Frilander have particularly highlighted the practical problems in the implementation of joint mine action efforts caused by lack of trust between the parties. This was most evident during efforts to find a “neutral” training camp agreeable to all parties and to promote information sharing. The authors argued in the studied case (South Sudan) that the lack of confidence was evident in regular accusations made by both parties that the other had appointed “intelligence officers as trainee deminers.”²⁰¹

One informant expressed concerns over the consequences of linking mine action to a cease-fire agreement.²⁰² Similar concerns have been expressed by Roberts and Frilander, who describe how new mine incidents in Sudan, and subsequent accusations by both sides that the other was laying new mines after demining, posed a serious threat to the cease-fire in the Nuba Mountains and, consequently, to the whole peace process.²⁰³ Another issue concerns what mine action operators should do where one of the parties (government or NSA) defaults on an agreement on mine action.²⁰⁴

This generally loaded political situation may create mistrust, which in turn can lead to accusations against mine action organizations of bias and spying,²⁰⁵ and that they are enhancing the NSA’s war-making capabilities.²⁰⁶

Security

Insufficient security was clearly the greatest concern of the informants.²⁰⁷ Such security problems could arise from generally poor security situations,²⁰⁸ as well as direct targeting.²⁰⁹ Intentional targeting of deminers by NSAs or unidentified actors has taken place in Southern Sudan,²¹⁰ Afghanistan²¹¹ and Sri Lanka.²¹²

Security is a major issue, particularly during ongoing conflict. It was also highlighted that the hostilities may limit access to certain areas.²¹³ In relation to insufficient security, absence of a cease-fire was also singled out as an important factor hindering action.²¹⁴ The security situation in the midst of an ongoing conflict is often complicated by the presence of multiple actors.²¹⁵ Bad security situations have naturally not only been caused by state-NSA fighting but also by inter and intra-NSA fighting²¹⁶ and by the lack of trust between different NSAs.²¹⁷ A related problem is that it may sometimes be unclear who controls a specific area; for example, an area may be

201 Rebecca Roberts and Mads Frilander, “Preparing for Peace: Mine Action’s Investment in the Future of Sudan,” *Preparing the Ground for Peace: Mine Action in Support of Peacebuilding*, eds. Kristian Berg Harpviken and Rebecca Roberts (Oslo: International Peace Research Institute, 2004). pp. 14-15.

202 *Interview (1), Zagreb, December 2005*. For further information, see “Box 4 Mine Action and Peace-Building”.

203 Roberts and Frilander, “Preparing for Peace: Mine Action’s Investment in the Future of Sudan,” p. 16.

204 *Interview (1), Geneva, May 2006*.

205 *Interview (8), Geneva, May 2006*.

206 *Ibid.*, *Interview (10), Geneva, May 2006*. and *Interview (13), Geneva, May 2006*.

207 *Interview (1), Geneva, May 2006*, *Interview (2), Geneva, May 2006*, *Interview (3), Geneva, May 2006*, *Interview (5), Zagreb, December 2005 (2005)*, *Interview (8), Geneva, May 2006*, *Interview (10), Geneva, May 2006*, *Interview (11), Geneva, May 2006*, *Interview (14), Geneva, May 2006*. and *Email from international mine action agency, received June 2006*.

208 For example, the Landmine Monitor Report 2005 stated that in Puntland a Landmine Impact Survey that had been planned for 2003 was delayed for security reasons and could not be finalized (in three areas) until August 2005. *Landmine Monitor Report 2005*, p. 873. and *Email from Jackie Hansen, Landmine Monitor, received 10 July 2006 (2006)*.

209 *Interview (5), Zagreb, December 2005*.

210 In late 2005 two deminers from the Swiss Foundation for Mine Action (FSD) were attacked and killed in South Sudan, allegedly by the Ugandan NSA Lord’s Resistance Army (LRA). See for example, Alexander G. Higgins, “Two U.N. deminers killed in southern Sudan ambush,” *Associated Press* 1 November 2005. and “Swiss mine clearers halt work in Sudan after ambush,” *Reuters* 1 November 2005.

211 See for example, “Two deminers killed, six injured in bomb explosion in S. Afghanistan,” *Xinhua* 23 October 2005.

212 See for instance “S.Lanka deminers kidnapped as war fears swirl,” *Reuters* 11 January 2006.

213 *Email from international mine action agency (1), received February 2006*.

214 *Interview (1), Geneva, May 2006*.

215 *Interview (3), Geneva, May 2006*. and *Interview (12), Geneva, May 2006*.

216 *Interview (11), Geneva, May 2006*, *Email from national NGO working in mine action, received April 2006*. and Sarah B. Taylor, “NPA: Improving Lives in the Middle East and Throughout the World” *Journal of Mine Action* (2006).

217 *Interview (11), Geneva, May 2006*.

partly controlled by rebels and partly by the government. Such a situation has caused problems in assisting survivors in Burma/Myanmar.²¹⁸

One informant pointed especially to the challenges of protecting the local staff, who are in a more delicate situation than the internationals employed by the organization. As he put it, “there are no plans waiting for the local staff in case the situation gets really bad.” The challenge is thus to provide the best possible security on the spot (e.g. direct protection and keeping staff files safe) without promising protection that the organization cannot provide, such as asylum in another country.²¹⁹

In addition to the security problems caused by the conflict, another concern expressed by one informant was that in the cases where NSAs control territory, limited capacity for effective control of this territory might lead to increased risk of mine action practitioners falling victim to regular criminal acts, such as robberies and kidnappings.²²⁰

Continued mine use and ERW contamination

One informant underlined that, in addition to the security situation, the main obstacle to mine action during a conflict is that mines are not remnants of war but still “owned” by different actors.²²¹ If the armed actor that placed the mines is still in the concerned area, these mines cannot be removed without its consent or tacit agreement.

Another problem is related not only to the hostilities per se, but also to the fact that the hostilities increase the areas affected by ERW and mines. This circumstance further obstructs the identification of mined areas and the impact of mines and ERW. A related problem is that the information about mines and ERW may be biased for military²²² or political purposes. Some mine action practitioners singled out continued mine use as an important challenge to mine action efforts²²³ and as a potential spoiler in an already sensitive working climate.²²⁴ One NSA mentioned that it had faced problems after having demined because its opponent had re-mined the area.²²⁵

When it comes to working with NSAs to convince them to accept a total ban on AP mines, NGOs have faced reluctance on behalf of some NSAs which do not consider that they can relinquish the use of mines due to limited alternatives. Sometimes NSAs use “reciprocity” arguments, arguing for example, that they would be willing to give up the use of landmines if the state in question renounces the use of indiscriminate bombings.²²⁶ One NSA highlighted the challenge posed by the escalation of violence: “[d]uring conflict situations parties in the conflict always as a natural reaction tend to maximize the type of weaponry at her disposal for their survival. Such situations undermine effort to mine action.”²²⁷

218 Imbert Matthee, “Assisting Landmine Accident Survivors in the Thai-Burmese Border Region,” *Journal of Mine Action* 9.2 (2006).

219 [Interview \(11\), Geneva, May 2006.](#)

220 [Interview \(8\), Geneva, May 2006.](#)

221 [Interview \(10\), Geneva, May 2006.](#)

222 Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group, Zagreb, 27 November 2005. pp. 15-29.

223 [Interview \(6\), Geneva, May 2006.](#), [Email from national NGO working in mine action, received April 2006.](#) and [Email from international mine action agency, received June 2006.](#)

224 [Interview \(6\), Geneva, May 2006.](#)

225 [Meeting with NSA representatives \(1\), March 2006.](#)

226 [Interview \(14\), Geneva, May 2006.](#)

227 [Email from NSA representative, received March 2006.](#)



Geneva Call 2005

Children fascinated by UXO, Bardale district, Bay province, Somalia, May 2005

Infrastructure

When operating in territories under the influence of NSAs, mine action practitioners often face problems due to insufficient infrastructure, such as the lack of logistical and administrative infrastructures, notably transportation and banks for the secure depositing and managing of project funds.²²⁸

Risk of contributing to the war-making capacities of the NSAs

According to a GICHD study on the role of the (regular) military in mine action: “[t]he provision of assistance to local military forces for mine action purposes, in the form of training and/or equipment, has sometimes been controversial as these can also enhance combat capacity.”²²⁹

This may be even more controversial in the case of work with NSAs. Two informants mentioned this as a potential problem which needed to be carefully considered²³⁰ and one added that the government may (falsely) accuse international organizations of enhancing NSA war-making capacities.²³¹ On at least one occasion, it appears that an NSA has used people trained for mine action to perform other duties. However, these duties were related to mechanical training received rather than military-related duties.²³²

Box 6 - Workshop on “Mine Action in the Midst of Internal Conflict”²³³

“It’s not necessary to have peace to start saving lives”

Commander Edward Lino, SPLM/A

At the Sixth Meeting of the States Parties to the Mine Ban Treaty, 28 November - 2 December 2005, Geneva Call and the NSA Working Group of the International Campaign to Ban Landmines (ICBL) organized a workshop on “Mine Action in the Midst of Internal Conflict”.

228 [Interview \(6\), Geneva, May 2006](#), [Interview \(8\), Geneva, May 2006](#). See also for example the section on Sudan of the [Landmine Monitor Report 2005](#), p. 536 which highlights the “restricted availability of travel permits, local bureaucracy, lack of air transport and unstable roads, and limits on the import of goods from neighboring countries” as important challenges.

229 Mansfield and Filippino, “The Role of the Military in Mine Action”.

230 [Interview \(10\), Geneva, May 2006](#), and [Interview \(8\), Geneva, May 2006](#).

231 [Interview \(8\), Geneva, May 2006](#).

232 [Interview \(13\), Geneva, May 2006](#).

233 This Box is based on *Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group, Zagreb, 27 November 2005*. Available: www.genevacall.org/resources/publications.htm.

As discussed throughout this report, the establishment of programs of mine action in situations of ongoing hostilities inevitably presents many difficulties, including: security for mine action staff; questions relating to the utility and cost-effectiveness of the project (in light of possible re-mining of cleared areas); the choice of actor to be placed in charge of the program; the degree of responsibility of the state and whether non-cooperation by a state party to the Mine Ban Treaty may be considered as non-compliance with its treaty obligations; and the political dimension of how cooperation with an NSA for purposes of mine action may be construed as granting legitimacy to the NSA. The workshop aimed at addressing some of these questions through sharing experiences of the difficulties, challenges and successes of mine action in situations of internal conflict.

One of the main conclusions of the workshop was related to the legal aspects of the allocation of responsibility for mine action in areas controlled by NSAs. It was found that states parties to the Mine Ban Treaty are responsible for ensuring that mine action efforts are undertaken even in parts of the territory that, while not under their control, are under their jurisdiction. While a state party can justify its failure to fulfill its mine action obligations in areas of its territory that it does not control, it is still bound to make “good faith” efforts to perform its treaty obligations.

Furthermore, experiences shared during the workshop demonstrated that mine action in the midst of internal conflict is possible. Of course, there are many challenges and obstacles to such work; progress in mine action is often conditioned by progress in peace negotiations and continued fighting and insecurity will inevitably hamper mine action efforts. Skepticism and a lack of support by the international community, particularly donors, may also undermine mine action efforts in the field. Even so, not every region in a war-torn country will be affected by the conflict and in such circumstances mine action may potentially be undertaken. Such initiatives are helpful not only because they reduce the mine threat but also because they lay the ground for a comprehensive mine action effort once peace has been achieved.

Related to the NSA

Organizational structure of NSAs

Some informants identified challenges related to the organizational structure of NSAs. It was stated that some NSAs that are not well-organized can constitute a problem. However, it was argued that the problem may also be related to the fact that international NGOs and agencies, being accustomed to working with states, “often look for the same kind of structures by the NSAs”.²³⁴ Another informant saw a difficulty in that, “when you deal with NSAs it is difficult to know who you are really dealing with: the individual or the NSA, especially when they set up NGOs.”²³⁵ NSAs may create NGOs that are mandated by them to perform specialized tasks. These NGOs can be more or less independent of the NSA leadership.

Another informant identified working with NSAs as implementing partners as potentially problematic. For example, international NGOs and agencies working with NSAs as implementing partners cannot decide who to hire, which might increase the time it takes to train staff (e.g. because the best qualified are perhaps not selected). Nor can they determine the internal structure of the implementing and/or coordinating organ. In addition, when international NGOs and agencies work with implementing partners, the result is that a greater number of organizations and individuals are involved than if the NGO or agency had engaged its staff directly. These factors can contribute to complications arising within the management of the operation.²³⁶

²³⁴ Interview (5), Geneva, May 2006.

²³⁵ Interview (10), Geneva, May 2006.

²³⁶ Interview (13), Geneva, May 2006.

Concerns have also been raised relating to the internal fragmentation of groups, and the problems caused by inadequate structures of command and splits. Limited structures of command may result in the absence of cooperation in certain areas on the ground, despite full leadership guarantees of cooperation,²³⁷ while splits may require time-consuming and potentially dangerous efforts to gain the trust of the newly-created NSA(s).²³⁸

Limited mapping

The question of maps of minefields is always complicated for mine action organizations implementing clearance, whether in their work with states or NSAs.²³⁹ Nevertheless, states more often map, mark and/or fence their mined areas than do NSAs, and states' mines are more frequently concentrated on borders and other defensive positions such as military posts.²⁴⁰ NSAs are generally less organized and more dispersed than state armies (due also to the conduct of guerrilla warfare) and it appears that NSAs generally do not map the mines they place,²⁴¹ or that if they do, they employ crude methods.²⁴²

In general, NSAs frequently lack the knowledge, will or capacity to mark mined territory.²⁴³ Nevertheless, one NSA stated that it keeps double records of mines location (at headquarters and with the unit that employed the mines),²⁴⁴ while another has acknowledged not possessing the proper knowledge or equipment to carry out mapping and informing civilians.²⁴⁵ The laying of mines without records or maps of their location may cause problems for future mine action.²⁴⁶ For example, in the Gedo region of Southern Somalia it was stated that one of the main problems was that "most of the people that had laid the mines were either dead or out of the country".²⁴⁷

Limited capacities and equipment of NSAs

Related to the above difficulties are the limited operational and technical capacities of NSAs and their limited access to equipment and other resources. Several NSAs mentioned these issues as posing significant challenges to their own implementation of mine action activities.²⁴⁸ For example, lack of good mine detectors that would facilitate mapping and demining (see above),²⁴⁹ the risk that deminers expose themselves to due to limited capacity and equipment,²⁵⁰ the lack of "expertise in mine action",²⁵¹ and insufficient access to first aid and transport,²⁵² all constitute practical challenges for NSAs.

237 [Email from international mine action agency, received June 2006.](#)

238 [Email from national NGO working in mine action, received April 2006.](#)

239 For example, a PRIO report notes that there has been insufficient mapping by both the Sudanese government and the SPLM/A:

"Despite claims to the contrary from both sides, there appear to be no accurate records of where mines have been laid. Often, relevant information was not recorded in writing, or individuals entrusted with the information have since been killed, have moved to an unknown destination or are unable to recall the details."

Roberts and Frilander, "Preparing for Peace: Mine Action's Investment in the Future of Sudan," p. 10. Nevertheless, according to the Landmine Monitor Report 2005, the Sudanese government has provided maps for certain areas, while the SPLM/A "did not systematically map and record mines laid, and consequently it works more on the basis of collective memory for the provision of information on mine emplacement." [Landmine Monitor Report 2005](#). p. 532.

240 [Armed Non-State Actors and Landmines. Volume I.](#) p. 20

241 [Interview \(6\), Geneva, May 2006, Interview \(8\), Geneva, May 2006.](#)

242 [Meeting with NGO representatives, Burma, March 2006 \(2006\).](#)

243 Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group, Zagreb, 27 November 2005. pp. 15-29.

244 [Meeting with NSA representatives \(3\), March 2006 \(2006\).](#)

245 [Meeting with NSA representatives \(4\), March 2006 \(2006\).](#)

246 [Armed Non-State Actors and Landmines. Volume I.](#) p. 20

247 [Geneva Call mission to Somalia, Gedo and Bay, April-May 2005 \(2005\).](#) as quoted in [Armed Non-State Actors and Landmines. Volume I.](#) p. 20.

248 [Letter from NSA military wing, received October 2005.](#), [Email from NSA representative, received May 2006.](#), [Email from NSA representative, received March 2006.](#) and [Meeting with NSA umbrella organization, March 2006 \(2006\).](#)

249 [Meeting with NSA umbrella organization, March 2006.](#)

250 [Letter from NSA military wing, received October 2005.](#)

251 [Email from NSA representative, received March 2006.](#)

252 [Email from NSA representative, received May 2006.](#)

Lack of transparency and existence of corruption

A few informants mentioned the lack of transparency of NSAs²⁵³ as a major difficulty in working with them. As explained by one informant, the same elements that can contribute to making NSAs successful insurgent organizations (such as secrecy and the prevalence of organizational objectives over all others) may create difficulties for cooperation between NSAs and international NGOs and agencies, since the latter are accountable to their donors. Corruption or suspicion of corruption is sometimes a consequence of the insufficient transparency of some NSAs.²⁵⁴ Tensions over transparency and financial issues can sometimes lead to disruption, and even suspension, of mine action activities.²⁵⁵ However, as argued by one informant, nepotism and corruption are general problems that mine action operators face in implementation and are not unique to NSAs.²⁵⁶ Humanitarian and development actors outside the mine action field face similar problems.

NSA's own agenda and clientelism

Closely linked to the above-mentioned cooperation problems caused by insufficient transparency and corruption are the challenges arising from NSAs, or individuals within NSAs, pursuing their own agendas and networks of clientelism.

As mentioned above, when mine action employees, such as deminers, are chosen by NSAs, it is possible that networks of clientelism rather than qualifications determine who gets the job.²⁵⁷ NSAs allegedly often seek to control appointments, even to high-level positions. Sometimes nomination to a key position can serve as a reward. Tensions may arise between these agendas and the need for the international mine action operators to maintain quality and financial control.²⁵⁸

It can also occur that NSAs have preferences as to the communities to receive priority for mine action.²⁵⁹ An international presence can be necessary to ensure that political priorities do not override humanitarian considerations.²⁶⁰ Related to this issue is the so-called politicization of mine action. Only one informant mentioned a concrete example of this phenomenon, which involved an NSA trying to politicize mine action by requesting permission to wear their uniforms while demining. The international NGO in charge of the operation refused the request.²⁶¹

Lack of confidence and cooperation on behalf of NSA

Sometimes, especially in an uncertain conflict situation or fragile cease-fire, NSAs may demonstrate limited cooperation in certain aspects of mine action. For example, certain NSAs have been suspicious of international NGOs and agencies when mines which the NSA regarded as defensive were cleared.²⁶² One informant underlined that NSAs have put conditions on the mine action that they allow, such as the exclusion of certain areas and the non-disclosure of information regarding stockpiles. Such behavior can be triggered by the earlier-mentioned lack of trust and transparency between the parties to conflict.²⁶³ Moreover, one mine action practitioner has testified that NSAs sometimes receive his colleagues and himself with suspicion, believing that they are "the agent of the enemy".²⁶⁴

253 [Interview \(5\), Geneva, May 2006](#), [Interview \(8\), Geneva, May 2006](#). and [Interview \(4\), Zagreb, December 2005](#).

254 [Interview \(5\), Geneva, May 2006](#).

255 [Interview \(2\), Geneva, May 2006](#).

256 [Interview \(5\), Zagreb, December 2005](#).

257 [Interview \(1\), Geneva, May 2006](#).

258 [Interview \(2\), Geneva, May 2006](#), [Interview \(13\), Geneva, May 2006](#).

259 [Interview \(2\), Geneva, May 2006](#).

260 [Interview \(13\), Geneva, May 2006](#).

261 [Interview \(5\), Zagreb, December 2005](#).

262 [Interview \(1\), Geneva, May 2006](#), [Interview \(1\), Zagreb, December 2005](#).

263 [Interview \(4\), Zagreb, December 2005](#).

264 [Email from national NGO working in mine action, received April 2006](#).

It has been argued that insufficient cooperation in the implementation of mine action on behalf of NSAs can be the result of a limited understanding by the NSAs of their mine action obligations.²⁶⁵ On other occasions, the main problem may have been caused by UXO and anti-vehicle (AV) mines, which were not covered in an AP mine ban.²⁶⁶ One criticism raised was that sometimes when the international community cooperates with NSAs, humanitarian (and other) actors seek to avoid creating problems with the NSAs so that cooperation can continue. Thus, humanitarian actors are not always willing to acknowledge or deal with transgressions.²⁶⁷

Box 7 - Demining IEDs²⁶⁸

In Volume I it was demonstrated that many NSAs employ improvised landmines (or IEDs). In fact, over 40 groups were found to have used IEDs in 2003-2005.²⁶⁹ This box discusses some of the challenges of demining IEDs as compared to factory-made mines.

There are two main differences between factory-made and IEDs: their life span and their predictability.²⁷⁰ Once in the ground, IEDs normally have a shorter life span than factory-made landmines, specifically if they are battery-operated. This could possibly facilitate mine clearance, since the mines might become inactive after between six months to a year, although there are no guarantees that the mines are really inactive.²⁷¹ On the other hand, the possibility of predicting the strength of an IED is limited because the composition and quantities of explosives used are unique to each device. It is therefore possible that handmade landmines can be more deadly than commercially-manufactured ones.

There is an ongoing discussion within the demining and EOD communities as to how to treat IEDs, i.e. how to safely detect, remove and/or destroy these devices. Clearly there is still some confusion and uncertainty. It appears that conventional mines and UXO create comparatively fewer difficulties for demining since, by recognizing the type of device, experts can predict how it will react and what the main dangers will be. Another problem with disposing of IEDs for the experts is the uncertainty as to exactly what one is looking for. For example, dogs employed to locate IEDs need to be trained to search for specific odors. This will be difficult where the explosives contained in the IED are not known.²⁷²

However, it has been suggested by some humanitarian deminers that when demining using metal detectors, there is no major difference between IEDs and regular mines, even when the metal content is low.²⁷³ Nevertheless, the demining of IEDs is still more complex. In Colombia, reports indicate that handmade mines have been proven to contain very low levels of metal and the mix of explosives and coffee makes their detection difficult for both metal detectors and for dogs.²⁷⁴ Landmines produced in these improvised and *ad hoc* ways may pose greater problems for demining than do commercially-manufactured mines.²⁷⁵

265 [Interview \(1\), Zagreb, December 2005](#).

266 [Ibid.](#)

267 [Ibid.](#)

268 This Box is based on sub-section "2.2.3 Handmade and Factory-Made Mines" in [Armed Non-State Actors and Landmines, Volume I](#), pp.19-20.

269 [Ibid.](#)

270 [Ibid.](#)

271 Some NSAs have mentioned their use of IEDs, with shorter life-span, as a way of minimizing the effect of mines on the population. [Meeting with NSA representatives \(4\), March 2006](#). [Meeting with NSA representatives \(3\), March 2006](#). and [Meeting with locally based NGO, March 2006](#) (2006).

272 [Interviews with demining and explosive disposal experts during the attendance of the Summer Conference of the Nordic Demining Research Forum, Stockholm, 25 August 2005](#) (2005).

273 [Interview with staff of a humanitarian demining agency, Geneva, September 2005](#) (2005). According to a 2005 GICHD study, most mine detectors are now very advanced, capable of detecting as little as 0.1 grams of metal in a mine. One problem with such sensitive equipment is that the number of false alarms can be significant. King, "The Demining Kit," p. 24.

274 Kim Housego, "Colombia Rebels Increase Use of Land Mines," [Associated Press](#) 2004.

275 This has been underlined also in a [Meeting with donor country that supports mine action in a country affected by NSA mine use, April 2006](#) (2006). [use, April 2006](#) (2006).

Related to third-party actors

International policies and mine action operators

Not only states and NSAs, but also international mine action agencies, are occasionally perceived as non-transparent.²⁷⁶ In addition, NSAs have argued that some international organizations are not willing (or concerned) to build capacity and provide ownership of the mine action process to the local actors (including NSAs).²⁷⁷

It was argued that sometimes the policies of international mine action agencies are regarded as inadequate and insufficiently sensitive to national, regional and local realities and the current political situation. Consequently they would, for example, try to employ “bottom-up” approaches from other conflicts.²⁷⁸ One informant mentioned that as part of an international NGO, he had a complex and troubled relationship with the UN institutions involved in the country, due to the illegal status of the foreign NGOs operating in the country.²⁷⁹ Mine action groups can also sometimes be stigmatized by governments for working with certain NSAs.²⁸⁰

In addition, as mentioned previously, peace-building policies imposed from the outside can slow down mine action by linking it to the rate of progress of the peace process.²⁸¹

Funding and resources

Many informants underlined the lack of funding for NSA mine action as a major difficulty.²⁸² In some cases, the initial fundraising was difficult due to the particular work with NSAs, or to the fact that there was no comprehensive peace agreement.²⁸³ Notably, donors may be reluctant to invest in projects that take place during an ongoing conflict.²⁸⁴ In other cases, funding was cut after initial donor interest had faded away.²⁸⁵ One informant highlighted that in some situations, where NSAs have not agreed to banning landmines and no comprehensive stockpile destruction is allowed to take place, it is possible that donors become doubtful and decide to cut funds.²⁸⁶

Donors have sometimes turned out to be unwilling to invest in projects that include NSAs in mine action and aim at long-term confidence-building; for example, projects which included joint demining teams made up of NSA and government forces.²⁸⁷

NSAs working outside the framework of internationally-supported programs have also suffered from the lack of economic and technical resources. In one case, the lack of equipment (especially for protection), insurance, first-aid kits and access to doctors were the principal problems, which deterred current and potential deminers, and led to complications in the treatment of injuries, when sustained.²⁸⁸

²⁷⁶ [Interview \(6\), Geneva, May 2006.](#)

²⁷⁷ [Meeting with NSA representative, May 2006 \(2006\).](#)

²⁷⁸ [Interview \(1\), Zagreb, December 2005.](#)

²⁷⁹ [Interview \(11\), Geneva, May 2006.](#)

²⁸⁰ [Interview \(1\), Zagreb, December 2005.](#)

²⁸¹ *Ibid.*

²⁸² [Interview \(2\), Zagreb, December 2005 \(2005\), Interview \(4\), Zagreb, December 2005, Interview \(5\), Geneva, May 2006, Interview \(5\), Zagreb, December 2005, Interview \(9\), Geneva, May 2006. and Interview \(14\), Geneva, May 2006.](#)

²⁸³ [Interview \(5\), Geneva, May 2006, Interview \(8\), Geneva, May 2006.](#)

²⁸⁴ [Interview \(5\), Zagreb, December 2005.](#)

²⁸⁵ [Interview \(2\), Geneva, May 2006, Interview \(9\), Geneva, May 2006.](#)

²⁸⁶ [Interview \(4\), Zagreb, December 2005.](#)

²⁸⁷ [Interview \(5\), Zagreb, December 2005.](#)

²⁸⁸ One foreign NSA working in mine action mentioned having had major problems with the mine action authorities. The problem consisted principally of the non-recognition by these authorities of the work done by this organization. The NSA could therefore not obtain access to any national resources for its operations, which subsequently led to the cancellation of operations from time to time. The non-recognition was allegedly due to the status of the organization as a foreign organization, and the fact that it was made up of former NSA combatants. The organization also approached the UN on this issue, to no avail. An international NGO gave political support and also promised practical support, but this never materialized. [Interview with NSA deminer, Geneva, May 2006.](#)

Other

One informant mentioned that problems arise when NSAs set up their own demining NGOs, which lack professionalism, and thereby undermine local confidence in mine action. This issue is linked to the broader issue of the role of indigenous mine action initiatives as compared to initiatives that are commenced and supervised internationally,²⁸⁹ as discussed in Box 8 below. Another informant considered that human rights abuses committed by NSAs might contribute to making collaboration more difficult, due to the loss of trust and respect.²⁹⁰

Box 8 - Tensions between Local and International Mine Action Initiatives

International demining organizations have increasingly involved the local communities in their operations through so-called community liaison.²⁹¹ Nevertheless, an article by Skåra argues that “local capacities [for mine action] are too often disregarded and overlooked”.²⁹² This box considers some of the tensions that have appeared between international and local initiatives for mine action, notably demining.

Cambodia is a frequently-cited example where villagers were engaged in demining (so-called “spontaneous” or “village” demining), but the phenomenon has been witnessed also in Sri Lanka,²⁹³ Colombia²⁹⁴ and Somalia,²⁹⁵ among others. The main reason for local initiatives appears to be that villagers did not feel that their needs were adequately met in terms of the timing of the clearance or its priorities.²⁹⁶ In other cases, the inability or unwillingness of a government or of NSAs to act in response to requests for mine action by communities may push the latter into taking their own action, sometimes at a high cost in terms of lives and limbs.²⁹⁷

There are also local initiatives that have been conducted by NSAs. Some arguments that have been made for and against local and international initiatives are presented below. Local initiatives:

- are non-commercial;
- know the area and the communities well;
- remain in the communities and display integrity and responsibility towards the communities;
- have no or limited funds (they sometimes live on what the communities give them); and
- may work in areas where others will not or cannot work.²⁹⁸

Nevertheless, critics have argued that they:

- follow different priorities to international organizations;

289 [Interview \(11\), Geneva, May 2006.](#)

290 [Interview \(5\), Geneva, May 2006.](#)

291 Defined in “A Guide to Mine Action” as “a process designed to place the needs and priorities of mine affected communities at the centre of the planning, implementation and monitoring of mine action and other sectors.” [A Guide to Mine Action](#). p. 189. See also Wheatley, “Mine risk education.” pp. 154-160.

292 Skåra, “Risky business or constructive assistance?.”

293 [Email from international mine action agency \(1\), received February 2006.](#)

294 Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group, Zagreb, 27 November 2005. pp. 15-29.

295 As witnessed during numerous Geneva Call missions to Somalia 2004-2006.

296 Skåra, “Risky business or constructive assistance?,” p. 840.

297 As observed during a [Geneva Call mission to Colombia, April-May 2006](#) (2006).

298 [Interview with NSA deminer, Geneva, May 2006.](#)

- are “less professional”, since they use other methodologies and other standards;²⁹⁹
- suffer many accidents;³⁰⁰
- are “dangerous”, as they may create false expectations that areas that they have cleared are fully safe; and
- are frequently linked to political organizations and are therefore not truly humanitarian initiatives.³⁰¹

On the other hand, international initiatives:

- follow international standards and thus clear more “deeply”; and
- have international staff who ultimately check the priorities to guarantee their objectivity.³⁰²

In spite of this, local and/or NSA initiatives have alleged that international initiatives:

- work more slowly;³⁰³
- do not consider the priorities of the communities;
- are “commercial”;³⁰⁴
- are not willing (or concerned) to build capacity and provide ownership of the mine action process to the local actors (including NSAs);³⁰⁵ and
- in some limited cases of mistrust, demining agencies have been accused of demining and re-mining in order to create more work.³⁰⁶

Skåra notes that although the villagers involved in spontaneous demining often have military backgrounds, in many cases they are considered a problem rather than a resource by non-local demining experts.³⁰⁷ However, Skåra argues that community involvement in mine action is key, not only:

“to securing operational success but, more importantly, the building of such capacities is important for achieving social transformation within war-affected communities, for facilitating psychological empowerment and ownership of the process, and for strengthening existing local capacities for peace and development.”³⁰⁸

Nevertheless, he underlines that the integration of such capacities requires a well-functioning support system in order to ensure safety for the community.³⁰⁹

1.3.3.2 Role of the Concerned State

The concerned state can play very different roles in NSA mine action, ranging from posing an outright security threat to mine action operators, to actively facilitating mine action. The role of the concerned state has been treated under the section that discusses difficulties and challenges to NSA mine action because of the importance that stakeholders placed on the obstacles to mine action caused by the concerned states. However, in some cases the informants attributed a rather positive role to the state.

299 [Interview \(11\), Geneva, May 2006.](#)

300 [Ibid.](#) and [Interview with NSA deminer, Geneva, May 2006.](#)

301 [Interview \(13\), Geneva, May 2006.](#)

302 [Ibid.](#)

303 [Ibid.](#) and [Interview with NSA deminer, Geneva, May 2006.](#)

304 [Interview with NSA deminer, Geneva, May 2006.](#)

305 [Meeting with NSA representative, May 2006.](#)

306 [Interview with NSA deminer, Geneva, May 2006.](#)

307 Skåra, “Risky business or constructive assistance?,” p. 840.

308 [Ibid.](#): p. 852.

309 [Ibid.](#): p. 839.

Negative role of the concerned state

Lack of cooperation on behalf of the concerned government is an often-cited difficulty faced by mine action practitioners.³¹⁰ Numerous informants felt that the government's role had frequently been negative, often hindering equipment and staff from entering the country.

In some cases the government completely halted mine action activities,³¹¹ but more commonly, the concerned state would interfere in the practical aspects of the work, by obstructing "just as much as it can without crossing the line of total no-cooperation."³¹² For example, access to NSA-held territory could be made difficult or impossible.³¹³ International staff may have difficulties obtaining visas and travel permits and "technical" or "bureaucratic" problems would appear in order to delay the delivery of equipment.³¹⁴ Delay in the transportation of equipment and staff may in turn delay the commencement of operations³¹⁵ or have a negative effect on their efficiency.³¹⁶

Informants also alleged that concerned governments had not agreed to share maps of mined areas³¹⁷ and had made engagement work difficult,³¹⁸ for example, by not allowing for contacts with the NSAs in the field.³¹⁹ Concerned governments have also used the landmine issue politically against NSAs.³²⁰ In some cases the concerned state plays a very controversial role, for example, by supporting foreign NSAs and by concealing their existence and hence preventing open dialogue with them.³²¹ Moreover, governments may be open to dialogue with NSAs, but start creating problems when it comes to implementing concrete activities with them.³²²

In addition, in cases where there is an agreement between a state and an NSA, both actors may place conditions on mine action, for example, limiting access to some areas and not declaring stocks.³²³ Mine action practitioners may, in some unfortunate cases, face suspicion (for instance, of being a spy) and limited cooperation on behalf of both the state authorities and the NSA(s).³²⁴

Governments may oppose the work of international NGOs and agencies because they work with a particular NSA.³²⁵ One informant highlighted that the concerned state has sometimes shown its dissatisfaction that humanitarian organizations are working with NSAs on the landmine issue, accusing them of possibly increasing the capacities of the NSAs.³²⁶ Another informant had experienced a concerned state blocking or substantially limiting the actions possible within the country where an organization is perceived as biased towards the NSA.³²⁷ A related problem is that sometimes governments have requested the same contribution from humanitarian organi-

³¹⁰ [Interview \(1\), Geneva, May 2006](#), [Interview \(2\), Geneva, May 2006](#), [Interview \(4\), Zagreb, December 2005](#), [Interview \(5\), Zagreb, December 2005](#), [Interview \(6\), Geneva, May 2006](#), [Interview \(12\), Geneva, May 2006](#), [Interview \(14\), Geneva, May 2006](#), and [Email from national NGO working in mine action, received April 2006](#).

³¹¹ [Interview \(1\), Geneva, May 2006](#).

³¹² [Interview \(5\), Zagreb, December 2005](#).

³¹³ [Interview \(6\), Geneva, May 2006](#).

³¹⁴ Roberts and Frilander, "Preparing for Peace: Mine Action's Investment in the Future of Sudan." p. 14, [Interview \(2\), Geneva, May 2006](#), [Interview \(5\), Zagreb, December 2005](#).

³¹⁵ Tim Carstairs, "Humanitarian Mine Action in Northern Iraq," [Journal of Mine Action](#).5.3 (2001).

³¹⁶ [Interview \(13\), Geneva, May 2006](#).

³¹⁷ [Interview \(6\), Geneva, May 2006](#).

³¹⁸ [Interview \(7\), Geneva, May 2006](#).

³¹⁹ [Interview \(12\), Geneva, May 2006](#).

³²⁰ *Ibid.* and [Email from national NGO working in mine action, received May 2006](#).

³²¹ [Email from national NGO working in mine action, received April 2006](#).

³²² [Interview \(14\), Geneva, May 2006](#).

³²³ [Interview \(4\), Zagreb, December 2005](#).

³²⁴ [Email from national NGO working in mine action, received April 2006](#).

³²⁵ [Interview \(8\), Geneva, May 2006](#).

³²⁶ [Interview \(13\), Geneva, May 2006](#).

³²⁷ [Interview \(10\), Geneva, May 2006](#).

zations that were given to the NSAs, although the needs of the government were more limited than those of the NSAs.³²⁸

According to informants, the concerned state less frequently caused significant security problems. However, this has occurred in cases, including the infiltration of the concerned state in the program activities,³²⁹ the open targeting of international staff by encouragements to harm them,³³⁰ and harassment of national staff.³³¹ One NSA mentioned having had major problems with government operations disrupting its mine action activities.³³²

Positive role of the concerned state

In some cases, it was found that the concerned states had been politically supportive.³³³ In one case, the cooperation with the concerned state, international actors and the NSA was seen as good.³³⁴ In one case it was judged that the concerned state had been very supportive and would be more so, if the NSA operating on its territory were to show some good will.³³⁵ One informant saw that although the state had not been openly supportive, mine action could not have taken place without its tacit agreement and somewhat practical support.³³⁶ Another individual felt that in a specific situation the state had been “less bad” concerning the logistical obstacles (see above) that it had set up against mine action operators, at least when compared to other cases.³³⁷

Box 9 - State Consent to NSA Mine Action³³⁸

The idea that armed groups may be engaged, and may engage, in a ban on AP landmines only if the government against which they fight similarly agrees to such an engagement, would mean a return to the situation which existed more generally in IHL before 1949. Since then, Article 3 common to the four Geneva Conventions of 1949, which contains basic rules of behavior for non-international armed conflicts, explicitly binds “each party to the conflict”, i.e. the non-state armed group as much as the governmental side.³³⁹ In the field of a ban on AP landmines too, compliance by armed groups logically presupposes that such groups are bound by a given rule. Although the Mine Ban Treaty does not address armed groups, states parties acknowledged the importance of engaging armed groups in a total AP mine ban (See the “Managua Declaration” adopted by the Third Annual Meeting of States Parties to the Convention, 21 September 2001).

The monitoring and assistance mechanisms in IHL which apply to non-international armed conflicts are equally addressed to armed groups. Under Article 3 (2) common to the four Geneva Conventions, an “impartial humanitarian body”, such as the International Committee of the Red Cross (ICRC), has the right to offer its services “to the parties to the conflict.” This means that it may also offer these services to an armed group, and then initiate the

328 [Interview \(13\), Geneva, May 2006.](#)

329 [Interview \(2\), Geneva, May 2006.](#)

330 [Interview \(11\), Geneva, May 2006.](#)

331 [Email from national NGO working in mine action, received April 2006.](#)

332 [Email from NSA representative, received May 2006.](#)

333 [Interview \(3\), Geneva, May 2006.](#), [Interview \(4\), Geneva, May 2006.](#), [Interview \(8\), Geneva, May 2006.](#) and [Email from international mine action agency, received June 2006.](#)

334 [Interview \(4\), Geneva, May 2006.](#)

335 [Interview \(3\), Geneva, May 2006.](#)

336 [Interview \(8\), Geneva, May 2006.](#)

337 [Interview \(2\), Geneva, May 2006.](#)

338 This text was prepared by Marco Sassoli, Professor Public International Law, University of Geneva.

339 Liesbeth Zegveld, [Accountability of Armed Opposition Groups in International Law](#) (Cambridge: Cambridge University Press, 2002). pp. 9-38, with further references.

services with a group that accepts such an offer, irrespective of whether the state concerned agrees. This right of initiative clearly implies that such an offer never constitutes interference in the internal affairs of the state concerned; nor is the undertaking of activities with a party accepting such an offer an unlawful intervention. Furthermore, under the explicit provision of Article 3 (4) common to the four Geneva Conventions, such an offer cannot grant legal status to any party to a conflict (as is the case concerning any measure of implementation of IHL in non-international armed conflicts).

As for respect for state sovereignty, states are sovereign, and an aspect of their sovereignty is the possibility to undertake international obligations, inter alia, by becoming parties to international conventions such as the Geneva Conventions and the Mine Ban Treaty. To ask them to comply with obligations under such conventions violates neither their sovereignty nor the principle of non-intervention. The International Court of Justice has reaffirmed that “[t]here can be no doubt that the provision of strictly humanitarian aid to persons or forces in another country, whatever their political affiliations or objectives, cannot be regarded as unlawful intervention, or as in any other way contrary to international law.”³⁴⁰ The UN High-Level Panel on Threats, Challenges and Change (hereafter “the Panel”) wrote that:

“[i]n signing the Charter of the United Nations, States not only benefit from the privileges of sovereignty but also accept its responsibilities. Whatever perceptions may have prevailed when the Westphalian system first gave rise to the notion of State sovereignty, today it clearly carries with it the obligation of a State to protect the welfare of its own peoples and meet its obligations to the wider international community.”³⁴¹

The Panel also considered that “there is a growing acceptance that while sovereign Governments have the primary responsibility to protect their own citizens from such catastrophes, when they are unable [...] to do so that responsibility should be taken up by the wider international community.”³⁴² This was embraced by the Secretary-General³⁴³ who also wrote that “no legal principle — not even sovereignty — should ever be allowed to shield [...] mass human suffering.”³⁴⁴ While a non-international armed conflict is ongoing, the state in question is unable, unfortunately, to protect its population against the use of landmines by the rebel armed group against which it is fighting. To subject mine action by a non-state armed group to the agreement of the state concerned would, however, probably mean the end of all such mine action, even where the government is not opposed to mine action. No government would wish to explicitly “give its consent” to mine action, or to engagement by an NSA, due to the fear that such consent would imply a sort of recognition of the NSA against which it is fighting. For this practical reason, organizations such as Geneva Call cannot always seek the consent of the concerned government before contacting such an armed group with a view to persuade it not to use landmines. However, consistent with its policy of transparency, Geneva Call always tries to persuading the competent authorities.

It may be argued that some groups, in particular (and by definition) terrorist groups, cannot possibly be brought to respect IHL. However, it may also be argued that the international community should seek to apply all legal mechanisms to all armed groups: states should at least allow NGOs to try. This means that the exclusion of a given group from those mechanisms (and therefore the renunciation of any hope for restraint) is a decision made by that group; whether through rejection of the mechanisms, failure to take them seriously, or

340 Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America), Merits, ICJ Reports, 14, at para. 242. 1986.

341 *A More Secure World: our Shared Responsibility, Report of the High-Level Panel on Threats, Challenges and Change*, UN doc. A/59/565, 2 December 2004 (UN, 2004), para. 29

342 Ibid. para. 201

343 *In Larger Freedom: Towards Development, Security and Human Rights for All, Report of the Secretary-General*, UN doc. A/59/2005, 21 March 2005 (UN, 2005), para. 135

344 Ibid., para. 129.

abuse of them for propaganda purposes. There are several reasons for such an inclusive approach. First, it is very difficult to define objective criteria by which to identify groups that are “hopeless” cases. Even the Algerian War started in 1954 with sixty indiscriminate terrorist attacks perpetrated during one night.³⁴⁵ Secondly, even if such criteria existed, it would be very difficult to convince the state(s), or armed groups fighting against a given group, that their enemy does not belong to the excluded category, and otherwise merits inclusion (and that the state(s) or armed group in question should therefore tolerate the functioning of international mechanisms in respect of the group). The risk of any exclusion from the mechanisms of IHL, therefore, is that all groups end up being excluded.

1.3.4 Overcoming the Challenges and Lessons Learned

The earlier sections of this first part of the report have analyzed the advantages, difficulties and challenges faced by actors involved in NSA mine action. This last section discusses some lessons learned and some ways of overcoming these challenges. It also includes an analysis of the role of third states and of the international community in general in NSA mine action, and proposes some necessary conditions for enabling mine action by and with NSAs. The main objective is to contribute some suggestions for improving NSA involvement in mine action and further the possibilities for populations to benefit from mine action activities.

1.3.4.1 Overcoming Challenges to NSA Mine Action

Many practical and theoretical solutions to the problems mentioned in the previous section arose during discussions with mine action practitioners. These have been divided into the same subcategories as in the section dealing with the problems; namely, those related to the political context; to the NSA; and to third party actors.

Related to the political context

Uncertain political situation and lack of commitment and confidence

The solutions proposed to these problems focus on the lack of commitment and confidence between the parties. It was suggested that work should be done to secure a commitment by the NSAs to the non-use of mines and to cooperate in mine action.³⁴⁶ One informant highlighted that new landmine use must be stopped by ban commitments by all parties to the conflict (state and non-state) and by agreements between the parties on mine action.³⁴⁷ One mine action practitioner suggested that mine action issues be included in discussions and peace negotiations between governments and NSAs.³⁴⁸

One individual considered that the lack of commitment by, and confidence between, the parties could only be overcome by a firm determination and dedication to the humanitarian cause by NGOs, through good contacts with the authorities and the NSAs, and by confidence-building.³⁴⁹ Another argument was that advances could be made on the commitment issue through awareness-raising and lobbying.³⁵⁰ One informant stated that in one case, public opinion, and the fact

³⁴⁵ François Bugnion, *Le Comité international de la Croix-Rouge et la protection des victimes de la guerre*, Second edition ed. (Geneva: ICRC, 2000), at 739

³⁴⁶ *Interview (3)*, Geneva, May 2006. and *Interview (6)*, Geneva, May 2006.

³⁴⁷ *Interview (6)*, Geneva, May 2006.

³⁴⁸ *Email from national NGO working in mine action, received May 2006.*

³⁴⁹ *Email from national NGO working in mine action, received April 2006.*

³⁵⁰ *Interview (12)*, Geneva, May 2006.

that the population was opposed to the war, were helpful for advancing mine action. Once the conflict situation improved through a cease-fire, the mine action work could commence.³⁵¹

Security

Mine action organizations have seen the need to introduce new security procedures³⁵² and use local guards in order to overcome security problems.³⁵³ Another possible solution to the security problem, at least on a temporary basis, has been to work at a distance. For instance, national and community member deminers can be trained in a safer environment (e.g. in the country's capital, or in another country). However, there will always be a need for expert supervision which, depending on the national capacity, might have to be international.³⁵⁴ Some other aspects of mine action can also be performed at a distance, for example, certain parts of survey (by sending out questionnaires, etc.).³⁵⁵

Risk of contributing to the war-making capacities of the NSAs

Related to the earlier discussed problems with the concerned state was the accusation that an operator working with an NSA is potentially increasing the war-making capacities of the latter. Some organizations have solved this dilemma of lack of trust on behalf of the government by working on both sides of the conflict. Sometimes the government is even compensated materially (equivalent support for mine activities in spite of less urgent needs) for the support given to the NSA.³⁵⁶ Although this is clearly not an ideal use of scarce resources, it may sometimes be the only way for humanitarian actors to obtain the approval of the concerned state to work with the NSA.

Related to the NSA

Organizational structure of NSAs

Informants have generally suggested different kinds of capacity-building for NSA mine action staff as a way to deal with difficulties caused by the organizational structure of NSAs.³⁵⁷ An example is capacity building in terms of management skills among the middle level employees (e.g. skills such as fundraising and priority-setting) in order to guarantee the sustainability of a program once the NGOs or international organizations leave.³⁵⁸

Mine action agencies have also chosen to confront the problem of weak organizational structures by developing continual liaison with the NSA leadership (although this is not a guarantee for successful action so long as the internal cohesion is in doubt). In terms of splinter groups, further dialogue between humanitarian actors and splinter and mother groups was suggested.³⁵⁹

Limited mapping

One informant explained that on at least one occasion, the problems posed by the lack of mapping by NSAs were partly resolved by tracking the people who had placed the mines and using them to identify mined areas and the more specific locations of mines.³⁶⁰

351 [Interview \(1\), Geneva, May 2006.](#)

352 [Interview \(8\), Geneva, May 2006.](#)

353 [Interview \(1\), Geneva, May 2006.](#)

354 [Interview \(5\), Zagreb, December 2005.](#)

355 *Ibid.*

356 [Interview \(13\), Geneva, May 2006.](#)

357 [Interview \(2\), Geneva, May 2006.](#), [Interview \(8\), Geneva, May 2006.](#), [Interview \(12\), Geneva, May 2006.](#)

358 [Interview \(2\), Geneva, May 2006.](#) and [Interview \(8\), Geneva, May 2006.](#)

359 [Email from national NGO working in mine action, received April 2006.](#)

360 [Interview \(8\), Geneva, May 2006.](#)

Limited capacities and equipment of NSAs

In terms of the capacity of NSAs to perform mine action, capacity-building was suggested to improve the technical and operational capacity of NSAs,³⁶¹ their knowledge of IHL and of the obligations they owe towards the communities.³⁶²

A note of caution was also expressed in this regard; it may be difficult to strike a balance between supporting the NSAs on these issues without supporting them politically or financially.³⁶³

Lack of transparency and existence of corruption

One informant said that the problem of corruption could be minimized through a more rigid accounting system.³⁶⁴ As to the harmful effects on mine action programs arising out of insufficient transparency of NSA structures, the same person suggested that NSAs could be trained in accountability and openness.³⁶⁵

NSA's own agenda and clientelism

In relation to problems caused by NSAs seeking to favor certain communities at the expense of others, some international mine action operators have chosen the solution of giving the last word on prioritization to international staff.³⁶⁶ This solution has also been adopted for similar problems in state mine action.

Lack of confidence and cooperation on behalf of NSA

One informant considered that it was necessary that NSAs prioritize the population in mine action.³⁶⁷ In addition, he argued that political support for mine action and non-interference in mine action operations was not enough: NSAs should provide more financial and logistical support. Hence, NSAs should assume a greater role in facilitating the work of NGOs and increase their coordination with these actors.³⁶⁸

Another person considered that in some cases, and especially with regards to advocacy, it might be necessary not only to work with NSAs, but to work increasingly with the concerned government and encourage it to take some first steps.³⁶⁹

Related to third-party actors**Funding and resources**

Despite the problems related to funding for NSA mine action, it was argued that some governments are interested in supporting mine action work with NSAs because of the expected peace-building gains.³⁷⁰ It was also claimed that humanitarian actors ought to make further efforts to establish the need for mine action (and the humanitarian benefits it brings) to the concerned governments.³⁷¹

361 Ibid., [Interview \(12\), Geneva, May 2006.](#) and [Interview \(14\), Geneva, May 2006.](#)

362 [Interview \(12\), Geneva, May 2006.](#) and [Interview \(14\), Geneva, May 2006.](#)

363 [Interview \(14\), Geneva, May 2006.](#)

364 [Interview \(5\), Geneva, May 2006.](#)

365 Ibid.

366 [Interview \(5\), Zagreb, December 2005.](#)

367 [Interview \(11\), Geneva, May 2006.](#)

368 Ibid.

369 [Interview \(14\), Geneva, May 2006.](#)

370 [Interview \(5\), Geneva, May 2006.](#)

371 [Interview \(14\), Geneva, May 2006.](#)

Tensions between local and international mine action initiatives

As to limited professionalism in “spontaneous” NSA mine action, one informant advised that the organization had attempted to engage in dialogue with, and to train, the NSA employees with the aim of bringing about changes in their working behavior. However, these efforts did not result in the changes that the organization had hoped for and it decided to engage other staff.³⁷²

Concerned state

The concerned state(s) can, as has been seen, cause significant problems for NSA mine action. One suggestion to improve NSA mine action was simply for the concerned state to allow NSAs to clear mined areas openly and to give NSAs free access to work on humanitarian mine action programs with specialized international agencies without state intervention.³⁷³ One informant suggested that humanitarian actors have to convince the government that mine action has humanitarian benefits. This could be done through direct lobbying and public advocacy campaigns towards the concerned state and other states.³⁷⁴ Alternatively, it was noted that NSA facilitation with logistics had been crucial to overcoming the problems triggered by a non-cooperating state.³⁷⁵

Another issue that was discussed was how to overcome problems associated with accusations of bias and spying. One informant suggested that the only way to do this is to work in full transparency with the concerned state.³⁷⁶

1.3.4.2 Strengthening NSA Mine Action: Role of Third States and the International Community

In general, there was a feeling that the contribution of other states and the international community has been quite supportive,³⁷⁷ although not sufficiently so.³⁷⁸

In some cases the informants had the impression that the international community would be very supportive if the circumstances allowed for action.³⁷⁹ Two informants stated that the international community had shown a great interest in NSA mine action and contributed with funding.³⁸⁰ One informant had learned from experience that not only is it more difficult to raise funds when working with NSAs, but it is also more difficult for donors to come and monitor project operations.³⁸¹ In another case, former supporters of NSA mine action had allegedly cut funding³⁸² but the motivation for this decision was not known. Some activities of NSA mine action did not manage to attract funding due to lack of donor interest.³⁸³ However, in one exceptional case, the informant even felt that due to the support shown by the concerned state, and because the NSA already had access to its own funding for mine action activities, there was actually no

372 [Interview \(11\), Geneva, May 2006.](#)

373 [Email from national NGO working in mine action, received April 2006.](#)

374 [Interview \(14\), Geneva, May 2006.](#)

375 [Interview \(2\), Geneva, May 2006.](#)

376 [Interview \(8\), Geneva, May 2006.](#)

377 [Interview \(12\), Geneva, May 2006.](#) and [Email from international mine action agency, received June 2006.](#)

378 [Interview \(6\), Geneva, May 2006.](#), [Interview \(14\), Geneva, May 2006.](#) and [Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group, Zagreb, 27 November 2005.](#) pp. 15-29.

379 [Interview \(3\), Geneva, May 2006.](#)

380 [Interview \(5\), Geneva, May 2006.](#) and [Interview \(11\), Geneva, May 2006.](#)

381 [Interview \(8\), Geneva, May 2006.](#)

382 [Interview \(7\), Geneva, May 2006.](#)

383 [Interview \(5\), Zagreb, December 2005.](#), [Interview \(11\), Geneva, May 2006.](#) and [Interview \(14\), Geneva, May 2006.](#)

particular need for the international community to support the NSA mine action, financially or politically.³⁸⁴

It was stated that the international community could (and should) do more,³⁸⁵ in practical and political, rather than solely financial, terms. One person highlighted the need for the international community to place political pressure on concerned states. The same informant argued that in some cases, when the international community (through states) has been unable to put sufficient pressure on concerned states, it may to some extent be the responsibility of NGOs and international organizations to better coordinate this pressure.³⁸⁶

1.3.4.3 Necessary Conditions for NSA Mine Action

In terms of the conditions necessary for mine action, arguments mostly focused on the general political and security situation and some kind of communication with NSAs. It was highlighted that the concerned state has to be, if not supportive, then at least not openly obstructive to the process, for example by allowing international organizations to work.³⁸⁷ One informant said that the security situation has to be “decent”,³⁸⁸ while two individuals rather considered that a cease-fire is necessary, partly due to security³⁸⁹ and partly because it facilitates dialogue with the NSAs.³⁹⁰ Two mine action practitioners felt that good communication and direct dialogue with the NSAs on key issues (such as what humanitarian mine action is) would be crucial.³⁹¹ One NSA saw that only a definitive peace agreement can allow for mine action and stop new mine use.³⁹²

In one case, three necessary conditions were listed: humanitarian agreements and spaces; support from the international community; and the availability of reliable information.³⁹³ One informant estimated that an agreement between the concerned parties is a necessary condition,³⁹⁴ while another felt that NSA mine action is only possible if all concerned parties not only agree, but also cooperate more actively.³⁹⁵ Another condition that was suggested was the full commitment from the NSAs that they will not use landmines and will hand over their stockpiles, if any.³⁹⁶ One informant considered some basic training for the NSAs on the landmine issue to be a necessary condition.³⁹⁷

1.3.4.4 Lessons Learned by Mine Action Practitioners

Throughout this report it has been shown that, despite some major challenges, mine action with NSAs is possible, even in the midst of conflict. This section of the “Analysis” has presented ways in which challenges to NSA mine action have, or could be, overcome. This last part presents some general lessons learned which were volunteered by the informants. The main points raised were: the need to understand and adapt to the political and conflict situation; the

384 [Interview \(4\), Geneva, May 2006.](#)

385 [Interview \(6\), Geneva, May 2006.](#)

386 [Interview \(14\), Geneva, May 2006.](#)

387 [Interview \(8\), Geneva, May 2006.](#) and [Interview \(14\), Geneva, May 2006.](#)

388 [Interview \(8\), Geneva, May 2006.](#)

389 [Interview \(1\), Geneva, May 2006.](#)

390 [Interview \(7\), Geneva, May 2006.](#)

391 [Interview \(8\), Geneva, May 2006.](#) and [Interview \(11\), Geneva, May 2006.](#)

392 [Meeting with NSA representative \(6\), March 2006.](#)

393 [Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group, Zagreb, 27 November 2005.](#) pp. 15-29.

394 [Interview \(12\), Geneva, May 2006.](#)

395 [Interview \(9\), Geneva, May 2006.](#)

396 *Ibid.*

397 [Email from national NGO working in mine action, received April 2006.](#)

need for confidence-building, commitment and cooperation; the need for transparency and financial control; some issues in relation to the role of local communities; and the organizational aspects of mine action and peace-building.

Need to understand and adapt to the political and the conflict situation

Some informants highlighted the need for flexibility and understanding of the circumstances in which NSA mine action takes place. This requires that the situation be carefully analyzed in all its specificities,³⁹⁸ taking into account local knowledge.³⁹⁹ One informant specifically underlined the importance of knowing and understanding not only the national perspective, but also the micro-dynamics of the situation.⁴⁰⁰ Another informant stressed that it is necessary for international actors to accept the political realities and work with the important actors, be they democratically elected or not.⁴⁰¹

One informant specified the need for realism and flexibility, not only in terms of the methodology, but also in terms of the outcomes; for example, by following a step-by-step approach.⁴⁰² Building on this, another informant considered that, given that all work with NSAs will be slow, due to some obstacles that depend on the development of the conflict, actions have to be realistic and take into account the worst case scenario.⁴⁰³

In relation to these arguments, a few informants saw that mine action might need to take an *ad hoc* or limited start, if this is all that the situation permits. If a situation allows for some action, this window of opportunity could be seized and actors could do what is possible at a given moment.⁴⁰⁴ For example, if demining operations are not feasible, it may be possible to start with some survey, then subsequently some MRE, and finally commence demining when it is possible politically.⁴⁰⁵

For the above reasons it has been argued that program managers who work with mine action involving NSAs need diplomatic and political skills in order to mediate and negotiate with the involved actors.⁴⁰⁶ Similar observations can be made in relation to the security situation: flexibility is crucial.

Need for confidence-building, commitment and cooperation

One mine action practitioner underlined the need to build up relationships of trust, not only with the NSAs, but also with the local communities and authorities.⁴⁰⁷ To another informant, it has been evident that NSAs need to take more responsibility for facilitating and coordinating the operations, notably by providing greater support for the security of mine action teams.⁴⁰⁸ Still another informant felt that the greatest importance should be placed on furthering cooperation between the parties.⁴⁰⁹

398 [Interview \(1\), Geneva, May 2006](#).

399 [Email from national NGO working in mine action, received April 2006](#).

400 [Interview \(1\), Zagreb, December 2005](#).

401 [Interview \(1\), Geneva, May 2006](#).

402 [Interview \(14\), Geneva, May 2006](#).

403 [Email from national NGO working in mine action, received May 2006](#).

404 [Interview \(2\), Geneva, May 2006](#).

405 [Interview \(1\), Geneva, May 2006](#).

406 [Interview \(5\), Geneva, May 2006](#).

407 [Interview \(2\), Geneva, May 2006](#).

408 [Interview \(11\), Geneva, May 2006](#).

409 [Interview \(6\), Geneva, May 2006](#).

In some cases it was considered that a mine ban on behalf of the NSA (such as the Deed of Commitment) had or would be crucial in order to make sure that NSAs provide cooperation to mine action organizations.⁴¹⁰ Others found that a mine ban could be useful in facilitating the mine action process at an early stage.⁴¹¹ It was also argued that the fact that NSAs have commenced “spontaneous” mine action before enrolling in international programs might facilitate the start of such programs.⁴¹²

One informant considered that NSAs had determined their actions following military rather than humanitarian criteria,⁴¹³ which had hindered developments in their mine action. Another argued that most NSAs would realize that mine-laying in an internal conflict was not really useful.⁴¹⁴ In this sense, it was stated that informing NSAs about AP mines and humanitarian demining (for example through mine awareness campaigns) had been effective tools. Consequently, to his mind:

“If the field level militants learn about the bad sides of landmines we believe they will refrain themselves from using them. Thus, such campaigns should not be limited to rebel leaders but reach out to their soldiers as well.”⁴¹⁵

Need for transparency and financial control

Accusations of corruption arising out of the non-transparency of NSAs are being taken seriously by international NGOs and agencies. Clearly, there is a need for greater transparency.⁴¹⁶ In some cases the problem has been solved by setting up systems of strict financial control.⁴¹⁷ As explained by one informant, “the best alternative would be to have outside, independent financial control.”⁴¹⁸ Such measures may also avoid unnecessary tensions between the mine action organizations and the NSAs.

Need to involve the local communities

Mine action organizations have generally witnessed an increasing need to work more closely with local and national authorities.⁴¹⁹ The work with NSAs can also be seen in this context, given that NSAs sometimes also form part of local communities. Involving NSAs in mine action is also an issue of accountability. As formulated by one informant: “the people who demine stay in the area afterwards. They can be held responsible.”⁴²⁰

From another perspective, the participation of affected communities has been considered key to the processes of dialogue and negotiation with NSAs on the landmine issue.⁴²¹

410 [Interview \(2\), Geneva, May 2006.](#)

411 [Email from UN official, received January 2006](#) (2006).

412 [Interview \(2\), Geneva, May 2006.](#)

413 [Interview \(12\), Geneva, May 2006.](#)

414 [Interview \(7\), Geneva, May 2006.](#)

415 [Email from national NGO working in mine action, received April 2006.](#)

416 [Interview \(6\), Geneva, May 2006.](#)

417 [Interview \(5\), Geneva, May 2006.](#) and [Interview \(8\), Geneva, May 2006.](#)

418 [Interview \(8\), Geneva, May 2006.](#)

419 [Interview \(1\), Geneva, May 2006.](#)

420 [Interview \(2\), Geneva, May 2006.](#)

421 *Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group, Zagreb, 27 November 2005.* pp. 15-29..

Box 10 - Gender in NSA Mine Action

Gender inequality with respect to the impact of mines and assistance to victims stems from structural inequalities between men and women worldwide. In efforts to remediate such inequalities, the UN, led by United Nations Mine Action Service (UNMAS) has studied the impact of gender on the five areas of mine action. In all of these areas (except for possibly stockpile destruction) gender is a relevant variable in distinguishing between the impact of mines and requirements of programs to address the impact.⁴²² This is valid in all mine action programs, including those involving NSAs. For example, UNMAS points out that women are less frequently victims of mines, but that they suffer more when they are.⁴²³

Research into the available material on gender in NSA mine action indicates that in general, when women are involved in NSA mine action, it is in the more “traditional” roles as “caretakers”, such as MRE and victim assistance. For instance, Hezbollah allegedly has female activists involved in both MRE and victim assistance.⁴²⁴ In Somaliland, there are female participants in MRE programs.⁴²⁵ Globally very few women are involved in demining, which is often perceived as a respectable, important and relatively well-paid job. Nevertheless, in Sri Lanka for example, there are female deminers both on the government and NSA side.⁴²⁶

Some international NGOs and agencies are particularly cognizant of the gender issue and try to promote the involvement of women in all of their mine action operations, including those relating to NSAs. Whether or not women are included in NSA mine action activities (and notably in demining) will generally depend on the organizational cultures of the NSAs. If women make up an important part of the movement, then there may be no particular need for international NGOs to push for their inclusion in mine action. Before urging such inclusion, international mine action operators have to understand the cultures and roles of women and of deminers in the movement. If women have an important societal role and including them is acceptable, their inclusion can be a success.⁴²⁷

Some experiences and research have indicated that female deminers in some senses perform better than their male colleagues, as they have proven to be more careful in what they do.⁴²⁸ UNMAS notes that women tend to contribute to more egalitarian teams in demining, and do not display “Rambo”-like tendencies which may endanger themselves and the team.⁴²⁹ On the other hand, in one case it has been observed that female demining teams find it more difficult to recover from accidents. For a significant time following an accident, they appeared to be much slower and less productive than their male counterparts in similar situations.⁴³⁰

In some cases the inclusion of female deminers has not been feasible due to lack of donor interest, for instance when specific separate team arrangements were necessary (due to less egalitarian cultures) and this would add minimal costs to a project. One lesson learned from gender and mine action in general is that, when possible, mixed teams normally produce better results. It has been argued that men and women have a positive effect on the work ambience and the actual job done.⁴³¹

422 [Gender Guidelines for Mine Action Programmes](#) (New York: United Nations, 2005). p. 2.

423 Ibid.

424 [Interview on Lebanon \(1\), May 2006](#) (2006).

425 [Interview on Somaliland, May 2006](#) (2006).

426 The first Sri Lankan woman deminer graduated from a training course in 2002 and joined a formerly all-male demining team of the Sri Lankan National Mine Action Office, “First Woman Deminer Graduates in Vavuniya” [United Nations Development Programme 4 September 2002](#). and [Interview on Gender and Mine Action, Geneva, May 2006](#) (2006). Croatia, Kosovo and Cambodia also have women deminers.

427 Laos and Kosovo have been singled out as particularly successful examples of female involvement in mine action. [Interview on Gender and Mine Action, Geneva, May 2006](#).

428 Borge Hoknes, NPA’s project manager in Kosovo: “He mentioned that women, in general, were better motivated, committed and displayed a more even temperament”. Margaret S. Busé, “A Squad of Their Own: Women Deminers in Kosovo.”

429 [Gender Guidelines for Mine Action Programmes](#). p. 2.

430 There is currently no scientific evidence that this would be the case. [Interview on Gender and Mine Action, Geneva, May 2006](#)

431 Ibid.

Villagers celebrating the re-opening of a road demined by an NSA and at demonstrating for the verification of the road. Micoahumando, Colombia, February 2005



Geneva Call 2005

Organization

In terms of the organization of NSA mine action, the need to address coordination techniques, information sharing and understandings between the different actors has been highlighted.⁴³² For instance, one informant mentioned the need for all NGOs to address corruption jointly.⁴³³

In practical terms, according to one informant, implementation works best when there are strong NGOs working as implementing or intermediary agencies. The donors provide the funding to the NGO, which works directly with the NSA. The informant regards this as a good alternative to funding the NSA directly to do mine action.⁴³⁴

As to the organizational aspects undertaken by individual organizations, security measures aimed at the protection of local staff have been singled out as particularly important due to their special vulnerability when working in mine action activities with NSAs.⁴³⁵ For instance, as previously mentioned, one informant said that specific measures had to be taken to protect staff records from infiltration by the security forces of the concerned state.⁴³⁶

Mine action and peace-building

With reference to the implementation of mixed demining teams (made up of NSA and government forces), which aim at confidence-building, one informant indicated that an early experience had been that it was necessary to have all parties talk to each other. If communication flows freely, then it may be possible to establish mine action teams in which all parties are represented. Mixed teams should be led by an independent NGO that provides expertise and supervision.⁴³⁷

As previously mentioned, some informants have cautioned against conditioning mine action on peace: if confidence-building measures fail, they may undermine confidence rather than build it.⁴³⁸ Hence, one lesson to be learned is the need to be careful when stating what constitutes “success” so as not to raise expectations too high when dealing with mine action in a sensitive conflict situation.⁴³⁹

⁴³² Interview (7), Geneva, May 2006., Interview (9), Geneva, May 2006. and Interview (11), Geneva, May 2006.

⁴³³ Interview (11), Geneva, May 2006.

⁴³⁴ Interview (8), Geneva, May 2006.

⁴³⁵ Email from national NGO working in mine action, received April 2006.

⁴³⁶ Interview (11), Geneva, May 2006.

⁴³⁷ Successful past examples of mixed teams have been seen in Cambodia and Kosovo. Interview (5), Zagreb, December 2005. and more recently, although this has been contested, in Sudan.

⁴³⁸ Interview (1), Zagreb, December 2005.

⁴³⁹ Interview (5), Zagreb, December 2005.

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MINE ACTION PILLARS

2.1 NSA Involvement in the Five Mine Action Pillars

As demonstrated throughout the first part of this report, armed non-state actors (NSAs) have been active in mine action efforts both formally (through mine action programs), and informally (through spontaneous efforts). This second part of the report highlights practical examples of NSA mine action in relation to the five mine action pillars: mine ban advocacy (here: mine ban policy); stockpile destruction; mine clearance; mine risk education (MRE); and victim assistance.

There are quite important differences in the numbers of NSAs involved in the various mine action pillars. The greatest amount of NSAs are involved in spreading the mine ban and in accepting limitations on their use of mines. Thirty-five NSAs that were in existence during the focus period of 2005 and 2006 have banned anti-personnel (AP) mines. At least 14 NSAs have introduced some form of limitation on their mine use. At the other end of the spectrum, NSAs are rarely involved in stockpile destruction, although this has happened, generally on an *ad hoc* basis in a total of ten instances. Some 31 NSAs have participated in mine clearance and related activities. Ten NSAs (such as the Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka, the Sudan People's Liberation Movement/Army (SPLM/A) in Sudan and the Kurdish Regional Governments (KRG) Erbil and Sulaymaniyah in Iraqi Kurdistan) have been involved in large scale clearance programs, while 21 others are involved in small scale mine clearance and related operations or *ad hoc* MRE (in 12 instances). Few groups are involved in large-scale MRE programs (four groups conduct such programs themselves and some 14 are facilitating projects or programs). Victim assistance efforts have reportedly been conducted by 20 NSAs and by other actors in 15 instances.

Generally, the most complete coverage of the mine action pillars occurs when NSAs collaborate with international agencies and non-governmental organizations (NGOs). However, surprisingly, in some of these cases (notably the LTTE, Nagorno-Karabakh and Abkhazia), actions concerning the pillar activities of mine ban and stockpile destruction have been (mainly) absent. In addition, NSAs that conduct mine action on an *ad hoc* basis may sometimes manage to cover several of the mine action pillars simultaneously.

2.2 Mine Ban Policy

2.2.1 NSA Mine Ban Policy Summary

As explained in the first part of the report (see 1.2.3 “Definitions”), the “advocacy” concept in this report has been expanded to include the commitment to an AP mine ban or a stated moratorium or limitation on landmine use. In this sense, the commitment to a landmine ban is considered as a contribution to advocacy efforts through the universalization of existing international instruments banning or limiting landmines (e.g. Mine Ban Treaty, Convention on Conventional Weapons (CCW) and Deed of Commitment). For this reason, the “advocacy” aspect (in the report “Mine Ban Policy”) has been subdivided into three categories of action: (i) mine ban; (ii) limitations on the impact of, or halt in (temporary suspension of) mine use (for example through a cease-fire agreement); and (iii) advocacy towards other actors.

The mine ban commitments in this report include: NSA internal regulations; unilateral declarations; Deed of Commitment signings (which in practical terms, is a tripartite agreement between the NSA, Geneva Call and the Government of the Republic and Canton of Geneva); and bilateral agreements (e.g. cease-fire agreements), and thus reflect a diversity of policies prohibiting or limiting the use of landmines. Due to the difficulty in accessing and obtaining information about some NSAs, the list included is not exhaustive. Aspects of mine action policy and coordination are also discussed under mine ban policy. For NSAs that have not agreed to any ban or limitation on AP mines, their mine ban and mine action policy are discussed in a separate section. As to advocacy efforts with other actors (notably other NSAs), six NSAs, all signatories of the Deed of Commitment, were reported to have advocated a mine ban.

This report also aspires to contribute to the integration of a gender approach to mine action.¹ For this purpose a section on the gender aspects of NSA mine action is included for each NSA, data allowing.

2.2.2 NSA Involvement in the Mine Ban

Afghanistan: the Taliban

Unilateral Mine Ban by the Taliban

In 1998, the Taliban publicly stated that AP mines are contrary to Islam and that the Taliban adhered to a total ban on the production, trade, stockpiling and use of any type of landmines in Afghanistan.² In recent years, the Taliban have laid considerable numbers of remotely-detonated mines, and have claimed responsibility for the related mine incidents.³ No use of AP mines has been reported, though, in 2003, Human Rights Watch did report that the Taliban were among

¹ See also Box 10 “Gender in NSA Mine Action” in the “Analysis” part of the report.

² Engaging Non-State Actors in a Landmine Ban: a Pioneering Conference. Full Conference Proceedings (Geneva: Swiss Campaign to Ban Landmines in cooperation with the Colombian Campaign to Ban Landmines, Mines Action Canada, Philippine Campaign to Ban Landmines, the UK Working Group on Landmines, and the Zimbabwean Campaign to Ban Landmines, 2000). pp. 163-164.

³ Armed Non-State Actors and Landmines. Volume I: A Global Report Profiling NSAs and their Use, Acquisition, Production, Transfer and Stockpiling of Landmines (Geneva: Geneva Call and the Program for the Studies of International Organization(s), 2005). p. 66.

those actors laying explosive booby-traps.⁴ No concrete examples of this were found in the research for Volume I.⁵

Burma/Myanmar: Various NSAs

Deed of Commitment Mine Ban by the NUPA

In December 2003, the National United Party of Arakan (NUPA), operating on Burma/Myanmar's western border with Bangladesh, signed Geneva Call's Deed of Commitment.⁶ In March 2006, the NUPA confirmed that the mine ban remains among its criteria. At the same time it reconfirmed that it would continue to unconditionally honor its commitment with Geneva Call.⁷ In a press release issued on 22 March, the NUPA also indicated that a reunification had taken place between the "former two groups of NUPA" in late 2005 and early 2006.⁸ The NUPA has dissolved its armed wing. NUPA is in the process of preparing a victim assistance project.⁹

Deed of Commitment Mine Ban by the ARNO

The Arakan Rohingya National Organization (ARNO), operating on Burma/Myanmar's western border with Bangladesh, reportedly commenced mine action activities before signing the Deed of Commitment in December 2003.¹⁰ Its armed wing was dissolved in 2005.

Mine Action Policy and Coordination

The ARNO has been involved in spontaneous mine action activities, notably some mine clearance.¹¹ Its stated practical priorities for mine action are awareness raising, providing training and clearing landmines.¹² The ARNO appointed a focal person for mine action after the Deed of Commitment was signed. The group has no female participants in its mine action activities.¹³

Deed of Commitment Mine Ban by the CNF

On 31 July 2006, the Chin National Front (CNF) and its armed wing, the Chin National Army (CNA), committed to a total ban on AP mines by signing the Deed of Commitment. In early 2005, the CNF approached Geneva Call to discuss the mine ban in more detail. The decision to ban AP mines was the result of an earlier realization by the CNF/CNA that mines were posing a great danger to the civilian population and the group's own members. Limitations on mine use, including record-keeping and removal of mines after the end of operations, had, according

4 [Human Rights Watch World Report 2003: Asia: Afghanistan](http://www.hrw.org/wr2k3/asia1.html/), 2003, Human Rights Watch, Available: <http://www.hrw.org/wr2k3/asia1.html/>, Accessed 20 October 2005. Other sources have argued that the Taliban may have used mines to produce Improvised Explosive Devices (IEDs) for use against international and government forces. [Email from international mine action agency, Afghanistan](#), received May 2005 (2005).

5 [Armed Non-State Actors and Landmines. Volume I](#), p. 66.

6 "Burmese Rebel Groups Commit to Ban Anti-Personnel (AP) Landmines," [Geneva Call Press Release 5 December 2003](#).

7 [Statement of NUPA's Third Party Congress \[extended\] 2 April 2006](#) (2006).

8 [NUPA Press release, 22 March 2006](#) (2006).

9 [Meeting with NUPA representative, June-July 2006](#) (2006).

10 [Email concerning Burmese NSA mine action, received April 2006](#) (2006).

11 *Ibid.*

12 [Email from ARNO representative, received May 2006](#) (2006).

13 *Ibid.* and [Email concerning Burmese NSA mine action, received April 2006](#).

to the CNF, already been introduced to minimize the indiscriminate effects of landmines.¹⁴ The limitations, which were formulated in a military code of conduct and based on the provisions of the Geneva Conventions, were decided by the General Party Congress in 1997.¹⁵

Limitations on Mine Use by Various NSAs

Many Burmese NSAs are frequent AP mine users.¹⁶ Nevertheless, some have begun to introduce limitations on the way in which they employ mines. The Karen National Union/Karen National Liberation Army (KNU/KNLA) has stated that it trains its troops on how to detect mines and to record where they lay them. The group also encourages the use of command-detonated mines.¹⁷

The Karenni National Progressive Party (KNPP) announced its stance on the use of landmines in August 2006. The KNPP recognizes that AP mines pose a high risk to civilians. Nevertheless, the KNPP argues that it still needs this armament for self-defense since it lacks alternatives. For this reason, it claims that its landmine use “is extremely limited and steps are taken to avoid civilian casualties”. Such limitations allegedly include non use of mines on roads and “in other areas used by innocent civilians”. The KNPP further stated a willingness to engage with specialist individuals or organizations in order to work for a reduction of the use of mines in Burma/Myanmar.¹⁸ In a 2006 meeting with Geneva Call the KNPP specified that mines are used “only around front line camps” and would be removed when and as these mobile camps are moved.¹⁹

The Shan State Army-South (SSA-S) has stated that it strictly controls the use of landmines²⁰ for defensive purposes. It considers AP mines as dangerous to civilians as well as its own members. According to its representatives, the SSA-S lays mines wherever it has more permanent camps and “only when the conditions are very difficult.”²¹ The All Burma Students’ Democratic Front (ABSDF) has claimed that it is using landmines for its protection. The group states that it has always done everything possible to avoid civilian injuries; however, this does not mean that civilians and militants have not been victimized.²² The New Mon State Party (NMSP), of which the military wing is the Mon National Liberation Army (MNLA), has claimed that it has ordered its soldiers not to use mines in general²³ or to use them only in limited, defensive manners.²⁴

Burundi: CNDD-FDD and Palipehutu-FNL

Deed of Commitment Mine Ban by the CNDD-FDD

The National Council for the Defense of Democracy/Forces for the Defense of Democracy

14 For more information, see *Armed Non-State Actors and Landmines. Volume I*, p. 70 and *Landmine Monitor Report 2006* (Ottawa: Mines Action Canada, 2006), p. 859.

15 “The Chin National Front of Burma Renounces the Use of Anti-Personnel Mines,” *Geneva Call Press Release* 10 August 2006.

16 For information about landmine use by these or other Burmese groups, see *Armed Non-State Actors and Landmines. Volume I*, pp. 68-82 and the yearly updated Landmine Monitor Reports.

17 *Meeting with KNU and KNLA representatives, March 2006* (2006).

18 “Statement on the Use of Landmine,” *Statement No. 02/06, Executive Committee, Karenni National Progressive Party* 31 August 2006.

19 *Meeting with KNPP representatives, March 2006* (2006).

20 For additional information on recent landmine use by the SSA-S, see the Landmine Monitor Report 2006, according to which the SSA-S reportedly laid mines in at least two locations that resulted in civilian casualties. *Landmine Monitor Report 2006*, p. 859.

21 *Meeting with SSA-S representative, March 2006* (2006).

22 *Meeting with ABSDF representatives, March 2006* (2006).

23 *Meeting with NMSP representative, March 2006* (2006).

24 *Meeting with NMSP representative, June-July 2006* (2006).

(CNDD-FDD) signed the Deed of Commitment on 15 December 2003, arguing that the negative effects of AP mines, especially on returning refugees, had motivated this decision.²⁵ Previously (December 2002), the CNDD-FDD had signed a cease-fire agreement with the government which prohibited new mine laying and encouraged marking and mapping of minefields, as well as mine clearance.²⁶

In February 2004, the CNDD-FDD showed Geneva Call a small stock of AP mines which it said it had cleared or captured from army soldiers.²⁷ In the following months, the CNDD-FDD's mines were merged with army stocks. The group did share so-called "croquis" with the UN and raised some awareness within the population through information provided through the media.²⁸ Despite plans for further mine action, no major action has been undertaken on behalf of the group. One observer has noted that the process of political transition may have slowed down the possibilities for mine action. In early 2004, the CNDD-FDD was at the point of entering into the government and this arrangement has meant a loss of freedom of action for the group²⁹ and its transformation from NSA to state actor.

Commitment to Non Use of Mines by the Palipehutu-FNL

The Party for the Liberation of the Hutu People-National Liberation Forces (Palipehutu-FNL) signed a cease-fire with the government on 7 September 2006, which stipulates: "[t]he banning of any mine-laying operations or the hindering of operations to remove mines".³⁰ The Palipehutu-FNL has been in a dialogue on the landmine issue with Geneva Call for the last three years. Despite having shown certain openness on the issue and denial of AP mine use, there were substantiated allegations of AP mine use by the group during the reporting period of Volume I.³¹

Colombia: ELN

Limitations on Mine Use by the ELN

The National Liberation Army (ELN) acknowledges landmine manufacture and use, stating that landmines are a necessary weapon of defense against government troops and paramilitary groups. The ELN claims that, as a guerilla group with limited financial resources, it is unable to relinquish the use of landmines completely. In addition, the ELN does not agree with the spirit of the Ottawa Convention, on the basis that the Convention only covers landmines and does not apply to other explosives.³² Nevertheless, the ELN has agreed, after discussions with Geneva Call and its partner the Colombian Campaign Against Mines (CCCM), to enter into dialogue with local communities and humanitarian actors on the landmine issue and to work on limiting the effects of its landmine use.³³ In 2003, the ELN informed Geneva Call that, although it could not adhere to the Deed of Commitment, it would start taking measures to reduce the impact of landmines

25 [CNDD-FDD Press Release No 80](#) 5 January 2004.

26 [Landmine Monitor Report 2003](#), (United States of America: Human Rights Watch, 2003). p. 508.

27 [Geneva Call mission to Bujumbura, February 2004](#) (2004).

28 "Le CNDD-FDD lance un cri d'alarme en faveur des actions de déminage et d'assistance aux victimes des mines antipersonnelles," [CNDD-FDD Press Release No 005](#) 28 October 2004.

29 [Interview with Charles Ndayiziga, Coordinator, Centre d'Alerte et de Prévention des Conflits, December 2005, Zagreb](#) (2005).

30 [Comprehensive Ceasefire Agreement between the Government of the Republic of Burundi and the Palipehutu-FNL, 7 September 2006](#) (2006).

31 For information on landmine use by the Palipehutu-FNL see [Armed Non-State Actors and Landmines. Volume I](#). Pp. 42-42.

32 [Meeting with Francisco Galán and Commander Antonio García, Medellín, 21 April 2006](#) (2006).

33 For information on landmine use by the ELN and the Revolutionary Armed Forces of Colombia (FARC) see [Armed Non-State Actors and Landmines. Volume I](#). Pp. 129-132.

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on civilians and begin a pilot program of mine action.³⁴ The ELN has said that it warns some communities about where its mines have been laid. In Cuba in December 2005, Commander Antonio Garcia publicly announced a new policy for the utilization of mines, which would follow the logic of the Amended Protocol II of the CCW.³⁵ This would seem to suggest that the ELN now lays its mines closer to the enemy and removes mines which “serve no purpose”. Commander Garcia also underlined that the mines are more dangerous to the ELN’s own troops than the enemy troops.³⁶

Mine Action Policy and Coordination

Members of the ELN who are responsible for producing and placing landmines are also believed to deal with the removal of mines. However, the ELN appears to possess little knowledge of international standards for mine action. Female combatants are reportedly involved in both handling explosives and mine action (e.g. marking and informing about the presence of mines).³⁷



Colombian Campaign Against Mines

Sign placed by the ELN to warn the population of the presence of mines

The Democratic Republic of the Congo: RCD-Goma

Unilateral Mine Ban by RDC-Goma

The Congolese Rally for Democracy-Goma (RCD-Goma) pronounced itself in favor of a mine ban in 2002 during a mine ban workshop and in the presence of international actors. As quoted in the Landmine Monitor Report: “we adhere to the principles of the Mine Ban Treaty and we are going to try to respect it in the best way we can”. In addition, the RCD-Goma reportedly provided a list of mined or suspected mined areas to the Canadian Embassy.³⁸ However, mine use allegations against the group continued.³⁹ The RCD-Goma is today part of the transitional government formed under the Sun City agreements of April 2003. However, dissidents from the RCD-Goma have been involved in clashes with the newly-integrated army.⁴⁰

34 Meeting with Ramirez Vargas, ELN, La Havana, May 2003, (2003).

35 Meeting with Commander Antonio Garcia, La Havana, December 2005 (2005).

36 Meeting with Francisco Galán and Commander Antonio Garcia, Medellín, 21 April 2006.

37 Email from CCCM, received May 2006 (2006).

38 Landmine Monitor Report 2002. (United States of America: Human Rights Watch, 2002). pp. 195-196.

39 In the beginning of 2003 the group allegedly placed mines in joint military actions with other actors: the UPC, Hema militias and the Rwandan army (Armée Patriotique Rwandaise). Landmine Monitor Report 2003. p. 196.

40 Congo’s Elections: Making or Breaking the Peace. Africa Report No 108 (International Crisis Group, 2006)., p. i.

Ethiopia: OLF

Unilateral Mine Ban by the OLF

The Oromo Liberation Front (OLF) has stated that it “repeatedly passed strong anti mine resolutions, the latest being in its 3rd national Congress held in December 2004”.⁴¹ It is said to have taken this decision “on the basis that the Oromo population ends up being the victim”. The group has also denied mine use in the past, claiming that “the OLF [...] has neither strategic nor temporary interest in using anti personnel mines that will harm the unsuspecting innocent civilians”.⁴² However, according to the Landmine Monitor Report 2006, an OLF representative admitted to past mine use and stated that the group does not currently use landmines because it cannot obtain them.⁴³

India: NSCN-IM and the KNO

Deed of Commitment Mine Ban by the NSCN-IM

On 17 October 2003, the National Socialist Council of Nagalim-Isaac/Muivah (NSCN-IM) of Nagaland State, India, signed the Deed of Commitment. The NSCN-IM, the oldest and most influential NSA in northeast India, also committed to promoting the mine ban to other actors in the region, bilaterally and through a workshop series aimed at other armed actors (see section 2.2.4 “Advocacy”).⁴⁴ The NSCN-IM has argued that it wanted to demonstrate its commitment to the fight against landmines because mines are “inhuman” weapons that kill innocent civilians and by setting an example for other groups.⁴⁵

Deed of Commitment Mine Ban by the KNO

The Kuki National Organization (KNO) operates in Northeast India and Northwest Burma/Myanmar. On 9 August 2006, the KNO and its armed wings⁴⁶ committed to a total ban on AP mines by signing the Deed of Commitment. The KNO states that it has never used AP mines, but that it has been victimized by these weapons when laid by other NSAs.⁴⁷

⁴¹ Geneva Call has requested copies of this resolution, but as of October 2006 it had not received it.

⁴² [Email from the Oromo Liberation Front, received 14 October 2005](#) (2005).

⁴³ [Landmine Monitor Report 2006](#), p. 427.

⁴⁴ “National Socialist Council of Nagalim (Nagaland), the Largest Armed Group in the Indian Sub-Continent, Commits to No Use of Anti-Personnel Mines” [Geneva Call Press Release](#) 17 October 2006.

⁴⁵ [Interview with Dr. Balkrishna Kurvey, Indian CBL and Landmine Monitor Researcher, 1 December 2005, Zagreb](#) (2006).

⁴⁶ The armed wings of the KNO comprise: the Kuki National Army; the Kuki National Front (Military Council); the Kuki National Front (Zogram); the Zomi Revolutionary Front; the United Socialist Revolutionary Army; the Zou Defense Volunteers; the Hmar National Army; and the United Kom Rem Revolutionary Army.

⁴⁷ “The Kuki National Organisation (KNO) of Northeast India Commits to the Anti-Personnel Mine Ban,” [Geneva Call Press Release](#) 9 August 2006.

Indonesia: ASNLF/GAM

Limitations on Mine Use by the ASNLF/GAM

In 2004, the Aceh Sumatra National Liberation Front/Free Aceh Movement (ASNLF/GAM) stated that it did not use victim-activated devices, since these could kill civilians and animals.⁴⁸ A tentative peace emerged in Aceh in August 2005, leading to the withdrawal of Indonesian army troops from the region and the ASNLF/GAM disarming its members. The ASNLF/GAM has since begun a process to transform itself into a political party.

Iran: DPIK

Unilateral Mine Ban by the DPIK

In August 2002, the Democratic Party of Iranian Kurdistan (DPIK) issued a declaration to Geneva Call, in which it stated its rejection of the inhuman nature of AP mines and its support for Geneva Call's work.⁴⁹ Despite this declaration, the DPIK has not signed the Deed of Commitment. In June 2006, Geneva Call reinitiated formal discussions on the landmine issue with the DPIK leadership on different occasions, during which the DPIK repeated its strong rejection of AP mines.⁵⁰

Iraqi Kurdistan: KRG-Erbil and KRG-Sulaymaniyah

Deed of Commitment Mine Ban by the KRG-Erbil and the KRG-Sulaymaniyah

At the end of 1999, the regional governments KRG-Erbil and KRG-Sulaymaniyah each sent a letter signed by their respective leaders to the United Nations (UN) Secretary-General Kofi Annan, declaring a commitment to unilaterally respect the principles of the Mine Ban Treaty. This position, and the willingness to adhere to a total ban, was reaffirmed by KRG-Erbil and KRG-Sulaymaniyah representatives in separate meetings with Geneva Call in 2001.⁵¹ During a Geneva Call mission to Iraqi Kurdistan in August 2002, KRG-Erbil and KRG-Sulaymaniyah, led by the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK), respectively, each signed the Deed of Commitment.⁵² These two regional governments have now joined forces and formed a unified Kurdistan Regional Government with one single administration.⁵³ This government is legally a regional state entity of the Iraqi state and not an NSA. However, from the time of the commencement of the first mine action activities in the early 1990s until the approval of the new Iraqi Constitution in October 2005,⁵⁴ the two actors fell under Geneva Call's definition of NSA, and are thus included in this report.

48 As cited in an official statement given 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." Quoted in *Armed Non-State Actors and Landmines, Volume I*, p. 90, footnote 351. Issues concerning the protection of civilians were also highlighted in a [Meeting with the ASNLF/GAM, July 2003](#) (2003).

49 [Letter from the DPIK, August 2002](#) (2002).

50 [Meeting with the Deputy Secretary General of the DPIK, June 2006](#) (2006). and [Meeting with the Secretary General of the DPIK, June 2006](#) (2006).

51 [Meeting with KRG-Erbil representative, Paris, 1 July 2001](#) (2001). and [Meeting with KRG-Sulaymaniyah representative, Paris, 2 July 2001](#) (2001).

52 [Geneva Call mission to Iraqi Kurdistan, 6-18 August 2002](#) (2002).

53 [Kurdistan Regional Government Unification Agreement](#), 2006, Kurdish Regional Government, Available: <http://www.krg.org/>, Accessed 4 July 2006.

54 The Iraqi Constitution stipulates [section five, "Powers of the Regions", chapter one, article 113]: "This Constitution shall approve the region of Kurdistan and its existing regional and federal authorities, at the time this constitution comes into force." [Final Draft Iraqi Constitution](#), 2005, Associated Press, Available: <http://www.krg.org/>, Accessed 4 July 2006.

Mine Action Policy and Coordination

Mine action in Iraqi Kurdistan is currently coordinated by the Iraqi Kurdistan Mine Action Center (IKMAC). The Kurdistan Regional Government took over the coordination of all mine action in Iraqi Kurdistan in July 2004.⁵⁵ IKMAC is currently one of the largest self-funded indigenous programs in the world. It is tasked to “provide interagency liaison, coordination meetings, information collection and analysis, quality assurance, clearance plan design and implementation, monitoring, testing and evaluation, as well as technical advice and clearance task allocation.”⁵⁶ It is totally nationalized and employs no international staff. IKMAC has its own trainers and courses, deminers and managers, but has expressed a need for some advanced technical training. The international NGOs, Norwegian People’s Aid (NPA) and Mine Advisory Group (MAG) are working under the general IKMAC umbrella, but are independent.⁵⁷ By the end of 2005 IKMAC employed nearly 800 operations staff in 61 mine action teams.⁵⁸ Mine action is carried out according to international standards. Despite earlier plans to include female teams in the programs, no information was found concerning the presence of female deminers.⁵⁹

Nepal: CPN-M

Commitment to Non Use of Mines by the CPN-M

The May 2006 Code of Conduct between the Communist Party of Nepal-Maoist (CPN-M) and the government of Nepal (concluded as part of wider peace negotiations) included a provision related to landmines.⁶⁰ The Code of Conduct stipulates that new emplacement of landmines will not occur.⁶¹ However, the Code of Conduct does not require that mine action activities should be implemented.

There is little information as to practical participation in mine action activities by the CPN-M. On a regional and local level, it appears that CPN-M representatives have participated in landmine-related workshops and have permitted some mine action activities, specifically MRE, to take place. The CPN-M has also reportedly given financial assistance to landmine victims.⁶²

Philippines: Various NSAs⁶³

Deed of Commitment Mine Ban by the MILF

The Moro Islamic Liberation Front (MILF) signed the Deed of Commitment in March 2000 and renewed its commitment in April 2002 following a field verification mission conducted by Ge-

55 The Sulaymaniyah Mine Action center still exists as a regional branch of the IKMAC.

56 *Landmine Monitor Report 2005*, (Ottawa: Mines Action Canada, 2005). p. 739.

57 *Meeting with Siraj Barzani, IKMAC, Erbil, 20 June 2006* (2006)., *Meeting with UNDP representative, Erbil, 20 June 2006* (2006). and *Meeting with MAG representatives, Erbil, 20 June 2006* (2006).

58 *Landmine Monitor Report 2006*. p. 927.

59 *Interview on Iraqi Kurdistan, Geneva, May 2006* (2006).

60 For information about landmine use by CPN-M, see *Armed Non-State Actors and Landmines. Volume I*. pp. 91-96. *Landmine Monitor 2006* quotes a UN report that gives some important updates on CPN/M and landmines “Very few devices used by the CPN/M appear to be victim activated with the exception of explosive devices attached to banners or effigies.... Socket bombs tend to be the key unexploded ordnance (UXO) post engagement causing risk to civilian populations, in particular to children. Socket bombs are improvised hand grenades made out of galvanised pipe sockets...” *Landmine Monitor Report 2006*. p. 1024.

61 *Ceasefire Code of Conduct Agreed between the Govt. of Nepal and CPN (Maoist) on May 25, 2006*, Available: http://www.nepal-news.com/archive/2006/may/may31/code_of_conduct.php, Accessed: 9 October 2006.

62 *Meeting with representative of a local NGO, Nepal, February 2006* (2006).

63 For information about landmine use by Philippine NSAs, see *Armed Non-State Actors and Landmines. Volume I*. pp. 97-103.

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Geneva Call. It has informed Geneva Call that “the MILF leadership did issue an order banning production and use of AP mines and victim-activated IEDs to all members” after having signed the Deed of Commitment.⁶⁴ It also “included mine awareness as part of its academic curriculum.”⁶⁵ Landmining was also included among the prohibited acts in the “Agreement on General Cessation of Hostilities” between the MILF and the Government of the Philippines that was signed in 1997 (and is still binding).⁶⁶ However, until 2004, there were unconfirmed allegations of new mine use by the MILF. The MILF denied all allegations, requesting an independent, international mechanism for monitoring and verification of the allegations made against them.⁶⁷

At the request of the MILF’s leadership, Geneva Call organized a “training of trainers” in the mine ban, international human law and human rights law for 65 of the group’s military and political officers. The training program was organized in close collaboration with a local human rights organization: the Institute of Bangsamoro Studies. The group of trainers included representatives of the International Committee of the Red Cross (ICRC) and the Southeast Asia Coalition to Stop the Use of Child Soldiers.⁶⁸ A similar workshop was co-organized for Bangsamoro youth in May 2006 by the Southeast Asia Coalition to Stop the Use of Child Soldiers, the Center for Muslim Youth Studies Inc, Geneva Call, the ICRC and the Institute of Bangsamoro Studies. A separate workshop was organized for female members on 13-17 August 2006.



Geneva Call 2005

Mine ban session during the training of trainers with the MILF

64 [MILF Deed of Commitment Compliance Report, October 2004](#) [2004]. and [Email from the MILF, received March 2006](#) [2006].

65 [Email from the MILF, received March 2006](#).

66 *Ibid.*

67 For further information see [Armed Non-State Actors and Landmines, Volume I](#), pp. 99-100.

68 For further information see [Training of Trainers Workshop, Camp Darapanan, Sultan Kudarat, Maguindnao, the Philippines, 12-17 November 2005](#) [Geneva: Geneva Call, 2006], p. 3.

Mine Action Policy and Coordination

The MILF has informed Geneva Call that it had previously been involved in some limited spontaneous mine action in different mine action pillars.⁶⁹ As to coordination, the MILF has stated that it has designated its Department of War Material Production (under the General Staff of its armed wing, the Bangsamoro Islamic Armed Forces) to monitor and coordinate mine action-related activities. The MILF considers that, while it has sufficient manpower for demining, it lacks expertise in mine action.⁷⁰ This has led to a request for a joint mine/unexploded ordnance (UXO) clearance program with the Government of the Republic of the Philippines with the support of the Swiss Foundation for Mine Action (FSD). The MILF has no regular female members in the mine action group, but it has stated that “when the need arise members of the Bangsamoro Women’s Auxiliary Brigade (BWAB) can always assist.”⁷¹

Limitations on Mine Use by the MNLF

The Moro National Liberation Front (MNLF)/Misuari faction has informed Geneva Call that it does not use AP mines, but only command-detonated anti-vehicle (AV) mines.⁷² Allegedly it has issued written orders not to use AP mines in its operation manuals.⁷³ Nevertheless, the Landmine Monitor Report 2005 reported that one commander of MNLF operations in eastern Sulu had admitted to the use of improvised AP mines.⁷⁴

Limitations on Mine Use by the CPP/NPA/NDFP⁷⁵

In 2005, the Communist Party of the Philippines/New People’s Army/National Democratic Front of the Philippines (CPP/NPA/NDFP), through the NDFP, informed Geneva Call that although it uses landmines, it restricts its use to non-victim-activated types.⁷⁶ The detonation of mines was said to be selective and only directed towards military targets.⁷⁷ However, the Landmine Monitor 2006 notes that in another letter from late 2005, the NDFP has contradicted this claim.⁷⁸ In addition to its unilateral statements, in 1998, the NDFP and the Philippine government signed the “Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law” (known as the CARHRIHL), recognizing the need for respect for human rights and humanitarian law, including the right of the Philippine people not to be subjected to the use of landmines.⁷⁹ The NDFP has also declared, in a written statement directed to the Government of Switzerland and to the ICRC, that it will follow the Geneva Conventions. It is not known if the CPP/NPA/NDFP is, or has been, conducting any other kind of mine action activities.

69 [Email from the MILF, received March 2006.](#)

70 [Ibid.](#)

71 [Ibid.](#)

72 [Meeting with MNLF representative, May 2006](#) (2006). The Landmine Monitor has reportedly received the same information from an MNLF representative. [Landmine Monitor Report 2006](#). p. 604.

73 [Meeting with MNLF representative, May 2006.](#)

74 [Landmine Monitor Report 2005](#). pp. 489-490.

75 This section builds on the mine use profile of the CPP/NPA/NDFP of [Armed Non-State Actors and Landmines. Volume I.](#)

76 “The CPP strictly prohibits the use of self-detonating (noncommand-detonated) landmines and allows only the use of command-detonated landmines aimed at specific legitimate military targets (military vehicle and troops).” [Letter to Geneva Call from the National Democratic Front of the Philippines Human Rights Committee, dated 14 May 2005](#). (2005). Landmine Monitor Report 2006 confirms that reports of NDFP mine use have referred to command-detonated AV mines rather than victim-activated AP mines. [Landmine Monitor Report 2006](#). pp. 602-603.

77 Executive Director NDFP International Information Office Ruth de Leon, “NDFP answers false claims against the revolutionary movement,” [National Democratic Front of the Philippines](#) 21 January 2005.

78 The letter indicated that the NPA, the armed wing, uses “*contact-detonated* or command-detonated landmines...for a limited time and limited range and under close supervision of the NPA command concerned in order not to cause risk for civilians.” [Landmine Monitor Report 2006](#). p. 603.

79 [Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law Between the Government of the Republic of the Philippines and the National Democratic Front of the Philippines, part III, article 2\(15\), signed in the Hague, 16 March, 1998](#) (1998).

Deed of Commitment Mine Ban by the RPA-ABB and the RPM-M

Two smaller Philippine groups, the Revolutionary Proletarian Army - Alex Boncayao Brigade (RPA-ABB) and the Revolutionary Workers Party of Mindanao (RPM-M), signed the Deed of Commitment in March 2000 and September 2003, respectively. The RPA-ABB reiterated its opposition and rejection of the use and production of AP mines when renewing its commitment in July 2002. The RPA-ABB signed a peace agreement on 6 December 2000.⁸⁰ The RPM-M, who signed a cease-fire accord with the government on 28 October 2005,⁸¹ is currently in peace negotiations with the latter. During a Geneva Call mission to the Philippines in early 2005, the RPM-M confirmed its commitment to the ban on AP mines.⁸²

Senegal: MFDC

Commitment to Non Use of Mines by the MFDC

The general peace agreement signed between the Government of Senegal and the Movement of the Democratic Forces of Casamance (MFDC) on 30 December 2004 includes provisions related to landmines.⁸³ According to the agreement, the MFDC should cooperate with the government and specialized organizations to start humanitarian demining. This could be for instance through information provision. However, this peace agreement has not yet been implemented; hence technical information exchanges have not taken place.⁸⁴

In March 2006, military activities resumed between two rival factions of the *Front Sud* of the movement. The fighting also involved the Guinea-Bissau army. In relation to these activities, there have been allegations of new deployments of landmines, leading to both civilian and military casualties. The new mine incidents took place in suspected contaminated areas.⁸⁵ According to observers, the MFDC has been using landmines since the 1990s, with a peak of reported incidents in 1997 and 1998.⁸⁶ The extent to which the two warring factions of *Front Sud* may currently be involved in landmine use is not clear.⁸⁷ Nevertheless, the President of MFDC, Abbé Diamacoune, has confirmed that he has ordered his fighters not to lay mines.⁸⁸ Another political representative of the group has expressed an interest in a total ban on AP mines.⁸⁹

Mine Action Policy and Coordination

MFDC does not have a coordination structure for mine action, but it has appointed a focal point for mine-related issues.⁹⁰ The focal point has provided assistance and relevant information to the Handicap International (HI) team that conducted a rapid landmine impact survey (see section 2.4 "Mine Clear-

80 The RPM-P/RPA/ABB and the government signed a clarificatory document on the peace agreement on 1 March 2002. Clarificatory document on peace accord with RPM-P/RPA/ABB signed, March 1, 2002, National Defense 2002, Available: <http://www.gov.ph/news/?i=821>, Accessed: 6 October 2006.

81 2006 State of the Nation Address – Technical Report, 2006, Available: <http://www.gov.ph/sona/2006sonatechnicalreport.pdf>, Accessed: 6 October 2006.

82 Report of Geneva Call's Mission to the Philippines, 16-21 January 2005 (2005).

83 Accord général de paix entre le gouvernement de la République du Sénégal et le Mouvement des Forces Démocratiques de la Casamance (MFDC) – 30 Décembre 2004, Mouvement contre les armes légères en Afrique de l'ouest, Available: <http://www.malao.org/armes-experiences-autre-forum.asp>, Accessed 15 October 2005.

84 Ibid and Email from international mine action agency, Senegal, received June 2006 (2006).

85 Email from international mine action agency, Senegal, received June 2006. and Landmine Monitor Report 2006. pp. 622-624.

86 Email from Professor Martin Evans, received 27 July 2006 (2006).

87 For a discussion on earlier allegations of MFDC mine use and information on its former mine use, see Armed Non-State Actors and Landmines. Volume I, pp. 52-53.

88 Interview with Abbé Diamacoune, President of the MFDC, Senegal, 3 March 2006 (2006).

89 Interview on Senegal, Geneva, May 2006 (2006). However, it has to be underlined that observers see a "deep-seated historic gap" between the political and military wings, which manifests itself in the orders of the former not always being respected by the latter. Email from Professor Martin Evans, received 27 July 2006.

90 Meeting with NSA representative, Senegal, March 2006 (2006).

ance and Related Activities”).⁹¹ The movement currently has no female participants in mine action.⁹² Other organizations operating in mine action in Casamance have engaged women in survey and MRE projects, and women’s organizations in general are active local partners in mine action activities.⁹³ The MFDC has not received any external support for mine action, but has indicated that it would appreciate such support once further actions are underway.⁹⁴ It also confirms that, although its members are not trained for mine action activities, they would be available for any defined activities.⁹⁵

Somalia: Various NSAs⁹⁶

Somaliland: Declaration in Support of Mine Ban Treaty by the Somaliland Authorities

As early as March 1999, the Somaliland parliament passed a resolution in support of the Mine Ban Treaty.⁹⁷ However this resolution has never materialized into law. In 2004 the Somaliland authorities agreed on signing the Deed of Commitment for a total ban on AP mines in the near future. According to the Landmine Monitor Report, the Vice President stated that such a commitment would serve “as a means to monitor our already Declared Unilateral Compliance with the Ottawa Convention”.⁹⁸ Somaliland’s Minister of Foreign Affairs, Dr. Edna Adan Ismail, also confirmed that the signing of the Deed of Commitment was viewed as an interim step before Somaliland was able to adhere to the Mine Ban Treaty.⁹⁹ Despite close monitoring of the situation by Geneva Call and its partners, no further steps have been undertaken, possibly due to internal divergences within the government. However, according to the United Nations Development Program (UNDP), one of the main goals for Somaliland for the period 2006-2010 is to strengthen and support advocacy of the Geneva Call Deed of Commitment and the Mine Ban Treaty.¹⁰⁰

Mine Action Policy and Coordination

Since 1997, mine action activities in Somaliland have been undertaken by the National Demining Agency (NDA), established by the Ministry of Resettlement, Rehabilitation and Reconstruction and the Somaliland Mine Action Center (SMAC). SMAC is part of, and receives funding from (as of 2006), the Somaliland government.¹⁰¹ The United Nations Development Program/United Nations Office for Project Services (UNDP/UNOPS) have supported SMAC since its establishment.¹⁰² In 2004 a National Mine Action Policy was also adopted, according to which SMAC was defined as the coordinating body for mine action and quality management, while the NDA is the body responsible for demining, MRE, etc.¹⁰³ Strategy is coordinated by SMAC in collaboration with the implementing agencies in monthly meetings.¹⁰⁴

91 [Email from international mine action agency, Senegal, received June 2006.](#)

92 [Meeting with NSA representative, Senegal, March 2006.](#) and [Email from Professor Martin Evans, received 27 July 2006.](#)

93 [Email from international mine action agency, Senegal, received June 2006.](#)

94 [Meeting with NSA representative, Senegal, March 2006.](#)

95 Ibid.

96 For information on landmine use (AP and AV) by Somali NSAs, see [Armed Non-State Actors and Landmines. Volume I.](#) pp. 53-56.

97 [Email from Mohamed Osman Ahmed, SMAC, Somaliland, received 15 August 2003 \(2003\).](#)

98 [Landmine Monitor Report 2005.](#) p. 976.

99 Ibid.

100 As referred to in the [Landmine Monitor Report 2006.](#) p. 1179.

101 [Interview on Somaliland, May 2006 \(2006\).](#) And [Email from international mine action agency concerning Somalia, received 21 July 2006 \(2006\).](#)

102 [Landmine Monitor Report 2005.](#) p. 977.

103 [Email from international mine action agency concerning Somalia, received 21 July 2006.](#)

104 [Landmine Monitor Report 2005.](#) p. 978. and [Landmine Monitor Report 2006.](#) p. 1178.

MINE ACTION PILLARS

The UN has been working on strengthening the NDA by the training and equipping of additional deminers and expansion of police Explosive Ordnance Disposal (EOD) teams to all regions of Somaliland.¹⁰⁵ While there are women involved in MRE, there are none involved in demining.¹⁰⁶ NDA has tried to recruit and train female deminers, but inexperience and lack of international support for technical and financial support have made the process difficult.¹⁰⁷

SMAC uses guidelines for quality management developed by UNDP/UNOPS¹⁰⁸ and conducts quality control in areas cleared by HALO Trust and Danish Demining Group (DDG).¹⁰⁹ SMAC and NDA have received technical training; there are thus people trained to handle International Management System for Mine Action (IMSMA) within the Somaliland mine action authorities.¹¹⁰

Deed of Commitment Mine Ban by the Puntland Authorities

In 2000, the President of Puntland issued a decree banning the use of AP mines.¹¹¹ Puntland signed the Deed of Commitment on 11 November 2002. The ban is reflected in Puntland's 2004 "National Policy for Humanitarian Mine Action",¹¹² which has yet to be implemented.

Mine Action Policy and Coordination

A mine action coordination center was established in February 2004 by means of a presidential decree.¹¹³ Puntland is in the process of building the whole network that is needed for mine action activities. The responsibility for mine action lies with the Ministry of Interior, Public Security and Demining, Disarmament and Reintegration, which supervises and coordinates mine action activities through its implementing body, Puntland Mine Action Center (PMAC).¹¹⁴ PMAC was initially supported by UNDP/UNOPS.¹¹⁵ According to the National Policy for Humanitarian Mine Action, an inter-ministerial committee (including representation of the UNDP) should be established for the purposes of overseeing and advising PMAC.¹¹⁶ The committee has not yet been created.¹¹⁷ As reported by the Landmine Monitor Report 2006, following a strategic planning workshop in September 2005, Puntland drafted a strategic plan for mine action. The main goal for 2006 was to build up its own clearance capacity, through international assistance, to address the longer-term problem.¹¹⁸

105 [Portfolio of Mine Action: Projects 2006](#) (UNMAS/UNDP/UNICEF, 2005). p. 297. and [Email from international mine action agency concerning Somalia, received 21 July 2006](#).

106 [Interview on Somaliland, May 2006](#).

107 [Email from international mine action agency concerning Somalia, received 21 July 2006](#).

108 *Ibid.*

109 [Landmine Monitor Report 2005](#). p. 980.

110 [Interview on Somaliland, May 2006](#).

111 [Landmine Monitor Report 2005](#). p. 870.

112 [National Policy for Humanitarian Mine Action](#) (Puntland State of Somalia, 2004)., p. 2

113 [Presidential Decree No. 79, 13 July 2003](#) (2003).

114 [Landmine Impact Survey, Phase II: Bari, Nagaal, and Northern Mudug Regions](#) (Puntland Mine Action Center and Survey Action Center, 2005)., p. 83.

115 *Ibid.*, p. 6 and [Landmine Monitor Report 2005](#). p. 873.

116 [National Policy for Humanitarian Mine Action](#). p. 11.

117 [Email from international mine action agency concerning Somalia, received 21 July 2006](#).

118 [Landmine Monitor Report 2006](#). p. 1068.

Deed of Commitment Mine Ban by the Four Factions of the USC

The United Somali Congress (USC) underwent a period during which the group splintered into several factions which all carried the same name. All four splinter groups have signed the Deed of Commitment. Furthermore, the USC faction headed by Chairman Hussein Farah Aided (USC/Somali National Alliance (SNA)/SRRC) has declared its stockpiles and shown them to Geneva Call.¹¹⁹ It has also been involved in some advocacy activities (see the relevant sections). The other signatory factions are the USC/North Mogadishu/SCCR (Chairman Hilowle Imam Omar), USC/SNA/SRRC/Nakuru (Chairman Osman Hassan Ali "Ato") and USC/Somali Salvation Army (SSA) (Chairman Omar Mohamoud Mohamed "Finish").

Deed of Commitment Mine Ban by Two Factions of the RRA

The Rahanweyn Resistance Army (RRA) controls the Bay and Bakool provinces of the central part of Somalia. Following its creation, the group split into factions.¹²⁰ It is believed that two of the three RRA factions have recently re-united. Leadership of two of the splinter groups (the "Shatigudud" and Madobe factions)¹²¹ signed the Deed of Commitment in November 2002. In meetings with Geneva Call in Baidoa in May 2005, the leader of the third faction, Habsade, also indicated an interest in signing.¹²² During the reporting period of Volume I, there were strong indications that RRA factions used AV mines in the course of their internal conflicts, notably in May 2005 for control over Baidoa.¹²³

Deed of Commitment Mine Ban by Various Somali NSAs

According to available information, the following groups have committed to a mine ban through signing the Deed of Commitment, but have not been involved in further mine action activities: Banadiri (Chairman Mohamed Osman Maye); Somali African Muki Organization/ Somalia Reconciliation and Restoration Council (SRRC) (Chairman Mowlid Ma'ane Mohamud); (SPM)/SRRC (Chairman Gen. Aden Abdullahi Nur, "Gabyow"); Southern Somali National Movement/BIREM (Chairman Abdullahi Sheikh Ismail); Southern Somali National Movement (Chairman Abdulaziz Sheikh Yusuf); and the Transitional National Government.

Other Somali factions which have committed to a mine ban through the Deed of Commitment and have conducted some type of mine action include: the Hiran Patriotic Alliance (HPA)/SRRC (Chairman Hasan Abdulle Qalad); the Jowhar Administration (Chairman Mohamed Omar Habeab "Dhere"); the Jubba Valley Alliance (JVA); and the Somali National Front (SNF)/SRRC (Chairman Mohamed Sayid Aden). HPA and Jowhar Administration signed the Deed of Commitment in November 2002. The JVA signed the Deed of Commitment in January 2005. The JVA operates in the upper and lower Jubba regions of Somalia.¹²⁴ The SNF chairman, Mohamud Sayid Aden, signed the Deed of Commitment in November 2002. During clashes between the SNF and the Gare clan in 2005, both parties allegedly used AV mines, notably around the town of Elwak. The SNF's Chairman has denied using AV mines, while Geneva Call has received conflicting testi-

119 [Landmine Assessment Mission to Benadir Region, Somalia, October 2005](#) (2005).

120 The RRA split into two, and then three, factions which have been fighting each other: forces loyal to Colonel Hassan Mohamed Nur ("Shatigudud", the former founding Chairman of the RRA); forces loyal to Sheik Aden Madobe (Shatigudud's former deputy); and forces loyal to Muhammad Ibrahim Habsade (another former deputy).

121 The two groups were RRA/SRRC (faction of Chairman Col. Hassan Mohamed Nur "Shatigudud") and RRA (faction of Chairman Sheikh Adan Madobe).

122 [Armed Non-State Actors and Landmines, Volume I](#), p. 55.

123 The factions are believed to have mined the Wajid-Baidoa and Tiyeqlow-Baidoa roads, as well as the Kuluujarer and Bonkai areas. Habsade has admitted AV mine use to Geneva Call. *Ibid.* p. 55

124 Kismayo, the regional capital and JVA headquarters, has experienced the most volatile fighting between the JVA and General Morgan's forces. General "Morgan's" forces have repeatedly used mines in past conflicts with the JVA. However, no substantiated evidence has been found of landmine use by the JVA during the reporting period of Volume I, including during the clashes in September 2004. *Ibid.* p. 56.

mony from SNF members.¹²⁵ AV mines are not banned under the Deed of Commitment as long as they are not victim-activated. Several of the signatory factions have, on request by Geneva Call, nominated a focal point for mine action.

Sudan: the SPLM/A and other NSAs

Deed of Commitment Mine Ban by the SPLM/A¹²⁶

As early as 1996, the SPLM/A had committed to demining efforts in the areas under its control and to a unilateral moratorium on the use of landmines. It commissioned Operation Save Innocent Lives (OSIL) “to demine the liberated areas of New Sudan and to help put an end to this scourge.” It also appealed to the international community to provide OSIL with resources to perform this task.¹²⁷ On 4 October 2001, the SPLM/A confirmed this policy and decided to totally renounce the use of AP mines by signing the Deed of Commitment. It said that this commitment was also made to bring pressure on the government to ratify the Mine Ban Treaty (which it finally did in October 2003). In addition to the Mine Ban Treaty and the Deed of Commitment, mine ban provisions were included in cease-fire agreements.

With the signing of the Comprehensive Peace Agreement on 9 January 2005 (which also includes stipulations on mines), the Government of South Sudan is also bound by the Mine Ban Treaty.¹²⁸ The Government of National Unity and semi-autonomous Government of South Sudan were formed in August 2005.

Since 2000, the SPLM/A has participated in and supported a number of mine ban education workshops in South Sudan.¹²⁹ In October 2003, together with Geneva Call, the SPLM/A leadership organized a workshop to explain to its constituency the importance of banning AP mines and to disseminate the Deed of Commitment obligations. It has also advocated for increased mine action through participation in local and international meetings,¹³⁰ for example, at the Nairobi Summit on a Mine-Free World, Kenya, in November-December 2004 (through a joint SPLM/A-government delegation) and during the 2002 and 2005 Geneva intersessional meetings.¹³¹

Mine Action Policy and Coordination

In September 2002, the SPLM/A, with Geneva Call facilitation, concluded a tripartite Memorandum of Understanding with the government and the UN for mine action support to Sudan. A national mine action coordination office was established in Khartoum in late 2002 and a counterpart in the south in early 2003. Joint clearance operations started in the Nuba Mountains,

¹²⁵ Ibid. p. 55.

¹²⁶ The SPLM/A sections are largely based on a text prepared by Peter Mozynski, former Landmine Monitor Researcher for South Sudan, for Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group, Zagreb, 27 November 2005 (Geneva: Geneva Call and the International Campaign to Ban Landmines Non-State Actor Working Group, 2006). pp. 29-39. Available: <http://www.genevacall.org/resources/testi-publications/gc-sep06-art7.pdf>

¹²⁷ “Resolution on the Problem Posed by Proliferation of Anti-personnel Mines in Liberated Parts of New Sudan”, 1 November, 1996, in Mine Ban Education Workshop in Southern Sudan: Report of Proceedings and Recommendations, (Geneva: Geneva Call, 2004). Annex B, p. 64.

¹²⁸ [South] Sudan’s Article 7 Report, 30 April 2005 (2005).

¹²⁹ The first mine ban workshops were organized in New Site, Kapoeta County in September 2003, and provided the basis for the organization of further workshops. In collaboration with Geneva Call and the Kenyan Coalition Against Landmines, the SPLM/A organized a first workshop in Rumbek on 27-29 July 2005. A second workshop was expected to take place immediately thereafter (in the Equatorial region), but was cancelled due to the death of Dr John Garang.

¹³⁰ [South] Sudan’s Article 7 Report, 30 April 2005.

¹³¹ Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group, Zagreb, 27 November 2005. pp. 29-39.

where a local cease-fire was achieved in 2002.¹³² In May 2004, the SPLM/A formed the New Sudan Authority on Landmines and the New Sudan Mine Action Directorate to coordinate mine action and monitor compliance with its mine ban policy.¹³³ In August 2004 the SPLM/A and the government agreed, with UN support, on a common mine action strategy for all of Sudan.¹³⁴ In March 2006, a National Mine Action Authority was established, consisting of a National Mine Action Committee (with representatives of the Government of National Unity and the Government of Southern Sudan), General Secretariat, National Mine Action Center (NMAC, based in Khartoum), and a Regional Mine Action Center in Southern Sudan (based in Juba).¹³⁵ The South Sudan Regional Mine Action Center has the same responsibilities (coordination, implementation, prioritization, etc.) as the NMAC, but must report to the latter.¹³⁶

There is a great variety of international and national NGOs working in Sudan (mainly in the south) in addition to the UN agencies. On an international level, these include: FSD; MAG; NPA; DanChurchAid, DDG; HALO Trust; and Landmine Action UK, and on a national level, include: OSIL; the Sudanese Association for Combating Landmines (JASMAR); Friends of Peace and Development Organization; Sudan Integrated Mine Action Service (SIMAS); and the Sudanese Landmine Response/Sudanese Landmine Information and Response Initiative (SLR/SLIRI). Commercial entities have also been involved; e.g. RONCO and MECHEM, a division of DENEL (Pty) Ltd. According to the Landmine Monitor Report, the strategy framework for mine action requires that international NGOs operate in partnership with local NGOs.¹³⁷ Current mine action is operated within the parameters of the International Mine Action Standards (IMAS) and United Nations Mine Action Office (UNMAO) has been tasked with ensuring that all mine action activities are conducted according to these standards.¹³⁸

Commitment to Non Use of Mine Use of SLA/M and JEM

The Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) committed not to use mines through the April 2004 cease-fire with the governments.¹³⁹

Taiwan

Peacetime Moratorium on Mine Use by Taiwan

In May 2006, Taiwanese authorities passed a bill restricting the use of landmines (AP but not AV) by its Ministry of Defense to wartime deployment.¹⁴⁰ According to the Landmine Monitor Report 2005, Taiwan has repeatedly expressed support for a ban on AP mines since 1999. Neverthe-

¹³² According to Article III of the agreement, the cease-fire entails, among others, the cessation of the laying of mines (of whatever type). Article VII foresees the establishment of a Joint Military Commission, among the functions of which is the "[s]upervising the mapping and clearance of mines". The Nuba Mountains Cease-Fire Agreement, Available: http://www.gurtong.com/downloads/Cease_Fire_Agreement.html Accessed 13 July 2006.

¹³³ Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group, Zagreb, 27 November 2005. pp. 29-39.

¹³⁴ The regional UN mine action office in the south is supported by the United Nations Mine Action Service (UNMAS), United Nations International Children's Emergency Fund (UNICEF) and the UNDP. Other UN agencies involved are the World Food Program (WFP) (in partnership with the FSD) and the United Nations High Commissioner for Refugees (UNHCR, in partnership with two implementing partners, MAG and NPA). Landmine Monitor Report 2005. p. 533.

¹³⁵ "Sudan Opens National Mine Action Authority," Media Note, Office of the Spokesman, Washington, DC March 15 2006.

¹³⁶ Landmine Monitor Report 2006. p. 659.

¹³⁷ Landmine Monitor Report 2005. p. 535.

¹³⁸ Landmine Monitor Report 2006. pp. 659-660.

¹³⁹ Landmine Monitor Report 2005. p. 527.

¹⁴⁰ Shih Hsiu-Chuan, "Statute Approves Removal of Kinmen, Matsu Mines," Taipei Times 27 May 2006. The bill was thereafter promulgated by a Presidential Order. Landmine Monitor Report 2006. p. 1190.

less, the military has continued to insist that some minefields are necessary for self-defense.¹⁴¹ This said, some clearance has been undertaken (see section 2.4 “Mine Clearance and Related Activities”).

Turkey: Kongra-Gel/HPG

Deed of Commitment Mine Ban by the Kongra-Gel/HPG

In a letter to Geneva Call in late 2005, the People’s Defense Forces (HPG), the armed wing of the Kongra-Gel, also known as the Kurdistan Workers Party (PKK), stated that it had banned AP mines internally and expressed its willingness to collaborate with Geneva Call.¹⁴² In June 2006, the HPG signed the Deed of Commitment. This signature was followed by a signature by the political wing in July 2006. Geneva Call has been engaged in dialogue with the Kongra-Gel on the AP mine issue since 2000.

The HPG has admitted to sporadic AP mine use up to 1999. It states that it now uses solely command-detonated AV mines, and strictly denies any use of explosives that could be activated by a victim or a vehicle.¹⁴³ The Turkish media has periodically reported on landmine incidents (sometimes allegedly caused by AP mines). Nevertheless, no substantiated allegations have been found of that the HPG is using AP mines.¹⁴⁴

Mine Action Policy and Coordination

All mine action conducted by the HPG is “spontaneous”. The HPG has affirmed that it has conducted both humanitarian and military demining as well as some *ad hoc* victim assistance and MRE.¹⁴⁵ It is not clear whether there is a body coordinating the mine action. Mine clearance and some information provision activities are the responsibility of HAW-PAR, a voluntary demining group authorized to carry out humanitarian mine action on behalf of the movement. HAW-PAR has existed since 2002 and has a program and a statute. The organization has legal status in the Mousul Governate in Iraqi Kurdistan, but not in Erbil or Sulaymaniyah.¹⁴⁶

The HPG and HAW-PAR have some manpower to conduct demining and other mine action, although not at international standards for humanitarian mine action (e.g. training and management).¹⁴⁷ No information has been found as to female participation in mine action. The HPG has a significant number of female combatants; hence it is possible that there is female participation in mine action. HAW-PAR has no contacts with international or other mine action organizations, but has indicated that it would be willing to cooperate with such organizations.¹⁴⁸

141 [Landmine Monitor Report 2005](#). p. 984.

142 In the “regulation rules to be respected in the war” of March 2005 (i.e. internal code of conduct) the HPG took a formal decision on that “antipersonnel mines will not be used”. Annex of [Letter from HPG, received October 2005](#) (2005).

143 *Ibid.* This was reiterated during a [Geneva Call mission to Iraqi Kurdistan, 6-18 August 2002](#).

144 For more information on landmine use by the Kongra-Gel/HPG, see [Armed Non-State Actors and Landmines. Volume I](#). pp. 124-125. See also [Landmine Monitor Report 2006](#). p. 735.

145 [Letter from HPG, received October 2005](#).

146 [Meeting with HAW-PAR representatives, June 2006](#) (2006).

147 *Ibid.*

148 *Ibid.*

Western Sahara: Polisario Front

Deed of Commitment Mine Ban by the Polisario Front

On 3 November 2005, the Polisario Front signed the Deed of Commitment. This followed a Geneva Call mission to Western Sahara in June 2005. During that mission, Mr. Mohamed Abdelaziz, the Polisario Front's Secretary-General and the President of the Saharawi Arab Democratic Republic (as recognized by the African Union and over 70 states) informed Geneva Call that the authorities were willing to commit to a total mine ban and to destroy stockpiles of AP mines. As noted by the Landmine Monitor Report 2005, the Polisario Front has on several previous occasions stated that the Saharawi Arab Democratic Republic would accede to the Mine Ban Treaty if eligible to do so. However, the Landmine Monitor Report highlights that, at the same time, Polisario representatives had reserved the possibility that the group may have a need for AP mines in the future.¹⁴⁹ It has been argued that such statements did not reflect official policy.¹⁵⁰

Mine Action Policy and Coordination

Until recently, there were no formal mine action activities in either of the two parts of Western Sahara.¹⁵¹ More formalized mine action programs are now starting up in the Polisario-controlled part (see section 2.4 "Mine Clearance and Related Activities"). In addition, in early 1999, the Polisario Front signed a bilateral military agreement with the United Nations Mission for the Referendum in Western Sahara (MINURSO) - as did Morocco - which stipulates cooperation in "the exchange of mine-related information, marking of mined areas, and the clearance and destruction of mines and UXO in the presence of MINURSO observers."¹⁵² MINURSO, in its turn, is supported by United Nations Mine Action Service (UNMAS) as relates to technical advice on the mine/UXO issue.

After signing the Deed of Commitment, the Polisario Front established a coordination body headed by engineer Dah Bendir. This team is in charge of all mine-related issues. It has been argued that the Polisario Front has military engineers with sufficient experience in demining, but until recently, lacked information on IMAS and technical expertise in destroying UXO. In early 2006, the deputy of the Polisario Front Mine Action Team received training in IMAS, provided by the Swedish EOD and Demining Centre (SWEDEC) and facilitated by Geneva Call and Saharawi Campaign to Ban Landmines (SCBL).

¹⁴⁹ Landmine Monitor Report 2005. p. 986.

¹⁵⁰ Interview with Boybat Cheik Abdelhay, SCBL, 27 February camp, Algeria, 1 March 2006 (2006).

¹⁵¹ One part of the territory of Western Sahara is under the control of the Polisario Front, while the other is controlled by Morocco.

¹⁵² Landmine Monitor Report 2005. p. 987.

2.2.3 Mine Action Policy of No Ban or No Limitation Groups

Georgia: Abkhazia

Mine Action Policy and Framework for Mine Action

Despite its involvement in mine action, Abkhaz officials have stated (e.g. in May 2005) that Abkhazia was not currently in a position to ban AP mines.¹⁵³ According to Abkhazia's Minister of Foreign Affairs, Abkhazia would consider joining a ban on AP mines only if there were a peaceful settlement of the conflict with Georgia.¹⁵⁴ Nevertheless, in September 2003, Georgia and Abkhazia announced an agreement to clear mines from the Kodori Gorge.¹⁵⁵

During the active phases of the Abkhaz conflict, both parties were accused of deploying landmines. Abkhazian authorities acknowledged for the first time that Abkhazian soldiers were using landmines in the Kodori Valley in October 2001 and in mid-2002.¹⁵⁶ However, Abkhazia has denied more recent landmine use (e.g. in 2003, 2004 and 2005).¹⁵⁷

Mine Action Policy and Coordination

In January 1999, HALO Trust established the Abkhaz Mine Action Centre (AMAC), together with the local authorities.¹⁵⁸ AMAC coordinates mine action activities, including mine clearance, survey, marking, and MRE.¹⁵⁹ HALO Trust manages AMAC, with international funding,¹⁶⁰ and the demining standards used are IMAS.¹⁶¹ No female participants have been recorded in the mine action operations in Abkhazia.¹⁶²

Lebanon: Hezbollah

Mine Action Policy and Framework for Mine Action

Although Hezbollah has not officially banned landmines, it has stated that it never has, and never will, use AP landmines.¹⁶³ However, the Landmine Monitor Report has reported that Hezbollah, as well as Israel, was likely to have used AP mines "in occupied South Lebanon in 1999 and prior to the May 2000 Israeli withdrawal."¹⁶⁴ Hezbollah is known to have used AV mines against Israeli tanks prior to the Israeli withdrawal in 2000. Since then, it has stated that it has not used factory-made AV mines. However, it does occasionally employ command-detonated improvised mines (so-called "roadside bombs") against Israeli army vehicles.¹⁶⁵

153 Ibid. p. 933.

154 *Landmine Monitor Report 2004*, (United States of America: Human Rights Watch, 2004). p. 1180.

155 Ibid. p. 970.

156 Ibid. p. 1180.

157 *Interview with Narine Berikashvili, Landmine Monitor Researcher for Georgia, Geneva, June 2005* (2005).

158 *Georgia/Abkhazia: ICRC community-based mine/unexploded ordnance awareness programme 2003*, ICRC, Available: <http://www.icrc.org/web/eng/siteeng0.nsf/iwpList292/48FC71103959C956C1256CB80047BE95>, Accessed 17 July 2006.

159 *Landmine Monitor Report 2004*. p. 1181.

160 *Landmine Monitor Report 2005*. p. 934.

161 *Interview with Narine Berikashvili, Geneva, May 2006* (2006).

162 Ibid.

163 *Email from international mine agency (1), received May 2006* (2006). and *Interview on Lebanon (1), May 2006* (2006).

164 *Landmine Monitor Report 2005*. p. 800.

165 *Email from international mine agency (1), received May 2006*. For further information on Hezbollah's use of command-detonated mines, see *Armed Non-State Actors and Landmines. Volume I*. pp. 142-143.

Mine Action Policy and Coordination

Hezbollah's involvement in mine action takes place within the framework of the national Lebanese mine action programs. Despite some efforts at military demining (see section 2.4 "Mine Clearance and Related Activities"), Hezbollah's main involvement in mine action has been in MRE and victim assistance (see sections 2.5 and 2.6) through NGOs linked to the organization: the Islamic Health Council (also Society) and the Welfare Association for the Care of the Injured and Disabled of the War. There are female activists involved in MRE and victim assistance actions, but not in demining.¹⁶⁶

Azerbaijan: Nagorno-Karabakh¹⁶⁷

Mine Action Policy and Framework for Mine Action

There have been no indications of new use or acquisition of landmines during recent years by Nagorno-Karabakh authorities¹⁶⁸ and Nagorno-Karabakh political and military leaders have stated their support for an eventual ban on AP mines. Nevertheless, according to the Landmine Monitor, Nagorno-Karabakh would not join the Mine Ban Treaty even if it were eligible to do so, unless a resolution to the conflict with Azerbaijan is found¹⁶⁹ and all states in the region supported a ban on AP mines.¹⁷⁰

Mine Action Policy and Coordination

The Nagorno-Karabakh authorities established a Mine Action Coordination Committee in 1993 to deal with the landmine issue.¹⁷¹ The committee has no formal membership, but includes most of the relevant actors, notably, concerned government ministries, HALO Trust, the ICRC, and the Nagorno-Karabakh Committee of the ICBL.¹⁷² The aspects of mine action dealt with include mine clearance, minefield marking and mapping, MRE and provision of basic medical aid courses.¹⁷³ The level of manpower available to the authorities is unknown. A mine action center was set up by HALO Trust in 2000, which collects and disseminates information and allows for information sharing between NGOs and other organizations operating in the region. According to the Landmine Monitor Report, the center is run by HALO Trust personnel but works closely with other NGOs, the *de facto* government ministries (mainly agriculture and development), national organizations, and farmers and landowners.¹⁷⁴ HALO Trust has been increasing its staff and operations in Nagorno-Karabakh, with a small exception in 2003.¹⁷⁵

¹⁶⁶ Interview on Lebanon (1), May 2006.

¹⁶⁷ Due to the scarcity of the information available, the mine action sections on Nagorno-Karabakh are almost exclusively based on different Landmine Monitor reports.

¹⁶⁸ According to the Landmine Monitor Report 2001, Nagorno-Karabakh has never produced or exported mines, and has not purchased new mines since 1995. *Landmine Monitor Report 2001*, (United States of America: Human Rights Watch, 2001). p. 973.

¹⁶⁹ In 2002, the Nagorno-Karabakh Minister of Foreign Affairs Naira Melkounian said that Nagorno-Karabakh would be able to join a mine ban "only after the establishment of a peace treaty with Azerbaijan." As quoted in *Landmine Monitor Report 2005*. p. 965.

¹⁷⁰ *Landmine Monitor Report 2006*. p. 1159.

¹⁷¹ *Landmine Monitor Report 2005*. p. 965.

¹⁷² *Landmine Monitor Report 2004*. p. 1221.

¹⁷³ *Landmine Monitor Report 2001*. p. 973.

¹⁷⁴ *Landmine Monitor Report 2006*. p. 1160.

¹⁷⁵ *Landmine Monitor Report 2002*. and *Landmine Monitor Report 2003*. p. 965.

Sri Lanka: LTTE

Mine Action Policy and Framework for Mine Action

The LTTE has not committed to a total ban on AP mines, but has demonstrated a certain willingness to engage in discussions on the issue with Geneva Call and other organizations. However, the LTTE has conditioned any commitment on its part on the achievement of significant progress towards peace. The Sri Lankan government has stated that it would take a positive view of a ban on AP mines, provided that the LTTE takes a similar step.¹⁷⁶ In 2005, the LTTE said that it fully recognizes the importance of removing all mines and that new mines are not placed,¹⁷⁷ but has not formalized this statement. The Tamils Rehabilitation Organization (TRO), appointed by the LTTE to implement mine action and other relief and rehabilitation work, has cooperated with humanitarian actors to advocate the renunciation of mines by both the government and the LTTE.¹⁷⁸

Although there have been no confirmed reports of new use of mines by either government or LTTE forces since December 2001,¹⁷⁹ tensions in Sri Lanka have been increasing significantly and various mine incidents (notably Claymore) have taken place during late 2005 and the first half of 2006.¹⁸⁰ There have also been unconfirmed allegations of new AP mine use by the LTTE as of mid 2006.¹⁸¹

Mine Action Policy and Coordination

On a national level, the National Steering Committee for Mine Action in Colombo is responsible for the oversight and coordination of mine action policy. Collaboration by both sides to the conflict has been further facilitated by the fact that MAG, DDG and FSD are working on both sides of the line of control.¹⁸²

The LTTE has appointed the TRO to oversee all mine action activities in LTTE controlled-areas in the North and East of Sri Lanka. Mine clearance operations have been undertaken by the Humanitarian Demining Unit (HDU) which is a sub-organization of the TRO. In the LTTE-controlled areas, there is a Regional Mine Action Office in Killinochchi. The Regional Mine Action Office is tasked with coordinating and supporting mine action activities in these areas, as well as prioritizing areas for demining and allocating cleared land (in consultation with other key national and international actors). With the current escalated tensions, this office has been closed. The priority for mine clearance is to support the return of Internally Displaced Persons (IDPs).¹⁸³ The LTTE-linked organization White Pigeon implements MRE, sometimes with the support of MAG,¹⁸⁴ and victim assistance.

176 A representative from the Sri Lankan Ministry of Foreign Affairs indicated that the government would seriously consider acceding to the treaty if the LTTE renounced mine use. *Meeting with Sumedha Ekanayake, Sri Lankan Ministry of Foreign Affairs, Sri Lanka, October 2005* (2005). For similar statements by the Sri Lankan government, see *Landmine Monitor Report 2004*, p. 1116.

177 This was restated to Geneva Call last October in a *Meeting with the LTTE Peace Secretariat, Sri Lanka, October 2005* (2005).

178 TRO has participated in workshops that advocate for a mine ban and increased mine action efforts in Sri Lanka. See for example *Report of the Workshop Advancing Mine Action in Sri Lanka: Mobilising the European Tamil Diaspora, Paris, 23 July 2005* (Geneva Call and the Centre for Just Peace and Democracy, 2005).

179 *Landmine Monitor Report 2004*, p. 1117.

180 On 15 June 2006 a mine blew up a bus in Kebitigollawe, a city in the north of the country, and caused a large number of civilians deaths and injuries, see "Sri Lanka: ICRC deeply concerned about increasing mine casualties," *ICRC Press Release 06/62* 2006.

181 See for example *Landmine Monitor Report 2006*, p. 1078.

182 For example, when the army base at Kallady in Batticaloa was destroyed, MAG negotiated an agreement so that the military, the TRO and MAG could work together to clear mines from the area. *Sri Lanka: Uniting Forces (February 2005): MAG Unites Sri Lankan Forces after Tsunami*, 2005, MAG, Available: <http://www.mag.org.uk/news.php?s=2&p=1070> Accessed 13 February 2006.

183 *Landmine Monitor Report 2004*, p. 1121.

184 *Landmine Monitor Report 2006*, p. 1086.

The fact that the LTTE is considered a banned “terrorist” organization by some states appears to have led various governments to offer their financial help only through other humanitarian actors. In addition, the lack of progress towards peace and the new clashes that broke out in 2006 have led many donors to reduce, if not cut, their funding of mine action in the country. In at least one case, the TRO covered expenses of a joint TRO-international NGO demining program in order to prevent suspension of activities when the original funding was no longer available.¹⁸⁵

According to the HDU, over 850 deminers in total are employed.¹⁸⁶ Notable among these is a female NPA/HDU team of 25 deminers. Female deminers, both in the army and the LTTE, have reportedly made an important contribution, a factor that is facilitated by the organizational cultures of these groups, which are relatively inclusive of women.¹⁸⁷ Internal standards for demining were limited prior to 2002, and this resulted in many accidents and casualties (especially during the period from the late 1990s to 2002).¹⁸⁸ NPA introduced the HDU to IMAS in 2002 and assisted in developing a new methodology. In 2004, UNDP created national standards from IMAS, which have been used since.¹⁸⁹ Quality inspections are undertaken by UNDP.¹⁹⁰ As a result, clearance activities have been brought into line with IMAS and have expanded greatly.

2.2.4 Advocacy for a Ban on Anti-Personnel Mines

Burma/Myanmar: ARNO and CNF

Advocacy by ARNO and CNF

The ARNO has stated that it has made efforts to encourage other rebel groups to sign the Deed of Commitment.¹⁹¹ The CNF has likewise stated that it has undertaken some advocacy among other NSAs active in its region in addition to facilitating contact between Geneva Call and the leadership of other groups.¹⁹²

India: NSCN-IM

Advocacy by the NSCN-IM

Northeast India is a region that is significantly affected by conflict and NSA activity. The NSCN-IM has contacts with many of the NSAs in the area and therefore felt the need to promote the Deed of Commitment to other groups operating in this region.¹⁹³ In accordance with the commitment undertaken by the NSCN-IM, in March 2005, a first mine ban workshop was organized in Nagaland by the Indian Campaign to Ban Landmines, Geneva Call and the NSCN-IM.¹⁹⁴ In mid-

¹⁸⁵ [Meeting with FSD representative, Sri Lanka, October 2005](#) (2005).

¹⁸⁶ [Meeting with Mr. Jena, Director HDU, Sri Lanka, October 2005](#) (2005). and [Landmine Monitor Report 2004](#), p. 1122.

¹⁸⁷ [Interview on Sri Lanka, Geneva, May 2006](#) (2006).

¹⁸⁸ [Email from international mine action agency in Sri Lanka, received February 2006](#) (2006).

¹⁸⁹ *Ibid.*

¹⁹⁰ [Interview on Sri Lanka, December 2005](#) (2005).

¹⁹¹ [Email from ARNO representative, received May 2006](#).

¹⁹² [Meeting with CNF representative, September 2006](#) (2006).

¹⁹³ The problem for the NSCN-IM of landmine use by other NSAs was highlighted in a [Meeting with NSCN-IM representative, March 2006](#) (2006).

¹⁹⁴ In addition, the workshop also targeted the residents of Nagaland. [Interview with Dr. Balkrishna Kurvey, Indian CBL and Landmine Monitor Researcher, 1 December 2005, Zagreb](#).

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February 2006, a second mine ban workshop, which was attended by the NSCN-IM and representatives of the political wing of another NSA, was organized in Assam State.¹⁹⁵ In addition, the NSCN-IM has stated that it has advocated the need for a mine ban to other NSAs in the region. Five of these have shown an interest in discussing the issue and have expressed a willingness to move towards a total ban of AP mines.¹⁹⁶



Geneva Call 2005

NSCN-IM Army Brigadier Phunting Shamrang during a mine ban dissemination workshop in Nagaland in 2005

The Philippines: MILF

Advocacy by the MILF

On 25 June 2006, the Ban Landmines Campaign Nepal (NCBL) and Geneva Call organized a national Nepalese seminar entitled, “The Role of the Nepal Communist Party (Maoist) in the Mine Ban.” Von Al Haq, Chairman of the MILF’s Coordinating Committee for the Cessation of Hostilities, attended the workshop, alongside landmine victims, members of NGOs, representatives from the government and the Maoists. Having worked extensively with Geneva Call, Mr. Al Haq was happy to share his perspectives on the importance of universalizing the mine ban in Nepal, and to reflect on the benefits for confidence-building that this measure has brought to relations between the MILF and the Government of the Republic of the Philippines.

Somalia: USC/SNA/SRRC

Advocacy by the USC/SNA/SRRC

The Chairman of USC/SNA/SRRC, Hussein Mohammed Farah Aideed has urged other groups to either sign the Deed of Commitment,¹⁹⁷ or comply with the terms contained within it. Hussein Mohammed Farah Aideed has also advocated for international assistance for mine action activi-

¹⁹⁵ Interview with Dr. Balkrishna Kurvey, Indian CBL and Landmine Monitor Researcher, 11 May 2006 (2006).

¹⁹⁶ Meeting with NSCN-IM representative, March 2006. and Interview with Dr. Balkrishna Kurvey, Indian CBL and Landmine Monitor Researcher, 11 May 2006.

¹⁹⁷ Hussein Farah Aideed was instrumental in the JVA signing the Deed of Commitment. Interview with Pascal Bongard, Geneva Call Program Director, Geneva, July 2006 (2006).

ties by presenting the mine problem at several international mine action meetings, for example the International Standing Committee in May 2003, and again in June 2005.¹⁹⁸

Sudan: SPLM/A

Advocacy by the SPLM/A

The SPLM/A has advocated for a mine ban through participation in different meetings. For example, at the Nairobi Summit on a Mine-Free World, Kenya, in November and December 2004, a joint SPLM/A-government delegation participated in a meeting to lobby the Colombian government to work in mine action with an NSA. It has also participated in Geneva Call's efforts to lobby NSAs by sharing its experience, notably with Colombian, Angolan and other Sudanese NSAs.

¹⁹⁸ Both speeches are available on the website of the Geneva International Center for Humanitarian Demining (GICHD), www.gichd.org.

2.3 Stockpile Destruction

2.3.1 Summary NSA Stockpile Destruction

As mentioned previously, this report considers two types of actions within the framework of “stockpile destruction”: substantial stockpile destruction and limited or *ad hoc* destruction of AP mines, possibly in relation to mine clearance activities. According to the information gathered for this report, NSAs are rarely involved in stockpile destruction. When stockpile destruction does take place, it is often on an *ad hoc* basis. Sometimes the failure to destroy stocks appears to be related to the fact that the NSA has not agreed to a total ban on AP mines. Nevertheless, it should be remembered that in some cases the failure of the NSAs to destroy their stocks has also been due to circumstances beyond their control, for instance, the lack of funds or the non-cooperation of a concerned state.

2.3.2 NSA Involvement in Stockpile Destruction

Colombia: ELN

Ad hoc / Limited Stockpile Destruction by the ELN

It appears that the ELN has destroyed mines that it demined in a unilateral action (see 2.4 “Mine Clearance and Related Activities”). Villagers, local NGOs and representatives from the local church allegedly attended the destruction event. International standards were not applied and there was no technical verification of the destruction,¹⁹⁹ since it was not authorized by the government.

Challenges in Stockpile Destruction for ARNO

The ARNO acquired factory-made Burmese mines (MM-1 and MM-2) through demining. When signing the Deed of Commitment, it therefore had stockpiles of landmines in its possession, which it expressed a willingness to destroy. However, due to travel restrictions and the rapidly changing situation on the ground, these mines could not be disposed of. The bulk of these mines were allegedly seized by the Bangladeshi army in a series of operations against the ARNO.²⁰⁰ Newspaper articles have listed AP and AV mines recovered by the Bangladeshi security forces. It appears that most of the recovered mines caches belonged to the ARNO’s military wing, the Rohingya National Army (RNA).²⁰¹

¹⁹⁹ Email from CCCM, received May 2006.

²⁰⁰ Email from ARNO representative, received May 2006.

²⁰¹ Email concerning Burmese NSA mine action, received April 2006. See for example “Joint force recovers huge cache of arms, ammunition in Bandarban,” *United News of Bangladesh* 2 September 2005., “Bangladesh Forces “Clueless” about Arms Cache in Hill District,” *BBC* 4 September 2005. and “183 sophisticated arms recovered in Bangladesh in 2004,” *Xinhua* 11 May 2005.

Iraqi Kurdistan: KRG-Erbil and KRG-Sulaymaniyah

Ad hoc / Limited Stockpile Destruction by the KRG-Erbil and KRG- Sulaymaniyah

It is unclear whether the KRG-Erbil and KRG- Sulaymaniyah have had stockpiles of AP mines. What is clear is that international organizations such as MAG and NPA have destroyed significant numbers of AP mines that have been demined, as well as abandoned munitions and mines from stocks formerly belonging to Saddam Hussein.²⁰² These NGOs have conducted numerous demolitions of mines,²⁰³ including AV mines that are sometimes used in the demolitions.²⁰⁴

The Philippines: MILF

Ad hoc / Limited Stockpile Destruction by the MILF

In accordance with the Deed of Commitment, the MILF has reported that it has no more stockpiles since signing the agreement.²⁰⁵ The MILF has stated that it previously “used improvised 60MM and 81 MM mortar bombs which were all disarmed after the signing of the Deed of Commitment with Geneva Call.”²⁰⁶

Sri Lanka: LTTE

Ad hoc / Limited Stockpile Destruction by the LTTE

There has been no substantial stockpile destruction in Sri Lanka, and neither the government nor the LTTE appear to have shown their stocks to third parties.²⁰⁷ Nevertheless, according to mine action practitioners in Sri Lanka, in addition to cleared mines, some stocks have been destroyed. For example, in the early 2000s, the LTTE permitted certain stocks that were unstable and unsafe to be destroyed.²⁰⁸

Somalia: Somaliland

Substantial Stockpile Destruction by the Somaliland Authorities

Some stockpile destruction has been conducted by demining organizations operating in Somaliland, including the DDG²⁰⁹ and HALO Trust, which have periodically destroyed AP and AV mines provided to them by the Ministry of Defense from its stockpiles, by local police from mines

202 [Email from Tim Carstairs MAG, received 9 February 2006 \(2006\)](#). and [Interview on Iraqi Kurdistan, Geneva, May 2006](#).

203 For example, between January 1992 and 31 December 2002 MAG removed or destroyed 91,994 mines and 347,718 UXO. The respective figures for 1 January 2003 to 31 March 2006 were 43,566 mines and 982,057 UXO. [MAG Iraq Briefing Document April 2006 \(2006\)](#).

204 [Meeting with MAG representatives, Erbil, 20 June 2006](#).

205 [MILF Deed of Commitment Compliance Report, October 2004](#).

206 [Email from the MILF, received March 2006](#).

207 [Interview on Sri Lanka, December 2005](#).

208 [Interview on Sri Lanka, Geneva, May 2006](#).

209 [DDG Website](#), DDG, Available: www.danishdemininggroup.dk/50_default.htm, Accessed 17 July 2006.

confiscated from individuals or militias, and by villagers and other individuals.²¹⁰ For example, the former Chief of the National Army of Somaliland handed over 4,000 AP mines to DDG for destruction.²¹¹ According to DDG, Somaliland authorities have destroyed over at least 8,000 AP mines. HALO Trust has also destroyed mines “on site”.²¹² They have also destroyed some stockpiled AV mines, while ammunition has been destroyed on an *ad hoc* basis. DDG used general funds for these activities, as it lacks separate funds for stockpile destruction. International standards were applied and the event was witnessed by outsiders.²¹³ According to the Landmine Monitor Report, no substantial stockpile destruction has been reported in Somaliland since November 2002, and no timetable for further destructions has been made known.²¹⁴

Challenges in Stockpile Destruction for Various Somali NSAs²¹⁵

Several Somali factions have stated that they are prepared to destroy their stocks as part of their commitment under the Deed of Commitment. Even Habsade, leader of a non-signatory RRA faction, has indicated a willingness to destroy his stocks.²¹⁶ However, no stockpile destruction has taken place outside Somaliland due to lack of funding and the volatile security situation in Somalia. In Puntland, the PMAC is reported to have approximately 1800 AP and AV mines stockpiled in different military camps. A Geneva Call mission was given access to stockpiles kept in military camps near Garowe.²¹⁷ The Puntland authorities have also recently confirmed their willingness to destroy their stocks of landmines. Stockpile destruction activities are hence in the process of being developed by PMAC, Geneva Call, DDG and UNDP. Destruction of removed mines by local NGOs has also been reported.²¹⁸

In October 2005, the Chairman of the USC/SNA/SRRC, Hussein Farah Aideed, stated that the faction possessed over 3,500 landmines, which it disclosed to Geneva Call. In 2004, the SNF informed Geneva Call that it held 200 AV mines scattered in different places, ready for destruction.²¹⁹ A Geneva Call mission to Gedo in April 2005, however, found greater numbers.²²⁰ The RRA factions possessed unknown numbers of stockpiles, which they have committed to destroy. Habsade has declared holding stockpiles (estimated at 1,500 mines, both AV and AP) and has stated his willingness to destroy them if assisted. The JVA is said to possess several hundred mines.²²¹ Geneva Call had the opportunity to inspect three warehouses where the JVA holds its stockpiles.²²² In addition, the SNF-linked NGO, Juba Land Aid Development Agency (JUDA) has reportedly collected and stored mines in SNF-controlled territory, which are awaiting destruction.²²³ Data concerning the stockpiles of the Somali factions are currently in the process of being updated (through field missions) as a consequence of the rise in power and the weapons seizures (including landmines) by the Union of Islamic Courts (UIC). The UIC has informed Ge-

210 [Landmine Monitor Report 2005](#). p. 977.

211 [Email from international mine action agency concerning Somalia, received 21 July 2006](#).

212 [Interview on Somaliland, May 2006](#).

213 *Ibid.*

214 [Landmine Monitor Report 2004](#). p. 1228. In 2005 and 2006, according to the Landmine Monitor Report 2006, DDG reported that it destroyed a limited number of AP (27) and AV (4) mines from “formal storage” (army/police/militia/community stores). [Landmine Monitor Report 2006](#). p. 1176.

215 This box is largely based on the section “Stockpiles of Landmines under the Control of NSAs: the Case of Somalia” of [Armed Non-State Actors and Landmines. Volume I.](#), pp. 57-58.

216 *Ibid.*, p. 57.

217 [Report of the Geneva Call Follow-up Mission to Puntland, Hiran and Bakol Regions: Landmines in Somalia, September 2004](#) (Geneva Call, 2004), p. 13. and [Email from Maj. Rtd Mohamed Noor Ali, Geneva Call Consultant, received September 2006](#) (2006).

218 [Report of the Geneva Call Follow-up Mission to Puntland, Hiran and Bakol Regions: Landmines in Somalia, September 2004](#), p. 13.

219 [Armed Non-State Actors and Landmines. Volume I.](#) p. 55.

220 It is often difficult to determine the ownership of stocks and the linkages between individuals and groups. The Geneva Call mission to Gedo revealed that an individual closely linked to the SNF had three weapons holes, containing some 2,000 AP and AV mines, under his command. In addition, a militia close to the SNF is reported to possess approximately 100 mines. *Ibid.* p. 57.

221 *Ibid.* p. 55.

222 [Landmine Assessment Mission to Benadir Region, Somalia, October 2005](#).

223 [Meeting with JUDA, Nairobi, 2 February 2005](#) (2005).

Geneva Call that the mines it captured from one of the signatory factions (USC/SNA/SRRC) will be handed over for destruction when the preparations for disposal are ready.²²⁴

Sudan: SPLM/A

Ad hoc / Limited Stockpile Destruction by the SPLM/A

According to South Sudan's Article 7 Report, the SPLM/A possesses some 5,000 mines stockpiled in various parts of South Sudan.²²⁵ Although it has not yet conducted a major stockpile destruction, the SPLM/A has, with the assistance of the UN, destroyed a small stock of AP mines (832 so far).²²⁶ According to South Sudan's Article 7 Report, the FSD has transferred some landmines to safe storage and later destroyed mines in SPLM/A areas of control (accounting for some 112 mines in total). Mines were also destroyed "on site" as part of ongoing clearance operations.²²⁷

Turkey: Kongra-Gel/HPG

Ad hoc / Limited Stockpile Destruction by the Kongra-Gel/HPG

HAW-PAR, the demining group authorized by the Kongra-Gel, has destroyed mines which have either been demined, or formed part of the abundant stocks of abandoned munitions found in the area where it operates (Iraqi Kurdistan). It sometimes conducts on-site destruction of mines, but seeks to avoid these, as the metal pieces make continuing demining work more difficult. HAW-PAR also conducts larger-scale demolitions, where it collects different explosive materials to be destroyed in holes. It has destroyed AP mines in this manner.²²⁸ In June 2006 HAW-PAR showed Geneva Call some piles of UXO and mines (including Iranian, Italian and Russian AP and AV mines) that had been cleared as of the beginning of 2006. According to HAW-PAR, these demined explosive devices were currently more UXO than mines, since the mines had been destroyed.²²⁹ The destruction of mines takes place mainly during winter.

Western Sahara: Polisario Front

Stockpile Destruction by the Polisario Front

Four months after signing the Deed of Commitment, the Polisario Front commenced destruction of its stockpile of mines. A first operation was organized by the Polisario mine action team in February 2006. It was witnessed by the MINURSO, UNMAS, representatives of foreign governments, members of the international press and NGOs such as SCBL, Geneva Call, Landmine

²²⁴ Data collection and inspection of stockpiles were undertaken recently in a [Geneva Call assessment mission in the Gedo region, 12-25 September, 2006](#) (2006).

²²⁵ Including Yei, Nimulie, Kapoeta, Labone, Ikotos, Kiyalla, Latukae, Jableen, Maguei, and Tambura/Boo. [\[South\] Sudan's Article 7 Report, 30 April 2005](#).

²²⁶ [Interview with Pascal Bongard, Geneva Call Program Director, Geneva, July 2006](#).

²²⁷ [\[South\] Sudan's Article 7 Report, 30 April 2005](#).

²²⁸ This was shown in a video to Geneva Call. [Interview with HAW-PAR deminer, Geneva, May 2006](#) (2006).

²²⁹ [Meeting with HAW-PAR representatives, June 2006](#).

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Action UK, local organizations and the general public. The Polisario mine action team destroyed 140 mines in a test destruction on 26 February 2006 before proceeding to destroy 3,176 mines (including 144 AV mines) in the stockpile destruction event on 27 February.²³⁰ The team had received expert input on preparations for the destruction from NPA (facilitated by Geneva Call),²³¹ UNMAS and Landmine Action UK. International experts were permitted to visit the destruction site before and after the demolition. An ambulance was present during the stockpile destruction, in accordance with international standards. Destruction of the remaining stocks is also anticipated, and a second destruction is foreseen for late 2006.



Geneva Call 2006

Members of the Polisario Front mine action team preparing for a stockpile destruction

²³⁰ Interview with Habouha abdellahi Sid'Ahmed, Polisario Front Mine Action Team, Tifariti, 27 February 2006 (2006). A list of the mines destroyed was provided by the Polisario Front after the event.

²³¹ Geneva Call mission to Western Sahara, 4-11 February 2006 (2006).

2.4 Mine Clearance and Related Activities

2.4.1 Summary NSA Mine Clearance

Many NSAs have participated in the clearance of landmines and Explosive Remnants of War (ERW), both substantially (often as part of comprehensive mine action programs) and on a spontaneous or *ad hoc* basis. Clearance-related activities include, but are not limited to mapping, marking, and contributing information for surveys, and/or clearance. More limited and less continuous clearance and related activities (for humanitarian purposes or reasons of self-security), have involved activities such as the clearing of camps on departure, clearance on request by the populations, and new policies to map mines employed. As highlighted in the first part of this report, even military mine action, notably demining, may still be capable of providing some humanitarian relief to the civilian population, for example by opening up roads or clearing areas close to communities. For this reason even limited, *ad hoc* mine action is included in this report.²³²

Substantial clearance efforts can be performed by the NSAs themselves, by actors organizationally linked to them or by independent organizations. When mine action has been conducted by other actors in areas under NSA control, it is sometimes unclear exactly what role NSAs have played in facilitating these efforts. Cases where the same NSA has been involved both in substantial and spontaneous mine action have been accounted for as “substantial”.

2.4.2 NSA Involvement in Mine Clearance

Georgia: Abkhazia

Substantial Mine Clearance and Related Activities by Abkhazia

The Abkhaz authorities have stated that their soldiers dig up and remove any mines they have laid once they move on.²³³ However, it is difficult for outside observers to confirm whether this is always the case. In addition to this spontaneous or *ad hoc* clearance, mine clearance in Abkhazia is executed on a substantial basis in cooperation with the international mine action NGO, HALO Trust. According to the Landmine Monitor Report, mine clearance has increased significantly since 2002 as a result of the use of new equipment, the enrolment of more deminers and improved clearance procedures.²³⁴ HALO Trust deploys manual and mechanical mine clearance teams, and survey and minefield marking teams.²³⁵

In relation to mapping and information exchange, there appear to have been some difficulties in the exchange of maps between the authorities of Abkhazia and Georgia. This issue was raised during negotiations between Abkhaz and Georgian authorities in early 2005 on the request of

²³² See Box 2 “Humanitarian vs. Military Mine Action”.

²³³ *Landmine Monitor Report 2003*, p. 732.

²³⁴ *Ibid.*, p. 733.

²³⁵ *Landmine Monitor Report 2005*, p. 934.

HALO Trust.²³⁶ Abkhazia has claimed to have no maps,²³⁷ while the Georgian authorities have handed over their maps of a specific region.²³⁸

EOD is spontaneous over the entire territory.²³⁹ In addition to HALO Trust, practical mine clearance assistance has been provided by a special engineering unit of the Russian Ministry of Defense since 1994. This unit has been conducting demining operations in Abkhazia as a part of the peacekeeping force.²⁴⁰ Other peacekeepers have also conducted mine/UXO clearance in their areas of responsibility (in Gal region). However, there does not appear to be any exchange of information between the different actors involved in mine clearance.²⁴¹

Burma/Myanmar: Various NSAs

Ad hoc Mine Clearance and Related Activities by the ARNO

According to the ARNO and one independent informant, ARNO and its military wing RNA conducted limited mine clearance in the border area between Bangladesh-Burma/Myanmar until 2001.²⁴² According to reports, mine clearance was initiated as part of military activities (assuring access for cross-border activities and safe movement of soldiers). Nevertheless, the mine clearance evolved to include humanitarian considerations. Communities living in the area reportedly requested the group to facilitate their movements for the collection of “forest resources for their livelihood”.²⁴³ According to an observer, “[t]he field commanders of RNA felt that demining the area was not only for their strategic purpose but also need of humanitarian cause for the inhabitants of the locality.”²⁴⁴

The group employed manual demining, sometimes using metal detectors.²⁴⁵ The ARNO did not at that time possess knowledge about international standards for demining and was using “traditional method in the absence of modern devices”. However, it is now aware of the existence of international standards.²⁴⁶ Quite a large quantity of mines was allegedly unearthed; the detonators were separated from the main body of the AP mines and then stored in arsenal deposits.²⁴⁷ The ARNO has reportedly made some *ad hoc* surveys to map the landmine problem.²⁴⁸ It has also cooperated with research on landmines, notably Landmine Monitor.²⁴⁹ There is contradictory information as to whether the group has contributed to marking mined areas.

236 Ibid. p. 935.

237 It has been suggested that Abkhazia may have maps that it does not share. [Interview with Narine Berikashvili, Geneva, May 2006.](#)

238 [Interview on Abkhazia, Geneva, May 2006](#) (2006).

239 [Interview with Narine Berikashvili, Geneva, May 2006.](#)

240 [Landmine Monitor Report 2004.](#) p. 1182.

241 As reported in the Landmine Monitor 2005, HALO Trust believes that peacekeeping troops have removed a considerable amount of explosive ordnance in upper Gal, possibly around 5,000 mines and UXO, in the “security and limited weapon zones” only. By July 2005, Russian engineers had also carried out survey and demining of the railway between Ochamchire and Zugdidi (in Georgia). [Landmine Monitor Report 2005.](#) p. 935.

242 [Email from ARNO representative, received May 2006.](#) and [Email concerning Burmese NSA mine action, received April 2006.](#)

243 [Email from ARNO representative, received May 2006.](#) and [Email concerning Burmese NSA mine action, received April 2006.](#)

244 [Email concerning Burmese NSA mine action, received April 2006.](#)

245 Ibid.

246 [Email from ARNO representative, received May 2006.](#)

247 [Email concerning Burmese NSA mine action, received April 2006.](#)

248 Ibid.

249 [Email from ARNO representative, received May 2006.](#)

Ad hoc Mine Clearance and/or Related Activities by Various Burmese NSAs

The ABSDF has not been involved in systematic clearing or mapping, partly due to the lack of training and equipment. Nevertheless, it has informed Geneva Call that it tries to prevent civilian casualties, for example, by informing its combatants about the impact of mines and to map the mines they lay.²⁵⁰ The CNF, who just recently renounced the use of landmines by signing the Deed of Commitment in July 2006, have formerly claimed to strictly follow the Geneva Conventions by seeking to minimize the indiscriminate effects of landmines, keeping records of their placement and removing the devices immediately at the end of clashes.²⁵¹ The Kachin Independence Organization/Army (KIO/KIA) has reportedly removed most of its mines after its operations in order to protect the population.²⁵²

The KNLA claims that it uses mines only for defensive purposes, that it informs villagers, and that it maintains two sets of records of the locations of the mines it has laid.²⁵³ The KNLA further states that it removes the mines when possible,²⁵⁴ and that clearing its own mines and those placed by other actors results in many mine victims among its soldiers.²⁵⁵ Sources have stated that the KNLA has removed mines laid by the government forces from villages, to allow people to return to their homes and fields. SSA-S contends that when it knows the location of mines, it either warns civilians or clears or destroys the mines. In terms of military demining, the SSA-S sometimes demines mines laid by the Burmese army in order to reuse them.²⁵⁶ The NMSP has also reported that it keeps records of where it has placed mines and that it sporadically clears mines.²⁵⁷

The armed wing of the KNPP, the KA, has stated that it uses mines for defense purposes and “only around front line camps.” These camps are mobile and when abandoned, the mines are removed. If the group has to leave a camp suddenly, it goes back for the mines at a later date. In addition to its own mines, the KNPP/KA claims that it also demines mines laid by the Burmese army, for example, in or around villages. The KNPP has met with international mine action organizations to discuss the possibility of training.²⁵⁸

Ad hoc Mine Clearance and Related Activities by the RSO/RA

Some members of the RA have reportedly taken mine action initiatives, although the group still uses mines to protect its bases and temporary camps from possible attacks. It has been argued that mine clearance was mainly triggered by military needs and that the Rohingya Solidarity Organization/Rohingya Army (RSO/RA) has cleared some areas manually for increased mobility by unearthing large quantities of mines. After clearance, mines are deactivated and stored.²⁵⁹ One informant has reported to Geneva Call that the RSO/RA has started to maintain maps of the areas it has mined. This step forward has been achieved after long and continuous consultation and discussion with the group and a humanitarian actor. It is not clear whether the RSO/RA removes the mines when it leaves a camp.²⁶⁰ The RSO/RA has reportedly made some *ad hoc* surveys to map the landmine problem.²⁶¹

250 [Meeting with ABSDF representatives, March 2006.](#)

251 [Meeting with CNF representative, May 2005 \(2005\).](#) and [Meeting with CNF representative, April 2005 \(2005\).](#) Also the Landmine Monitor Report has received information from a CNA battalion commander that the CNA removes its mines when it leaves an area. [Landmine Monitor Report 2006.](#) p. 859.

252 Although not a frequent mine user, the KIA has used some mines. [Meeting with locally based NGO, Thai-Burmese border, March 2006 \(2006\).](#)

253 [Meeting with KNU and KNLA representatives, March 2006.](#)

254 [Email from the KNU, received October 2005 \(2005\).](#)

255 [Meeting with KNU and KNLA representatives, March 2006.](#)

256 [Meeting with SSA-S representative, March 2006.](#)

257 [Meeting with NMSP representative, June-July 2006.](#)

258 [Meeting with KNPP representatives, March 2006.](#)

259 [Email concerning Burmese NSA mine action, received April 2006.](#)

260 [Interview on Burma, Geneva, June 2005 \(2005\).](#)

261 [Email concerning Burmese NSA mine action, received April 2006.](#)

Colombia: ELN and FARC

Ad hoc Mine Clearance and Related Activities by the ELN

There have been a few “spontaneous” mine action initiatives on behalf of the NSAs in Colombia, notably in Bolívar, Caquetá, Cauca and Nariño. Both the ELN and the Revolutionary Armed Forces of Colombia (FARC) maintain that they map mined areas, although there has been information indicating the contrary. Mined areas are sometimes marked, but no fencing has taken place. Some marking has been observed in the majority of the departments where the FARC and the ELN are active.²⁶²

One example of spontaneous mine clearance by the ELN took place in January 2005. The ELN unilaterally decided to clear an area that it had previously mined along a 15 kilometer section of the road connecting Micoahumado with La Plaza, La Caboa and Guásima villages in the south of Bolívar.²⁶³ The clearance was promoted by CCCM and Geneva Call, in conjunction with the Diocese of Magangue, Peace and Development Program for the Magdalena Medio (*Programa Desarrollo y Paz del Magdalena Medio*), Redepaz and the villagers of Micoahumado in Morales municipality, among others.²⁶⁴ The local community was especially important in this process.²⁶⁵ As reported by the Landmine Monitor Report, “some 20 small craters provided evidence of the clearance of mines.”²⁶⁶ Nevertheless, the impossibility of quality-checking the cleared areas has been a concern. On 7 July 2005, the European Parliament passed a resolution on a mine-free world, calling on the government of Colombia to facilitate the verification process and determining that the lack of such a process was “a violation of the humanitarian spirit” of the Mine Ban Treaty. However, no quality-control has taken place and eventually, as reported by the Landmine Monitor Report, “[l]ocal sources reported that people became tired of waiting for the verification and started using the road.”²⁶⁷

The ELN has also expressed a willingness to cooperate in mine action in Samaniego municipality (Nariño department), where an ongoing community process has triggered such a commitment. Geneva Call has been invited to accompany the process. Geneva Call was also informed that in June 2006, the ELN had removed mines to facilitate the construction of infrastructure in the same department.²⁶⁸

Ad hoc Mine Clearance and Related Activities by the FARC

The FARC are not believed to be familiar with international mine action standards. However, according to reports, the group has occasionally used mine detectors and mine dogs for demining, although this is not typically the case. The FARC’s clearance activities are always manual.²⁶⁹ According to observers, the FARC have cleared certain indigenous community areas in Jambaló, department of Cauca, on request by the population.²⁷⁰ It appears that the request in Jambaló principally concerned the removal of UXO. The UXO contamination was allegedly the result of

262 [Email from CCCM, received May 2006.](#)

263 “Colombia,” [Geneva Call Press Release](#) 12 December 2005.

264 [Statement made by Álvaro Jiménez Millán, coordinator of the CCCM, at the OAS-Colombia workshop on humanitarian mine clearance, held in Cartagena, 22-24 February 2005.](#) (2005).

265 Diana Roa Castro, case study on Colombia in [Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group, Zagreb, 27 November 2005.](#) pp. 15-29.

266 [Landmine Monitor Report 2005.](#) p. 271.

267 *Ibid.* p. 272.

268 [Geneva Call mission to Colombia, 14-24 August 2006](#) (2006).

269 [Email from CCCM, received May 2006.](#)

270 [Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group, Zagreb, 27 November 2005.](#) pp. 15-29.

a battle between the government and the FARC.²⁷¹ Other minor agreements on the removal of a limited number of mines have reportedly occurred between different communities and the FARC, for example in Cocorna, St Luis and Granada.²⁷² Reports also indicate that the FARC have demined in India (in the Magdalena Medio region) in circumstances similar to that of the ELN in Micoahumado, i.e. in response to community pressure.²⁷³ In addition, the FARC have reportedly cooperated in facilitating a development project in Policarpa by indicating where mines were placed.²⁷⁴

Iran: DPIK

Ad hoc Mine Clearance and Related Activities by the DPIK

A DPIK representative informed Geneva Call in 2001 that his movement had been collecting information on landmine casualties and minefields in Iranian Kurdistan. He also provided some reports containing such information.²⁷⁵ According to group representatives, such information collection is still going on.²⁷⁶ The DPIK has reported that it has conducted some limited “spontaneous” mine clearance on request of the population in Iranian Kurdistan. However, these activities are limited due to the limited capacities of the deminers and the dangers caused by the presence of the Iranian army.²⁷⁷

Iraqi Kurdistan: KRG-Erbil and KRG-Sulaymaniyah

Substantial Mine Clearance and Related Activities by KRG-Erbil, KRG-Sulaymaniyah and Other Actors

During the “Oil-for-Food” program led by UNOPS between 1997 and 2003, the UN funded the mine action programs in Iraqi Kurdistan, with operations being carried out by a number of local Kurdish demining NGOs.²⁷⁸ Since nationalization, the cost-effectiveness of the mine clearance programs has increased through the shift to a new insurance system, lower salaries and the use of government facilities.²⁷⁹ The UN system left a legacy of significant mine action capacity in Iraqi Kurdistan.²⁸⁰ When the UN withdrew, KRG-Erbil and KRG-Sulaymaniyah mine action centers chose different approaches to deal with the new reality. While Erbil assumed the UN’s coordination and operating role, Sulaymaniyah engaged contractors through a competitive process²⁸¹ in which local or international organizations are contracted for different demining tasks.²⁸² According to the Landmine Monitor Report, many local organizations that were demining in Iraqi Kurdistan in 2004, and which had been established during the UNOPS period, ceased activities from January through June 2005 as funding was no longer granted by the KRG or the United States government.²⁸³

271 [Interview with Mehmet Balci, Program Director, Geneva Call, Medellín, April 2006](#) [2006].

272 [Interview \(2\), Colombia, April 2006](#) [2006].

273 [Interview with Mehmet Balci, Program Director, Geneva Call, Medellín, April 2006](#).

274 [Geneva Call mission to Colombia, 14-24 August 2006](#).

275 [Meeting with DPIK representative, July 2001](#) [2001].

276 [Meeting with the Deputy Secretary General of the DPIK, June 2006](#).

277 *Ibid.*

278 [Landmine Monitor Report 2005](#). p. 746.

279 [Meeting with Siraj Barzani, IKMAC, Erbil, 20 June 2006](#).

280 [Meeting with UNDP representative, Erbil, 20 June 2006](#).

281 [Meeting with Siraj Barzani, IKMAC, Erbil, 20 June 2006](#).

282 [Meeting Mine Action Authorities, Sulaymaniyah, 22 June 2006](#) [2006]. and [Meeting with UNDP representative, Erbil, 20 June 2006](#).

283 [Landmine Monitor Report 2005](#). pp. 740-741.

When mine action started up in Iraqi Kurdistan in 1991, “village demining” and local initiatives with limited capacity as to funding and technology (notably the NGO Solidarity) were commonplace. This was driven by the enormous need for mine action, with over 2,000 new victims in one year.²⁸⁴ The Peshmerga forces of the KRG-Erbil and KRG-Sulaymaniyah also demined, despite their lack of equipment.²⁸⁵ International involvement in demining Kurdistan started with MAG in 1991 and NPA in 1994. NPA became involved in Iraqi Kurdistan in response to a KRG-Sulaymaniyah request. Both international and national organizations encountered difficulties at the beginning, especially due to the lack of equipment. The KRG-Sulaymaniyah facilitated the provision of money and logistics (e.g. transport of explosives) to help resolve these problems.²⁸⁶ The KRG-Sulaymaniyah has also explained that it has been involved in demining on an *ad hoc* basis when there is a special need (e.g. when mines are blocking its movement or when the population requests the removal of small numbers of mines). For more significant demining, local and international NGOs would be mandated.²⁸⁷ Different surveys have taken place in Iraq from 2002 to 2004, including Landmine Impact Surveys (LIS) and, previously, an Emergency Mine Action Survey.²⁸⁸

The current security situation in Iraq has created some difficulties for mine action activities, even in the more stable Iraqi Kurdistan (e.g. funding and security expenses and difficulties in recruiting international staff).²⁸⁹ It has been argued that funding decreased significantly as the United States assumed responsibility from the UN for funding mine clearance (despite the significant United States contribution to MAG, for example). Mine action activities by the General Directorate of Mine Action in Sulaymaniyah allegedly had to be stopped for four months because of lack of funds.²⁹⁰

Lebanon: Hezbollah

Ad hoc Mine Clearance by Hezbollah

Hezbollah has the capacity to conduct military demining.²⁹¹ Hezbollah reportedly conducts demining whenever it has the need and this has occurred at least until 2005.²⁹² Hezbollah has conducted limited clearance of the minefields flanking the Blue Line between Israel and Lebanon. Such mine clearance is limited to breaching lanes through the minefield to allow Hezbollah’s military activities to take place.²⁹³ Clearance operations appear to have been relatively extensive. Hezbollah has suffered casualties and has left some of its personal protection equipment behind.²⁹⁴ There have been cases where Hezbollah deminers have been killed while attempting to cross minefields.²⁹⁵ Clearance appears to be unrecorded, undocumented and uncoordinated. Nevertheless, the personal protection equipment recovered at accident sites indicates that the group has quite professional equipment and could be expected to perform a relatively professional job.²⁹⁶ Other sources have denied that anyone except the army, MAG and the Ukrainian battalion under the control of the UN Mine Action Center is demining in Lebanon.²⁹⁷

284 [Meeting with NPA representative, Sulaymaniyah, 21 June 2006](#) (2006).

285 [Meeting with MAG representatives, Erbil, 20 June 2006](#).

286 [Meeting with NPA representative, Sulaymaniyah, 21 June 2006](#).

287 The Ministry of Peshmerga is one of the three Ministries that are still to be unified. [Meeting with the KRG-Sulaymaniyah Minister of Peshmerga and the Vice Minister of Peshmerga, Sulaymaniyah, 22 June 2006](#) (2006).

288 [Landmine Monitor Report 2005](#), pp. 743-744.

289 [Meeting with MAG representatives, Erbil, 20 June 2006](#).

290 Patrick Cockburn, “Mine-hunters of Iraq slowly clear Saddam’s legacy,” [The Independent](#) 21 April 2005.

291 [Interview on Lebanon, Geneva, September 2005](#) (2005).

292 [Email from international mine agency \(2\), received May 2006](#) (2006).

293 [Email from international mine agency \(1\), received May 2006](#).

294 [Email from international mine agency \(2\), received May 2006](#).

295 [Interview on Lebanon, Geneva, September 2005](#).

296 [Email from international mine agency \(1\), received May 2006](#).

297 [Interview on Lebanon \(2\), May 2006](#) (2006).

In addition to the military demining described above, in 2000 Hezbollah itself stated on Lebanese TV that it had conducted demining operations for the benefit of IDPs in areas where they were threatened by mines.²⁹⁸ No independent confirmation of this has been found. No confirmed information has been found concerning clearance efforts by Hezbollah after the recent armed conflict with Israel, which notably resulted in widespread contamination of cluster munitions.

Azerbaijan: Nagorno-Karabakh

Substantial Mine Clearance and Related Activities in Nagorno-Karabakh

According to the Landmine Monitor Report, the Engineering Service of the Army and the Department of Emergency Situations conduct occasional, small-scale, basic mine clearance, but do not always record the work they perform.²⁹⁹ There is reportedly a division of labor between the Ministry of Defense engineer regiments, which deal with mine clearance, and the Emergency Services Department teams, which take the lead on UXO clearance.³⁰⁰ Both the Engineering Service of the Army and the Department of Emergency Situations, as well as HALO Trust, are engaged in destroying explosive ordnance.³⁰¹

HALO Trust carries out most of the mine clearance in Nagorno-Karabakh.³⁰² According to the Landmine Monitor Report, in early 2003, HALO Trust doubled the rate of its manual mine clearance.³⁰³ In 2006, HALO Trust also trialed the use of anti-tank mine rollers in Nagorno-Karabakh to verify that areas of land do not contain AV mines, in cases where local communities fear they may be present.³⁰⁴ According to HALO Trust, priorities for clearance are set in consultation with the authorities, but are generally granted to areas that suffer most mine incidents, or where development activities are planned.³⁰⁵ Survey is ongoing to establish the areas and extent of contamination.³⁰⁶ Post-clearance survey is carried out on a case study basis on some sites, as most areas are handed over and used almost immediately after they have been cleared.³⁰⁷ HALO Trust states that it marks all the suspect areas it surveys.³⁰⁸

Philippines: MILF

Ad hoc Mine Clearance and Related Activities by the MILF

The MILF has reported that prior to 1997 it was involved in limited “spontaneous” clearance on a few occasions. MILF combatants had allegedly destroyed some defensive mines that the MILF had placed (particularly around camp Abubakar) as they were ordered to reposition.³⁰⁹ Currently,

298 [Interview on Lebanon \(1\), May 2006.](#)

299 [Landmine Monitor Report 2005.](#) p. 965.

300 [Landmine Monitor Report 2000.](#) (United States of America: Human Rights Watch, 2000). p. 893.

301 [Landmine Monitor Report 2005.](#) pp. 966-967. HALO Trust deploys three mobile EOD teams. [The Caucasus: Nagorno Karabakh](#), HALO Trust, Available: <http://www.halousa.org/nagornokarabakh.html>, Accessed 19 June 2006.

302 [Landmine Monitor Report 2005.](#) p. 965.

303 This was allegedly achieved through a combination of the developed skill and experience of the deminers, an increase in the number of hours spent demining each day, and the introduction of Large Loop Detectors on AV minefields. [Landmine Monitor Report 2003.](#) p. 756.

304 [Landmine Monitor Report 2006.](#) p. 1161.

305 [Landmine Monitor Report 2005.](#) p. 966.

306 *Ibid.* p. 966.

307 *Ibid.* p. 967.

308 *Ibid.* p. 966.

309 [Email from the MILF, received March 2006.](#)

the main mine action priority for the MILF is “clearing UXO in civilian areas.”³¹⁰ Such activities are planned to take place in Mindanao early next year. The project envisions joint execution by the government and MILF forces and is to be implemented by the FSD with the support of Geneva Call.

Senegal: MFDC

MFDC Facilitation of Mine Clearance Related Activities

UNDP contracted HI to conduct a rapid landmine impact survey between October 2005 and April 2006 with the objective of assessing the scope of the landmine and UXO contamination in Casamance. A total of 251 villages in the Casamance region were visited for this purpose.³¹¹ The MFDC has permitted and facilitated this survey.³¹² One informant explained how the survey project steering committee has involved the MFDC as well as the Senegalese army in the implementation of the project. In order to facilitate coordination, the MFDC nominated a liaison person to provide assistance and relevant data to the project team.³¹³ By letter, the General Secretary of the MFDC called on all MFDC fighters to collaborate with the teams. Nevertheless, according to the Landmine Monitor Report, the MFDC did not provide information on the locations of mines and UXO³¹⁴ and a number of communities along the borders with the Gambia and Guinea Bissau could not be covered by the survey for security reasons. However, some information also indicates that MFDC members have expressed a willingness to share information with the Senegalese army to help demine a small area.³¹⁵ Humanitarian actors have reported the existence of some very limited “spontaneous” demining in Casamance,³¹⁶ although it is not clear who is responsible for these activities.

Somalia: Various NSAs

Substantial Mine Clearance and Related Activities by the Somaliland Authorities and Other Actors

Already between 1991 and 1994, some spontaneous mine clearance was taking place in Somaliland, mainly conducted by the Somali National Movement. However, this action occurred mainly in an *ad hoc* manner and no records were kept. At that time, the United Nations High Commissioner for Refugees (UNHCR) had also hired a security company to clear mines and many civilians (having little or no experience of demining) cleared mines. As a result, the number of accidents during these operations was quite high.³¹⁷ There were also some “patriots”; i.e. local demining teams made up of military experts, which initiated demining activities.³¹⁸

Currently mine clearance and related activities are undertaken by the two international demining actors present, HALO Trust (from 1999) and DDG, which is currently more involved in weapons

310 Ibid.

311 [Email from international mine action agency, Senegal, received June 2006.](#)

312 [Interview on Senegal, Geneva, May 2006.](#) and [Email from international mine action agency, Senegal, received June 2006.](#)

313 [Email from international mine action agency, Senegal, received June 2006.](#)

314 [Landmine Monitor Report 2006, p. 626](#) and [Geneva Call mission to Casamance, Senegal, October 2006.](#)

315 [Email from Dr. Martin Evans, received 3 April 2006 \(2006\).](#)

316 [Email from international mine action agency, Senegal, received June 2006.](#) Some sources have indicated that MFDC fighters have conducted limited demining in 2006. [Geneva Call mission to Casamance, Senegal, October 2006.](#)

317 [Interview on Somaliland, May 2006.](#) This was confirmed in [Email from international mine action agency concerning Somalia, received 21 July 2006.](#)

318 [Interview on Somaliland, May 2006.](#)

collection/destruction³¹⁹ and EOD.³²⁰ DDG was contracted by SMAC to undertake a comprehensive LIS, which was completed in March 2003. However, a few regions were excluded from the survey for security reasons.³²¹ The third phase of the survey has been programmed, through a collaborative effort of the SMAC and PMAC.³²² DDG has been subcontracted by Survey Action Center to conduct also this survey.³²³ There are police EOD teams, which were trained for rapid response work by MAG (contracted by the UNDP).³²⁴ By October 2005, UNDP had completed a program to create five police EOD teams.³²⁵ Further efforts to upgrade the capacity of two teams are ongoing.³²⁶

No formal marking or fencing of mined areas has been possible due to the theft of materials³²⁷ or, reportedly, due to children playing with and destroying them.³²⁸ However, marking is carried out by local communities, and most dangerous areas are known to the communities.³²⁹ Demining techniques used are mainly manual (e.g. the rake method)³³⁰ but mine detection dogs³³¹ and mechanical teams are also employed.³³²

Substantial Mine Clearance Related Activities by the Puntland Authorities

The main focus of PMAC since its foundation has been the implementation of a LIS, starting with preliminary opinion collection and training in EOD in February 2004. The survey was planned in 2003, but was delayed for security reasons.³³³ It was finally conducted between August 2004 and May 2005, covering three areas of Puntland (Bari, Nugaal and Mudug).³³⁴ The survey was conducted by PMAC with the support of UNDP/UNOPS, in coordination with the Survey Action Center.³³⁵ The delay in conducting the survey has allegedly delayed other mine action activities, such as mine clearance, MRE and victim assistance programs, which have been implemented only to a limited extent in Puntland.³³⁶

International NGOs have mostly been absent from Puntland. Aside from an EOD team, which has been operative since 2005, there has been no clearance operation in Puntland.³³⁷ The EOD team has been tasked to deal with UXO in communities identified as affected. The existing capacity of one EOD team, instead of three, is less than planned.³³⁸ Activities include, among

319 Ibid. The Santa Barbara Foundation had previously carried out mine clearance and related activities. Landmine Monitor Report 2004., p. 1231.

320 Email from international mine action agency concerning Somalia, received 21 July 2006.

321 Landmine Monitor Report 2004., p. 1229.

322 See also the respective section on Puntland below. Portfolio of Mine Action Projects (UNMAS, UNDP and UNICEF, 2006). p. 289 ff. According to the Portfolio Mid-Year Review, there have been continuous tensions in the contested areas of Sool, Sanaag and Togdheer, which are likely to impact the third phase of the survey. Portfolio Mid-Year Review, July 2006 (UNDP, 2006). p. 6. According to the Survey Action Center the LIS will be implemented through the two regional MACs with a two-person Survey Action Center team on the ground managing the survey, the same model as used in Puntland in phase II.

323 Email from international mine action agency concerning Somalia, received 21 July 2006.

324 Earlier Project: Somaliland, MAG, Available: <http://www.mag.org.uk/page.php?s=4&p=706>, Accessed: 23 July 2006.

325 UNDP Somalia – Quarterly Update (October 2005) (2005).

326 Email from international mine action agency concerning Somalia, received 21 July 2006.

327 Landmine Monitor Report 2005. p. 977.

328 Email from international mine action agency concerning Somalia, received 21 July 2006.

329 Landmine Monitor Report 2005., p. 977.

330 Ibid., p. 979.

331 Somaliland, DDG, Available: http://www.danishdemininggroup.dk/50_1_default.htm, Accessed 13 February 2006.

332 Somaliland, Puntland and Sudan, HALO Trust, Available: www.halousa.org/somaliland.html, Accessed: 23 July 2006.

333 Landmine Monitor Report 2004., p. 1113 and Landmine Impact Survey, Phase II: Bari, Nagaal, and Northern Mudug Regions., p. 39.

334 Landmine Monitor Report 2005. p. 873. and Email from Jackie Hansen, Landmine Monitor, received 10 July 2006 (2006).

335 Landmine Impact Survey, Phase II: Bari, Nagaal, and Northern Mudug Regions., p. 49.

336 Ibid., p. 39.

337 Email from international mine action agency concerning Somalia, received 21 July 2006.

338 The difficulty in establishing the three teams is reportedly due to the high dropout rate during training (caused by poor commitment and discipline). Operations have allegedly been further hampered by a lack of direction and leadership by the police force. Landmine Impact Survey, Phase II: Bari, Nagaal, and Northern Mudug Regions., p. 44.

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others, the building of a clearance capacity within the Puntland army, institutional support and capacity-building to PMAC, and survey in the disputed areas of Sool and Sanaag regions.³³⁹ The latter activity would be conducted by SMAC as the third phase of the LIS, in collaboration with PMAC.³⁴⁰ Some local NGOs, notably the NGO Somali Environmental Review (SOMER), have marked suspect areas and removed landmines and UXO in order to prevent accidents and/or recover explosives.³⁴¹ There have also been reports of village demining.³⁴²

Ad hoc Mine Clearance and Related Activities by Various Somali NSAs

Midnimo, a local NGO linked to the HPA, has conducted *ad hoc* demining in the Hiran province. Midnimo reportedly undertook mine clearance in two sites, marked suspected areas, and shared mine/UXO-related information in the Beletweyn district.³⁴³ In mid-2005, UNDP carried out and completed the first stage of training EOD teams recruited from the Jowhar Administration. In an attempt to minimize victim incidents in its area of operations, the JVA has stated that it has marked, with skulls and bones, areas contaminated by UXO in a port docking area. Other *ad hoc* demining attempts include the fencing off of mine-affected roads around Kismayo.³⁴⁴

In the Bay and Bakool regions, the local NGO, Baharsaf Cut the Mine Organization (BCMO, affiliated with the RRA), has conducted limited and *ad hoc* demining, along with some marking and information sharing. Even though the RRA does not possess any maps or records of minefields, the group (and BCMO) allegedly has knowledge of the suspected mine-affected areas.³⁴⁵ Reportedly BCMO reopened access to six roads by removing approximately 70 mines.³⁴⁶ However, BCMO is in serious need of technical know-how and appropriate equipment.



Geneva Call 2004

Mined road marked by SOMER

339 [Portfolio of Mine Action Projects](#), p. 289 ff. See also the [Portfolio Mid-Year Review, July 2006](#).

340 [Email from international mine action agency concerning Somalia, received 21 July 2006](#).

341 For example, the NGO SOMER in Puntland reported that it collected 426 landmines and UXO between 2000 and 2003. [Report of the Geneva Call Follow-up Mission to Puntland, Hiran and Bakol Regions: Landmines in Somalia, September 2004](#), p. 12.

342 [Landmine Impact Survey, Phase II: Bari, Nagaal, and Northern Mudug Regions](#), p. 39.

343 [HPA's Deed of Commitment compliance report, December 2004 \(2004\)](#).

344 [Landmine Assessment Mission to Juba region, June 2005 \(2005\)](#). See also [Landmine Monitor Report 2005](#), p. 874.

345 [Report of the Geneva Call Follow-up Mission to Puntland, Hiran and Bakol Regions: Landmines in Somalia, September 2004](#), p.12. and material provided by BCMO (brochures, flyers, etc.)

346 *Ibid.* p.12.

Sri Lanka: LTTE

Substantial Mine Clearance and Related Activities by the LTTE and Other Actors

Mine clearance activities in the LTTE-controlled areas began in the late 1990s; however, following the cease-fire in February 2002, the HDU received support from NPA, MAG, FSD, and DDG, among others. The HDU's manual clearance teams have been trained by NPA and MAG.³⁴⁷ NPA provides technical assistance to the HDU in building its capacity to clear mines according to international standards in a cost-effective and sustainable manner.³⁴⁸ MAG, also in partnership with HDU, has conducted impact surveys, fencing and marking, technical surveys, manual and mechanical clearance, and EOD. FSD and DDG are involved in impact survey, technical survey, manual clearance, battle area clearance and EOD.³⁴⁹ MAG has been working on both sides, as has DDG and FSD, contributing to collaboration between the TRO-HDU and the Sri Lankan military.³⁵⁰

The TRO-HDU mainly conducts manual demining using the rake method.³⁵¹ The rake method is not (yet) recognized in IMAS.³⁵² However, the HDU increasingly regards the rake method as less effective than mine detectors, at least in some areas, and is eager to procure new equipment.³⁵³ Other mine action actors have questioned the accuracy of this judgment.³⁵⁴ There have been reports that local farmers, fishermen and other unauthorized and untrained personnel occasionally conduct demining in all contaminated areas, excluding the LTTE-controlled area of the Vanni.³⁵⁵

There is contradictory information as to whether the parties provide all necessary information about mined areas. For example, according to the HDU, the Sri Lankan Army has provided only partial minefield records; and mines have thus been found in areas thought to have been unaffected.³⁵⁶ The army, on the contrary, states that it "has released all minefield records that would be useful for the Humanitarian Mine Action Programme."³⁵⁷ The LTTE, on the other hand, claims that it shares information with humanitarian demining organizations,³⁵⁸ but reportedly does not share it with the government.³⁵⁹ A significant number of minefields have allegedly not been recorded by either party.³⁶⁰ Both parties engage in marking, but fencing is allegedly rarely undertaken by the HDU.³⁶¹

The December 2004 tsunami seriously disrupted mine clearance activities. All demining activities in LTTE-controlled areas had originally been scheduled for completion by December 2006,

347 [Email from international mine action agency in Sri Lanka, received February 2006.](#)

348 [Landmine Monitor Report 2004.](#) p. 1122.

349 [Landmine Monitor Report 2006.](#) p. 1084.

350 For example, when the army base at Kallady in Batticaloa was destroyed, MAG negotiated an agreement for the military, the TRO and MAG to work together to clear mines from the area. [Sri Lanka: Uniting Forces \(February 2005\): MAG Unites Sri Lankan Forces after Tsunami.](#)

351 According to one mine action operator, the "low-tech" approach was chosen partly due to the difficulty of getting detectors into the country, and also because of the specific conditions of the land (the soft land meant that agricultural equipment could be used, and the low-level of metal in the mines and high level of metal in the ground contributed to making metal detectors less effective). [Interview on Sri Lanka, Geneva, May 2006.](#)

352 [Email from international mine action agency in Sri Lanka, received February 2006.](#)

353 [Meeting with Mr. Jena, Director HDU, Sri Lanka, October 2005.](#)

354 [Email from international mine action agency in Sri Lanka, received February 2006.](#)

355 Ibid.

356 [Meeting with Mr. Jena, Director HDU, Sri Lanka, October 2005.](#)

357 [Sri Lanka's Article 7 Report, Form C, 13 June 2005 \(voluntary initial transparency report up to 13 June 2005\)](#) (2005).

358 [Meeting with Mr. Jena, Director HDU, Sri Lanka, October 2005.](#)

359 [Interview on Sri Lanka, December 2005.](#)

360 [Email from international mine action agency in Sri Lanka, received February 2006.](#)

361 Ibid.

however, by mid 2006 it was estimated they would not be completed until December 2007.³⁶² Not only did many mine action organizations stop work to assist with relief work in the initial months following the tsunami, but the tsunami also raised concerns regarding displaced mines and changed priority areas for clearance in order to resettle tsunami victims. As a result, new surveys were made, including by the HDU, to assess the impact of the tsunami on mine/UXO contamination.³⁶³ In addition, the recommencement of the conflict in early 2006 has not only worsened the mine/UXO contamination but has significantly hampered mine clearance efforts.

Sudan: SPLM/A

Substantial Mine Clearance and Other Activities by the SPLM/A and Other Actors

Formal mine action activities have taken place in South Sudan since 1996, when OSIL was formed. OSIL began operating in 1997.³⁶⁴ OSIL has been supported by the SPLM/A and has operated in certain areas under the SPLM/A's control. It has received information from SPLM/A about mined areas.³⁶⁵ According to OSIL, one of the main challenges in the beginning was convincing the SPLA (i.e. the armed wing) rank and file of the importance of removing mines and ceasing the use of mines. OSIL was created with limited funds, but some international NGOs have facilitated its work. Initial aid for OSIL was provided by MAG.³⁶⁶

OSIL and Christian Aid requested MAG to provide technical expertise to help clear landmines and UXO from SPLM/A-held areas of Sudan. Hence, since 1998 MAG has been working with OSIL to "develop both its technical mine clearance capacity and its approach to community liaison" as well as providing access to standards of procedure, equipment, technical training, data gathering and methodologies for prioritization.³⁶⁷ DanChurchAid has, on two occasions, conducted training of 24 deminers, half of which originated from each of the two sides (OSIL and JASMAR from the government side). Activities included mine clearance, MRE and UXO clearance on an emergency basis.³⁶⁸ Those trained were almost exclusively security-related personnel (notably military and security officers) and half of them are currently still working in mine clearance.³⁶⁹

OSIL has stated that in its first three years of existence, it had managed to reach a level of efficiency.³⁷⁰ Media reports have highlighted how OSIL's mine action contributed to reduced casualties.³⁷¹ Nevertheless, some critics have questioned the efficiency of its work.³⁷² OSIL's effectiveness was allegedly constantly hampered by insufficient funding and non-existent infrastructure, despite assistance from MAG and the Canadian Mine and Explosive Ordnance Organization.³⁷³ A rival local group, SIMAS appeared later, and both formed a core for future-

³⁶² Interview with mine action organization, Sri Lanka, July 2006 (2006).

³⁶³ Meeting with HDU representative, Mulltivu District, Sri Lanka, October 2005 (2005).

³⁶⁴ Rebecca Roberts and Mads Frilander, "Preparing for Peace: Mine Action's Investment in the Future of Sudan," *Preparing the Ground for Peace: Mine Action in Support of Peacebuilding*, eds. Kristian Berg Harpviken and Rebecca Roberts (Oslo: International Peace Research Institute, 2004).

³⁶⁵ OSIL regards itself as an independent NGO, but it fully cooperates with the SPLA (which commissioned it). It has stated that the SPLM/A has continued to provide information on minefields, explosives and fuses for demolition activities and security to OSIL personnel. *Operation Save Innocent Lives Humanitarian Mine Action Strategy – New Sudan 2001-2004*.

³⁶⁶ Interview on Sudan (2), Geneva, May 2006 (2006)..

³⁶⁷ *Operation Save Innocent Lives: southern Sudan*, MAG, Available: <http://mag.org.uk/update2k/may2k1c.htm> Accessed 25 July 2001.

³⁶⁸ Sudan: Mine problem and context, 2005, DanChurchAid, Available: http://www.dca.dk/sider_paa_hjemmesiden/news_focus/focus/humanitarian_mine_action/what_we_do_1/sudan, 2006.

³⁶⁹ Interview (1) on Sudan, Geneva, May 2006 (2006).

³⁷⁰ *Engaging Non-State Actors*, p. 75

³⁷¹ Brian Adeba, "Sudan: The Scourge of Landmines," *Africanews* November 2001.

³⁷² Email concerning Sudan from mine action practitioner, received March 2006 (2006).

³⁷³ Statement by Jim Megill, Executive Director, Canadian Mine and Explosive Ordnance Organization during the Horn of Africa/Gulf of Aden Conference on Landmines, Djibouti, 16-18 November 2000 (2000).

demining efforts on the SPLM/A side.³⁷⁴ Nevertheless, prior to the peace negotiations, OSIL was reportedly the only organization active in mine clearance in Sudan. Even after the implementation of the “crossline” demining activities, some observers have argued that there were almost no demining activities outside areas covered by the cease-fire agreements.³⁷⁵ It has also been argued that the crossline cooperation slowed down mine action and that unilateral action may have been preferable.³⁷⁶

Another crossline project, the SLR, formerly the SLIRI, coordinated by Landmine Action UK, originated from a series of meetings among the Sudan Campaign to Ban Landmines, OSIL and others.³⁷⁷ Landmine Action UK initiated its work in the Nuba Mountains in March 2002 and conducted battle area clearance and EOD in partnership with SLR/SLIRI. HALO Trust took over this task after Landmine Action UK.³⁷⁸ Trainees from both sides were trained together but subsequently operated separately, in the respective areas of control.³⁷⁹ New crossline trainings are currently underway (with 140 personnel from the Sudan Armed Forces and the SPLA).³⁸⁰ Other organizations that have been involved in mine/ERW clearance in Sudan are DDG, FSD, MAG, MECHEM, NPA, RONCO³⁸¹ and HALO Trust.³⁸²

As to mapping, the Comprehensive Peace Agreement requires both parties to surrender maps indicating where mines have been laid. The government has allegedly provided maps for certain areas. As highlighted by the Landmine Monitor Report, “[t]he SPLA did not systematically map and record mines laid, and consequently it works more on the basis of collective memory for the provision of information on mine emplacement.”³⁸³ An International Peace Research Institute of Oslo (PRIO) study has pointed out that mapping by both the Sudanese government and the SPLM/A has been insufficient.³⁸⁴ Surveys have been conducted by FSD (tasked by the United National Mine Action Office and by SLR/SLIRI. According to the Landmine Monitor Report, SLR/SLIRI had some problems disseminating the results of the survey in 2004 due to “SPLM/A restriction on information believed to be of military value.” This restriction was lifted in 2005.³⁸⁵

Taiwan

Substantial Mine Clearance in Taiwan

Taiwan still maintains minefields that it considers of military importance. In a bill passed in May 2006, the authorities stipulated that the Ministry of Defense is to clear AP mines on the Kinmen, Matsu and Dong Yin islands within the next seven years.³⁸⁶ According to the Landmine Monitor Report, the government claims that “all mine-affected areas are marked, fenced and

374 Paper prepared by Peter Mozynski for *Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group*, Zagreb, 27 November 2005. pp. 29-39.

375 Ibid.

376 *Interview on Sudan, Zagreb, December 2005* (2005).

377 *Mine Action in the Midst of Internal Conflict: A Report on the Workshop Organized by Geneva Call and International Campaign to Ban Landmines Non-State Actor Working Group*, Zagreb, 27 November 2005.

378 *Landmine Monitor Report 2005*. p. 540.

379 Roberts and Frilander, “Preparing for Peace: Mine Action’s Investment in the Future of Sudan,” p. 16.

380 *Landmine Monitor Report 2006*. p. 664.

381 *Landmine Monitor Report 2005*. pp. 539-540. and *Email from international mine action agency concerning Sudan, received 21 July* (2006).

382 *Landmine Monitor Report 2006*. p. 666.

383 *Landmine Monitor Report 2005*. p. 532.

384 Roberts and Frilander, “Preparing for Peace: Mine Action’s Investment in the Future of Sudan.” pp. 8-10.

385 *Landmine Monitor Report 2005*. p. 537.

386 Hsiu-Chuan, “Statute Approves Removal of Kinmen, Matsu Mines.”

inspected weekly”.³⁸⁷ Although Taiwan has no formal demining program, some clearance has previously been conducted, apparently for economic or development-related purposes and through the hiring of foreign commercial demining companies.³⁸⁸

Turkey: Kongra-Gel/HPG

Ad hoc Mine Clearance and Related Activities by the Kongra-Gel/HPG

HAW-PAR is active mainly in Iraqi Kurdistan.³⁸⁹ HAW-PAR said it started demining because its members themselves were victims of mines and because mines were a reality of the area in which it operates. The persons who founded the organization were victims of war who could no longer fight. HAW-PAR also saw a need to protect the environment, which it does by planting trees where it removes mines.³⁹⁰ The HPG has stated that humanitarian demining occasionally occurs “in order to facilitate for civilians to be able to access their land or homes.”³⁹¹ In some cases, HPG has initiated mine action on request of communities in its areas of operation or control.³⁹² The HPG has stated that it also conducts demining for military reasons (e.g. to obtain access to explosives and passage).³⁹³ The HPG has said that it demines according to its capacities, but that demining is difficult because its area of operation is very mine and UXO-contaminated and its capacities and resources are limited.³⁹⁴ It further argues that it is its duty as a combatant to mark, as far as possible, detected mined areas that it has been unable to clear.³⁹⁵ HAW-PAR has explained that it uses its own markings, but that it is impossible to mark everywhere, due to the large number of minefields. Hence, it prioritizes marking areas where people move close to minefields.³⁹⁶ HAW-PAR also marks when it demines and cannot move forward where mines are placed (in the land, on roads, and around villages).³⁹⁷ It states that it keeps some records of areas it demines, but no exact statistics of the mines cleared.³⁹⁸

HAW-PAR’s policy is to work in areas where others do not work, such as the border areas between Turkey, Iraq and Iran. In general, it neutralizes rather than destroys mines and UXO. Detonators are removed first.³⁹⁹ HAW-PAR has stated that it has cleared several roads. Its priorities are to protect its members and civilians, and it chooses roads that would potentially be most useful. According to HAW-PAR, roads are re-checked in spring because mines come down with the snow.⁴⁰⁰ HAW-PAR has received no external equipment, training or funding, despite its

³⁸⁷ [Landmine Monitor Report 2006](#), p. 1191.

³⁸⁸ *Ibid.* p. 1192 As specified in the [Landmine Monitor Report 2005](#): “From July 2004 to June 2005, the Kinmen County government contracted the MineTech Company to clear mines from land needed for dam construction on Kinmen Island. [...] The clearance projects, part of a civil development scheme in areas where minefields are said to have hindered economic development...” [Landmine Monitor Report 2005](#), p. 985.

³⁸⁹ [Meeting with Zubeyir Aydar, President of Kongra-Gel, November 2005](#) (2006).

³⁹⁰ [Meeting with HAW-PAR representatives, June 2006](#). According to the President of the Ecological Committee (of which HAW-PAR forms part) it uses plants that it digs up to replant in other places or buys plants from Turkey. [Meeting with the President of the Ecological Committee](#) (linked to Kongra-Gel/HPG), June 2006 (2006).

³⁹¹ [Letter from HPG, received October 2005](#).

³⁹² *Ibid.*

³⁹³ *Ibid.*

³⁹⁴ Other difficulties include random mine-laying history by different parties and old unstable minefields which are affected when the elements move mines (it is a hilly area, which might contribute to mines moving down with heavy rain or melting snow). Its area of operation borders different countries and has been the scene of many battles between states, and between states and NSAs as well as the target of repeated bombings. HAW-PAR has identified eight types of mines and 100 types of UXO where it was working. [Interview with HAW-PAR deminer, Geneva, May 2006](#).

³⁹⁵ [Letter from HPG, received October 2005](#).

³⁹⁶ [Interview with HAW-PAR deminer, Geneva, May 2006](#).

³⁹⁷ [Meeting with HAW-PAR representatives, June 2006](#)

³⁹⁸ *Ibid.*

³⁹⁹ [Interview with HAW-PAR deminer, Geneva, May 2006](#).

⁴⁰⁰ It allegedly cleared a five kilometer stretch of road between Berbizina and Hergort. This road was heavily mined, but is currently being used by the local population. HAW-PAR has also stated that it has cleared other roads, and that it is in the process of demining others. [Meeting with HAW-PAR representatives, June 2006](#)

having approached both national and international actors on this issue.⁴⁰¹ However, Kongra-Gel has stated that it has tried to assist the wing with resources.⁴⁰² HAW-PAR has argued that it lacks economic and technical resources, notably first aid kits, direct access to doctors and insurance for deminers.⁴⁰³ For example, it possesses only one old mine detector.⁴⁰⁴ The lack of equipment could also give rise to security problems: deminers use their hands, knives and ordinary household tools, without any protection for their torsos, hands or faces. They have suffered many accidents.⁴⁰⁵

There have been reports (from 1999) of one case in which the HPG unilaterally informed a mine action operator (tasked to remove booby-traps placed by the HPG) of the number of devices there were.⁴⁰⁶



Geneva Call 2006

Mines and UXO lifted by HAR-PAR

Western Sahara: Polisario Front

Ad hoc Mine Clearance and Related Activities by the Polisario Front

According to the Landmine Monitor Report 2005, from April 2004 to April 2005, MINURSO and the Royal Moroccan Army, on one side, and the Polisario Front on the other, “discovered and marked a total of 354 pieces of mines and UXO” and monitored “30 EOD operations by Polisario and the RMA”. Landmine Monitor notes that the available data did not specify which operations took place in which parts of the divided Western Sahara.⁴⁰⁷ As previously mentioned, there have been no formal mine action programs in Western Sahara, but there have been bilateral military agreements signed separately by Morocco and the Polisario Front with MINURSO in 1999. These agreements bind the parties to cooperate with MINURSO in providing mine-related information and to cooperate in some mine action, notably marking and clearance and destruction of mines and UXO in the presence of MINURSO observers. Nevertheless, there are no provisions referring to the so-called berm:⁴⁰⁸ defensive sand walls protected by mines that have been constructed by the Moroccan forces.

401 [Interview with HAW-PAR deminer, Geneva, May 2006.](#)

402 [Meeting with Zubeyir Aydar, President of Kongra-Gel, November 2005.](#)

403 [Interview with HAW-PAR deminer, Geneva, May 2006.](#)

404 [Meeting with HAW-PAR representatives, June 2006.](#)

405 [Interview with HAW-PAR deminer, Geneva, May 2006.](#)

406 [Meeting with NPA representative, Sulaymaniyah, 21 June 2006.](#)

407 [Landmine Monitor Report 2005.](#) p. 987.

408 *Ibid.* p. 987.

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The Polisario Front has stated that it had already provided MINURSO with all maps and necessary information in 1991.⁴⁰⁹ MINURSO confirmed having received such maps, although they have unfortunately been lost over the years.⁴¹⁰ Marking (but no mapping) of mined areas has also reportedly been conducted by the Polisario and the SCBL jointly with Polisario engineers in three different regions: Bir Lehlu, Tifariti and Mehairis. The engineers have guided the SCBL to areas that are suspected to be mined. When objects are found, the area has been marked.⁴¹¹ The SCBL has also conducted some survey on an *ad hoc* basis. In addition, nomads have marked UXO with stones,⁴¹² painted in red. Marking is also done directly by MINURSO.⁴¹³ The Polisario Front has reportedly demined some areas around Tifariti, Mehairs and Birlehlou, sometimes, but not exclusively, in cooperation with MINURSO.⁴¹⁴ The Polisario Front started demining, on a needs basis, after the cease-fire with Morocco in 1991. Such needs included, for example, establishing a base or clearing a road. Spontaneous humanitarian demining has reportedly taken place, for example, when Bedouins have approached the Polisario Front, informing them about the presence of mines and UXO.⁴¹⁵ Landmine Action UK – in cooperation with MINURSO and supported by UNMAS – is currently in the process of implementing a substantial clearance project that will build the mine action capacity with the Polisario Front⁴¹⁶ in order to confront the mine and UXO threat in the area.⁴¹⁷ The project, which was officially initiated in July 2006, is a survey and clearance initiative in which two teams of six demobilized Polisario army engineers will be trained “to map minefields and destroy cluster munitions.”⁴¹⁸ As of August 2006, the training was underway.

409 Ibid. p. 987.

410 Meeting with representatives from MINURSO and UNMAS, Tifariti, 27 February 2006 (2006).

411 Report from Boybat Cheik Abdelhay, SCBL, April 2006 (2006).

412 Interview with Boybat Cheik Abdelhay, SCBL, 27 February camp, Algeria, 1 March 2006.

413 Landmine Monitor Report 2006. p. 1198.

414 Report from Boybat Cheik Abdelhay, SCBL, April 2006.

415 Ibid.

416 Interview with Simon Conway, Landmine Action UK, Geneva, 11 May, 2006 (2006).

417 Landmine Monitor Report 2006. p. 1197.

418 “Desert Convoy Leads the Way for a New Humanitarian Project,” Landmine Action UK Press Release 12 June 2006.

2.5 Mine Risk Education

2.5.1 Summary NSA Mine Risk Education

In order to distinguish the different levels of NSA contribution to MRE, the pillar has been subdivided to differentiate between: MRE provided by the NSA; information provided by the NSA about the location of mines in a spontaneous and/or sporadic manner (*ad hoc* MRE); and MRE provided by other actors and allowed or facilitated by the NSA. Few NSAs have been directly involved in large-scale MRE programs. More often, they engage in *ad hoc* MRE by providing information about mines to civilians. NSAs also facilitate MRE projects or programs.

2.5.2 NSA Involvement in Mine Risk Education

Georgia: Abkhazia

MRE Provided by Other Actors in Abkhazia

The Abkhaz authorities have not themselves provided any MRE, but have allowed such action to take place. HALO Trust has been conducting MRE in Abkhazia since 1999⁴¹⁹ as part of its overall mine action program.⁴²⁰ The focus has increasingly been on IDPs/refugees.⁴²¹ The ICRC has helped HALO Trust to develop its MRE program, by organizing training sessions and workshops.⁴²² The United Nations International Children's Emergency Fund (UNICEF) has provided additional support by funding and printing MRE materials.⁴²³ In 2005, UNICEF planned to conduct MRE activities and develop a larger program on disability and landmine survivors.⁴²⁴

Burma/Myanmar: Various NSAs

Ad hoc MRE by the ARNO

The ARNO has explained that it has conducted some *ad hoc* MRE. The organization has received training on MRE, supported by Geneva Call, and has a number of trainers among its members. These trainers are not presently actively involved in MRE because of the conflict situation.⁴²⁵ Independent organizations have reportedly conducted MRE in their areas of operation.⁴²⁶

⁴¹⁹ [Landmine Monitor Report 2004.](#), p. 1183.

⁴²⁰ [Landmine Monitor Report 2005.](#) p. 936.

⁴²¹ [Landmine Monitor Report 2004.](#), p. 1183.

⁴²² [Explosive remnants of war and the Movement strategy on landmines, Council of Delegates of the International Red Cross and Red Crescent Movement, Geneva, 30 November - 2 December 2003](#) (2003). On further information regarding ICRC activities from 2002 and before, see [Georgia/Abkhazia: ICRC community-based mine/unexploded ordnance awareness programme](#).

⁴²³ [UNICEF Humanitarian Action Report 2005, Central and Eastern Europe, The Commonwealth of Independent States and the Baltic States](#) (UNICEF, 2005).

⁴²⁴ *Ibid.* and [Landmine Monitor Report 2005.](#) p. 711.

⁴²⁵ [Email from ARNO representative, received May 2006.](#)

⁴²⁶ [Email concerning Burmese NSA mine action, received April 2006.](#)

Ad hoc MRE by the KNLA, SSA-S and NMSP and MRE Provided by Other Actors

The KNLA claims that it marks its mines and informs villagers about their location.⁴²⁷ The group has specified that it informs or shows local villagers “where the mine fields are so that they may not be harmed by KNU/KNLA landmines.”⁴²⁸ The SSA-S has asserted that it warns the civilians about mines they are aware of, or clears and/or destroys the mines.⁴²⁹ The NMSP has stated that it conducts MRE and disseminates information,⁴³⁰ although it is not clear how frequent or successful these efforts are. Other actors, such as Nonviolence International Southeast Asia, have implemented MRE programs in the areas of control or operation of NSAs.⁴³¹ According to the Landmine Monitor Report, MRE trainings of trainers were conducted by the Shanti Sena NGO in KNU-controlled areas of Karen state.⁴³²

Colombia: ELN and FARC

Ad hoc MRE by the ELN and the FARC and Provided by Other Actors

The ELN has stated that it has warned local populations of the location of AP mines and of areas to avoid. Such notification has taken place verbally and through the use of signs and road banners. According to guerrilla and community members however, there is limited information in the form of maps or other documents showing where mines have been placed.⁴³³ In some cases it has been alleged that signs erected by the rebels were later removed by them, but that “residents kept up on which areas to avoid through word of mouth.”⁴³⁴ Both the ELN and the FARC have allegedly informed community members about the location of mines, both informally and through organized meetings.⁴³⁵ In general, most of the MRE activities conducted by other actors have been basic information sessions and advocacy, conducted on a community basis.⁴³⁶ For example, the CCCM has been able to conduct MRE in areas under NSA control, as have the ICRC and the Colombian Red Cross on a more sporadic basis.⁴³⁷ Other actors involved in MRE activities in NSA-controlled or affected areas include UNICEF and *Corporación Paz y Democracia*.⁴³⁸

Ethiopia: OLF

Ad hoc MRE by the OLF

The OLF states that it has conducted “some low key mine risk education and assisted victimised civilians in parts of Oromia within which we are militarily active” due to alleged army use of AP

⁴²⁷ Meeting with KNU and KNLA representatives, March 2006. Even though KNLA troops claim that they inform villagers about the location of their mines, it appears that this information is often either not provided, or when it is, is insufficient. *Armed Non-State Actors and Landmines. Volume I.* p. 75.

⁴²⁸ Email from the KNU, received October 2005.

⁴²⁹ Meeting with SSA-S representative, March 2006.

⁴³⁰ Meeting with NMSP representative, March 2006. and Meeting with NMSP representative, June-July 2006.

⁴³¹ *Landmine Monitor Report 2006.* p. 859, and Yeshua Moser-Puangsuwan, “Mine Risk Education in Kawthoolei Liberated Area: An Experiment in Creating a Program of MRE in a Non-State-Controlled Area of Burma,” *Journal of Mine Action* 8.2 (2004).

⁴³² *Landmine Monitor Report 2006.* p. 863.

⁴³³ *Armed Non-State Actors and Landmines. Volume I.* p. 130. A FARC middle level soldier in a rural area has reportedly expressed a wish to limit the impact on civilians of landmines by using more advanced technology (for example Global Positioning Systems) for the mapping of mines, which could then be shared with humanitarian organizations. However, it would be problematic for humanitarian actors to supply such technology, because it could also be used militarily. *Interview (2), Colombia, April 2006.*

⁴³⁴ Steven Dudley, “Mines Force Town to Walk Fine Line: The Story of a Colombian Village that Persuaded Guerrillas to Remove Their Land Mines from a Road Shows How Mines are Both Deadly and Divisive.,” *The Miami Herald* 12 June 2005.

⁴³⁵ Email from CCCM, received May 2006.

⁴³⁶ *Landmine Monitor Report 2006.* p. 312.

⁴³⁷ Email from CCCM, received May 2006.

⁴³⁸ *Landmine Monitor Report 2006.* p. 312.

mines which had victimized several civilians.⁴³⁹ It has not been possible to independently verify these OLF activities.

Iran: DPIK

Ad hoc MRE by the DPIK

In a meeting in 2001, the DPIK stated that it had conducted some mine awareness activities in Iranian Kurdistan to educate the communities about the landmine problem.⁴⁴⁰ The group informed Geneva Call in June 2006 that these activities are still ongoing. The group would also inform the population as a substitute for removing mines when removal was not possible due to limited resources or the presence of the Iranian army.⁴⁴¹ No information has been found to confirm or refute these statements.

Iraqi Kurdistan: KRG-Erbil and KRG-Sulaymaniyah

MRE Provided by Other Actors in Iraqi Kurdistan

MAG has been the main actor conducting MRE and community liaison in Iraqi Kurdistan, both in the Erbil and Sulaymaniyah sectors. It has also been training teachers.⁴⁴² MRE is currently conducted solely in the Sulaymaniyah area.⁴⁴³ MAG has also been working in coordination with the local authorities.⁴⁴⁴ NPA has been conducting complementary MRE through the Kurdistan Organization for Rehabilitation of the Disabled (KORD).⁴⁴⁵ Previously, the local organization Kurdistan Organization for Mine Awareness (KOMA) was an important actor conducting MRE. It has recently been employed by the regional government, although its new *modus operandi* has not been fully determined.⁴⁴⁶

Lebanon: Hezbollah

MRE by Hezbollah-Linked Organizations

NGOs supported by, or linked to, Hezbollah (e.g. the Islamic Health Council and the Welfare Association for the Care of the Injured and Disabled of War) are active in MRE and victim assistance. They do not appear to deal extensively with international organizations, but rather with the National Demining Office.⁴⁴⁷ The organizations are allegedly funded from internal and external sources.⁴⁴⁸ For further information, see 2.6 “Victim Assistance”.

⁴³⁹ Email from the Oromo Liberation Front, received 14 October 2005.

⁴⁴⁰ Meeting with DPIK representative, July 2001.

⁴⁴¹ Meeting with the Deputy Secretary General of the DPIK, June 2006.

⁴⁴² Landmine Monitor Report 2006. p. 933.

⁴⁴³ Meeting with UNICEF representative, Erbil, 22 June 2006 (2006).

⁴⁴⁴ Landmine Monitor Report 2005. p. 753.

⁴⁴⁵ Meeting with NPA representative, Sulaymaniyah, 21 June 2006.

⁴⁴⁶ Meeting with UNICEF representative, Erbil, 22 June 2006.

⁴⁴⁷ Email from international mine agency (2), received May 2006.

⁴⁴⁸ Interview on Lebanon (1), May 2006.

Azerbaijan: Nagorno-Karabakh

MRE Provided by the Nagorno-Karabakh Authorities and Other Actors

In 1999 the authorities of Nagorno-Karabakh created the “Mine Awareness Working Group” with the objective of sharing information with other entities involved in the mine/UXO problem and to coordinate their various activities.⁴⁴⁹ According to the Landmine Monitor Report however, no meetings were held in 2003 and 2004.⁴⁵⁰ Major work on MRE in Nagorno-Karabakh has mainly been conducted by the ICRC. In December 2002, the ICRC concluded the MRE program that it had been carrying out since 1994.⁴⁵¹ In March 2003, HALO Trust took over responsibility for this program, which is still continuing.⁴⁵² The authorities (through the Nagorno-Karabakh emergency rescue service) were involved in the ICRC’s MRE activities in, e.g. 2002, when it organized MRE for civil servants. In this “training for trainers”, civil defense workers were taught to train local volunteers in affected communities in ways to make rural populations more aware of the dangers posed by mines and UXO.⁴⁵³ The ICRC continued its presence in Nagorno-Karabakh in 2004 through a “Safe Playgrounds for Children” program, designed to create play spaces for children away from mined areas. This program ended in 2005.⁴⁵⁴ In future, according to the ICRC, MRE will be the responsibility of Nagorno-Karabakh civil defense and educational services.⁴⁵⁵

Senegal: MFDC

Ad hoc MRE by the MFDC and Provided by Other Actors

The MFDC asserts that it has informed the population about the avoidance of mines, in forms of limited or *ad hoc* MRE.⁴⁵⁶ Representatives from organizations undertaking MRE (notably HI, UNICEF and a number of local NGOs and community groups)⁴⁵⁷ have been allowed to operate in areas under the influence of the MFDC. MFDC members have also allegedly accompanied MRE NGOs when entering polluted areas under the MFDC’s influence.⁴⁵⁸ The MRE activities, which have specifically targeted local communities and schools located in affected areas, have thus been able to play an important outreach role in Casamance.⁴⁵⁹ MRE in Casamance was provided in 2005 by HI, UNICEF and a network of local NGOs and community groups.⁴⁶⁰

449 Landmine Monitor Report 2001. p. 973.

450 Landmine Monitor Report 2004. p. 1223 and Landmine Monitor Report 2005. p. 966.

451 Azerbaijan/Nagorny Karabakh: ICRC mine action, Community-based mine/unexploded ordnance awareness programme, 2002, ICRC, Available: <http://www.icrc.org/web/eng/siteeng0.nsf/iwpList211/6600D7B5F7446364C1256CB80046F09B>, Accessed: 23 July 2006.

452 In 2005, HALO Trust was the sole provider of MRE in Nagorno-Karabakh., providing community liaison with villages near clearance sites, giving information on the work of clearance teams and handover information, etc. Landmine Monitor Report 2006. p. 1162

453 Landmine Monitor Report 2002. p. 840

454 Landmine Monitor Report 2006. p. 1162.

455 ICRC Special Report, Mine Action 2004 (Geneva: ICRC, 2004)., p. 32

456 Meeting with NSA representative, Senegal, March 2006 and Geneva Call mission to Casamance, Senegal, October 2006.

457 Landmine Monitor Report 2006. p. 627.

458 Meeting with NSA representative, Senegal, March 2006.

459 Email from international mine action agency, Senegal, received June 2006.

460 Landmine Monitor Report 2006. p. 627.

Somalia: Various NSAs

Ad hoc MRE in Puntland

At the end of October 2003, UNICEF/HI conducted an assessment mission to Puntland, in order to assess the need for expanding MRE activities to that region.⁴⁶¹ Some local NGOs have made attempts to provide MRE, but the effort has been limited and is confined to small areas. Local authorities have allegedly provided some support (as has the Somali diaspora) to SOMER, for conducting mine awareness workshops and training of community members in Goldogob district since 2000. This support was plausibly mainly financial.⁴⁶² Throughout 2005, there were preparations for some limited MRE conducted by individuals from PMAC and the police EOD team, trained by HI and with general support from UNDP and UNICEF. In late 2005 they started providing MRE. In January 2006, the GICHD also provided MRE training to PMAC staff in Garowe, on behalf of UNICEF.⁴⁶³

MRE Provided by the Somaliland Authorities and Other Actors

MRE in Somalia has been *ad hoc* and limited with relatively few and small-scale campaigns in mine-awareness throughout the years.⁴⁶⁴ Somaliland has been an exception to this trend. A pilot MRE project was initiated by CARE/Mine Tech in 2000.⁴⁶⁵ Since then, UNICEF and HI have been the main organizations involved, in collaboration with SMAC. In September 2002, UNICEF and HI conducted a knowledge, attitudes and practices survey in three regions of Somaliland.⁴⁶⁶ In January 2005, HI commenced an MRE program which targets child and adult herders in affected communities, as well as health workers and journalists.⁴⁶⁷ In 2005-2006, HI and its local partners produced and distributed educational materials referring to MRE messages. SMAC's regional liaison officers were involved in the distribution of such material.⁴⁶⁸ As of mid-2005, the Ministry of Information has cooperated in broadcasting MRE messages through a government-owned radio station.⁴⁶⁹ Demining organizations such as HALO Trust⁴⁷⁰ and DDG have undertaken some MRE as part of their overall mine action.⁴⁷¹ According to the UNDP, police EOD response teams have also provided limited MRE during 2005.⁴⁷²

Ad hoc MRE by RRA and SNF-Linked NGOs

There are no known international NGOs facilitating substantial MRE in central and southern Somalia. Efforts are being made by local NGOs, for example, the RRA-linked BCMO in the Bay and Bakool provinces. BCMO has provided the local population with some awareness workshops, despite a lack of expertise and funding.⁴⁷³ SNF Chairman Mohamud Sayid Aden and JVA Chair-

461 Eric Debert, Mine Risk Education Feasibility Study Mission in Puntland, 18 to 25 October 2003 [2003].

462 Report of the Geneva Call Follow-up Mission to Puntland, Hiran and Bakol Regions: Landmines in Somalia, September 2004., p. 14

463 Landmine Monitor Report 2006. p.p. 1069-1070.

464 Landmine Monitor Report 2004. p. 1234.

465 Email from international mine action agency concerning Somalia, received 21 July 2006.

466 Somaliland, Handicap International, Available: http://www.handicap-international.org.uk/page_208.php, Accessed: 23 July 2006. See also Landmine Monitor Report 2004. p. 1234.

467 Landmine Monitor Report 2005. p. 980.

468 Landmine Monitor Report 2006. p. 1184.

469 *Ibid.* p. 1184.

470 Somaliland, Puntland and Sudan.

471 Landmine Monitor Report 2005., p. 980. and Landmine Monitor Report 2006. p. 1183.

472 Landmine Monitor Report 2006. p. 1183.

473 Report of the Geneva Call Follow-up Mission to Puntland, Hiran and Bakol Regions: Landmines in Somalia, September 2004. p. 14.

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man Barre Aden Shire have reportedly delegated the local NGO, JUDA, to assist in some mine action activities. JUDA has undertaken limited and *ad hoc* MRE workshops to educate the local population on mine affected areas and the dangers associated with mines. It has also produced MRE material.⁴⁷⁴ According to the Landmine Monitor Report, an MRE seminar was organized in Mogadishu in 2005 by the local NGO Somali Demining and UXO Action Group Centre with the ICRC and Radio Shabele.⁴⁷⁵

Sri Lanka: LTTE

MRE Provided by an LTTE-Linked Organization and Other Actors

There are several national and international MRE NGOs operating in Sri Lanka. White Pigeon (a sub-organization of the TRO) is one of the local NGOs with which UNICEF is implementing major MRE programs.⁴⁷⁶ Three main operators work in all contaminated areas: (i) UNICEF⁴⁷⁷ (in cooperation with UNDP Mine Action); (ii) White Pigeon; and (iii) Sarvodaya.⁴⁷⁸ In the Vanni region, which is controlled by the LTTE, MRE is undertaken by White Pigeon and MAG, working closely with HDU.⁴⁷⁹ Other substantial contributions come from local NGOs such as the Community Trust Fund and the Tamil Refugee Rehabilitation Organization.⁴⁸⁰ MRE strategies have included community-based initiatives, mass media campaigns and school-based programs. Community liaison work is also undertaken,⁴⁸¹ especially by MAG.



Sign by TRO and UNICEF warning for the dangers of landmines

474 The NGO depicted different possible mines that the population could come across through sketches. The drawings also included the possible outcomes of becoming a mine victim. Interview with Pascal Bongard, Geneva Call Program Director, Geneva, July 2006.

475 Landmine Monitor Report 2006. p. 1070.

476 Sri Lanka's Article 7 Report, Form C, 13 June 2005 [voluntary initial transparency report up to 13 June 2005].

477 Interview on Sri Lanka, December 2005. p. 885.

478 Email from international mine action agency in Sri Lanka, received February 2006.

479 Landmine Monitor Report 2005. p. 886.

480 Ibid. p. 885.

481 Ibid. p. 885. Interview with Pascal Bongard, Geneva Call Program Director, Geneva, July 2006.

Sudan: SPLM/A

MRE Provided by Other Actors in South Sudan

Critics have argued that, while there have been massive mine clearance programs in South Sudan, there has been little MRE.⁴⁸² Nevertheless, according to South Sudan's Article 7 Report, there has been a tremendous increase in MRE activity during the past few years. The need for such activity also appears to have increased sharply, given the increased number of returnees following the signing of the peace agreement and the IDPs arriving from the Darfur region.⁴⁸³ Notably, UNICEF is working in close collaboration with UNMAS in the coordination of MRE.⁴⁸⁴ MRE is provided by DanChurchAid in collaboration with JASMAR and OSIL. These also serve a community liaison function.⁴⁸⁵ As of 2005, JASMAR began implementing MRE as an independent NGO, and UNHCR initiated MRE through partner organizations.⁴⁸⁶ The SLR/SLIRI conducted an MRE assessment in late 2004. SLR has been granted accreditation to conduct MRE and is branching out from victim survey into the field of mine awareness.⁴⁸⁷ MAG has been conducting both "regular" MRE and community liaison activities. In the south, MAG has been working in collaboration with OSIL.⁴⁸⁸ According to Sudan's Updated Article 7 Report, UNICEF, within the framework of the UNMAO, worked closely with the National Mine Action Office in the south on the MRE issue.⁴⁸⁹ The SPLM/A, with the assistance of the aid community, has established the Sustainable Returns Team to report on and survey the destiny of the returnees. The South Sudan Regional UNMAO is represented by the MRE team at these meetings.⁴⁹⁰

Turkey: Kongra-Gel/HPG

Ad hoc MRE by the Kongra-Gel/HPG

The HPG has claimed that it informs the population in its areas of operation about mined areas.⁴⁹¹ HAW-PAR has also mentioned conducting some improvised MRE sessions. For instance, during the summer, HAW-PAR visits families that live in or travel to affected areas in order to inform them about the risks. It informs them about what to do when they find mines. HAW-PAR also educates smugglers about landmines.⁴⁹²

482 [Interview on Sudan, Zagreb, December 2005.](#)

483 [\[South\] Sudan's Article 7 Report, 30 April 2005.](#) Landmine Monitor Report 2006 also reports on significant expansions in the MRE activities of DanChurchAid, MAG and Friends of Peace and Development Organization. [Landmine Monitor Report 2006.](#) p. 670.

484 [\[South\] Sudan's Article 7 Report, 30 April 2005.](#)

485 [Landmine Monitor Report 2005.](#) pp. 541-542.

486 [Landmine Monitor Report 2006.](#) p. 670.

487 [\[South\] Sudan's Article 7 Report, 30 April 2005.](#)

488 [Landmine Monitor Report 2005.](#) p. 542.

489 [Republic of Sudan: Updated Article 7 Report \(01 October 2004-30 April 2005\), Ministry of Foreign Affairs, 30 April 2005 \(2005\).](#) p. 20.

490 [\[South\] Sudan's Article 7 Report, 30 April 2005.](#)

491 [Letter from HPG, received October 2005.](#)

492 [Interview with HAW-PAR deminer, Geneva, May 2006.](#)

Western Sahara: Polisario Front

MRE Provided by Other Actors in Western Sahara

From 1998 to 2000, NPA, in close coordination with MINURSO,⁴⁹³ conducted an MRE project in the Saharawi refugee camps which were under the Polisario Front's control. Around 90,000 individuals were covered during this project. The main target groups were women and children.⁴⁹⁴ NPA's goal was to educate refugees about the dangers posed by landmines that they might encounter when returning to Western Sahara. NPA's efforts were considered to have been fruitful and were concluded in June 2000.⁴⁹⁵ Since then, no international agency or NGO has been providing MRE in the camps. However, SCBL has maintained some *ad hoc* mine awareness classes in schools and for women in the refugee camps, but these efforts have been limited due to scarcity of resources and funding. SCBL is currently discussing with UNICEF the possibility of recommencing MRE programs in the camps.⁴⁹⁶

493 [Email from Justin Brady, UNMAS, received 20 July \(2006\).](#)

494 [Report from Boybat Cheik Abdelhay, SCBL, April 2006.](#)

495 Sarah B. Taylor, "NPA: Improving Lives in the Middle East and Throughout the World" [Journal of Mine Action](#).5:3 (2001).

496 [Report from Boybat Cheik Abdelhay, SCBL, April 2006.](#)

2.6 Victim Assistance

2.6.1 Summary NSA Victim Assistance

Victim assistance has been divided into three categories: assistance provided by the NSA to civilians; assistance provided by the NSA to its own combatant victims; and assistance provided by other actors and allowed or facilitated by the NSA. The second category is not extensively covered, due to limited information. In general, it can be estimated that most NSAs are in fact providing their own combatant victims with assistance, to the extent possible. Victim assistance efforts have reportedly been provided by NSAs to civilians and by other actors and allowed or facilitated by the NSA.

Whereas this pillar also covers activities relevant to socio-economic reintegration of mine victims, NSAs rarely participate in activities other than physical and medical treatment. This could partly be due to limited information on such activities and partly because NSAs lack the capacity to provide such services.

2.6.2 NSA Involvement in Victim Assistance

Georgia: Abkhazia

Victim Assistance in Abkhazia

Victim assistance in Abkhazia has been provided by the Ministry of Health and Social Security⁴⁹⁷ with contributions from Abkhaz and international organizations (ICRC and HALO Trust). Landmine and other war-related traumas are primarily treated in Agudzera military hospital,⁴⁹⁸ but first aid has also been provided by the Georgian government.⁴⁹⁹ Hospitals routinely run short of basic medical supplies due to a lack of funding. In 2004, the ICRC assisted five hospitals in Abkhazia, supplying medicines, equipment and surgical materials. Assistance to the hospitals was cut back or terminated when the program ceased at the end of 2004.⁵⁰⁰ According to the Landmine Monitor Report 2006, the Ministry of Health has gradually increased its spending on disability support and its general support for medical facilities.⁵⁰¹

The two main Abkhaz organizations working with persons with disabilities, including landmine survivors, are the Gagra Orthopedic Center and the Association of Invalid Support. The Gagra Rehabilitation Center also provides limited assistance.⁵⁰² The Gagra Orthopedic Center (established by the ICRC in cooperation with the Ministry of Health) provides physical rehabilitation services and orthopedic devices free-of-charge. Today it is run by the Ministry of Health and also provides an outreach program to the Gal area for those unable to access the center.⁵⁰³ Since 2003, HALO Trust has also been providing assistance to child landmine survivors in Abkhazia

⁴⁹⁷ Landmine Monitor Report 2006. p. 1133.

⁴⁹⁸ Landmine Monitor Report 2005. p. 937.

⁴⁹⁹ Interview with Narine Berikashvili, Geneva, May 2006.

⁵⁰⁰ ICRC Annual Report 2004 (Geneva: ICRC, 2005), p. 207 and Abkhazia Briefing Note January 2005 (UN OCHA Georgia, 2005).

⁵⁰¹ Landmine Monitor Report 2006. p. 1133.

⁵⁰² Landmine Monitor Report 2005. p. 937.

⁵⁰³ Ibid. p. 937. and ICRC Annual Report 2003 (Geneva: ICRC, 2004). p. 221.

through a program with the Sukhum Rehabilitation Center. UNICEF, HALO Trust and the Rainbow Rehabilitation Center further organize a summer camp for children injured by landmines and their families.⁵⁰⁴ According to the Landmine Monitor Report, the Association of Invalid Support provides “physical rehabilitation, psychosocial support and computer classes for mine survivors and other people with disabilities” and promotes their rights.⁵⁰⁵ The Ministry of Health and Social Security is in charge of assisting disabled people in Abkhazia, including survivors. Through the Medical and Social Expertise Commission, people with disabilities receive treatment and some small benefits.⁵⁰⁶

Burma/Myanmar: Various NSAs⁵⁰⁷

Ad hoc and Third Party Victim Assistance in Burma/Myanmar

According to a Landmine Monitor fact sheet, three Burmese NSAs: SSA, KNPP and KNLA, have been cooperating with a relief agency in performing emergency amputations.⁵⁰⁸ The KNU also has a Health and Welfare Division and a hospital at Gho Kay, which have been involved in victim assistance efforts. According to the Landmine Monitor Report 2006 the hospital provided prostheses through the Committee for Internally Displaced Karen People’s “flying prosthetics” program.⁵⁰⁹ The assistance program had been cancelled in 2004 “due to a lack of components and funding.”⁵¹⁰

The KNPP has described its main contribution to victim assistance as providing security to the Karenni Social Welfare Committee and the Karenni Mobile Medic Team. These mobile medical teams enter territories under the influence of the KNPP and remain there for between one and two months at a time, providing medical assistance to communities and individuals until their medicines run out.⁵¹¹ The SSA-S has stated that mine victims come to it for protection. For instance, in one of its camps, there are no less than 30 landmine victims. NGOs help provide them with food. Some of the victims have received assistance from Thailand, including 20 mine victims who were sent to Thailand in 2005.⁵¹²

The ARNO has stated that it has provided some victim assistance, in the form of first aid and transport, to its own victims and civilians.⁵¹³ However, this contribution was limited due to interference of the concerned state. The ARNO has expressed an interest in contributing more.⁵¹⁴ It has also been reported that RSO has supplied some victim assistance, notably first aid, to its own victims and civilians.⁵¹⁵

504 [Georgia: Child Protection](http://www.unicef.org/georgia/protection_3856.html), UNICEF, Available: http://www.unicef.org/georgia/protection_3856.html, Accessed: 23 July 2006.

505 [Landmine Monitor Report 2006](#). p. 1134.

506 *Ibid.* p. 1134.

507 As described in the Landmine Monitor 2005, numerous organizations are active in providing assistance to persons injured in war (including by landmines) in the Thai/Burmese border area, including the Mae Tao Clinic, Médecins Sans Frontières, International Rescue Committee, American Refugee Committee, Aide Medicale International, Handicap International, Malteser Germany and the ICRC. The “Backpack Health Workers”, teams, starting from Thailand: “run an independent medical service into rebel controlled areas of Mon, Karen, Karenni and Shan states—as do some other private organizations—to provide public health education and emergency care, including amputation surgery for mine casualties.” [Landmine Monitor Report 2005](#). p. 686. “Backpack Health Workers” teams include those sent out by Dr. Cynthia Maung and the Karen Handicap Welfare Association. See for instance Denis D. Gray, “Myanmar’s Victims Flock to a Refugee Doctor Known as ‘the Mother Teresa of Burma’,” [Associated Press](#) 27 February 2006. and Imbert Matthee, “Assisting Landmine Accident Survivors in the Thai-Burmese Border Region,” [Journal of Mine Action](#) 9.2 [2006].

508 [Non-State Armed Groups and the Mine Ban, Landmine Monitor Fact Sheet](#) (Mines Action Canada, June 2005). p. 5.

509 [Landmine Monitor Report 2006](#). p. 866.

510 [Non-State Armed Groups and the Mine Ban, Landmine Monitor Fact Sheet](#). p. 5. and [Landmine Monitor Report 2005](#). p. 687.

511 [Meeting with KNPP representatives, March 2006](#).

512 [Meeting with SSA-S representative, March 2006](#).

513 [Email concerning Burmese NSA mine action, received April 2006](#). and [Email from ARNO representative, received May 2006](#).

514 [Email from ARNO representative, received May 2006](#).

515 [Email concerning Burmese NSA mine action, received April 2006](#).

Colombia: ELN and FARC

Limited Victim Assistance Provided by the ELN and the FARC and Assistance by Other Actors

It is clear that the two main Colombian NSAs have provided victim assistance to their own landmine victims, although there are no available registers of NSA mine victims. Sometimes the ELN and the FARC also assist civilian victims, for example through indicating safe passages for the transport of victims⁵¹⁶ or by transporting them to where they can receive medical care.⁵¹⁷ In general, the expenses for physical rehabilitation and prosthetics are covered by the state through the existing health system. In NSA-affected areas, the victim assistance activities of the CCCM are supported by *Moviment per la Pau* and the Swiss Foundation for Landmine Victims Aid. The ICRC, among others, is also active in supporting landmine victims in conflict areas⁵¹⁸ by providing prostheses, transport, and assistance during the rehabilitation process, as well as legal advice and financial support.⁵¹⁹

Ethiopia: OLF

Limited Victim Assistance Provided by the OLF

The OLF states that it has “assisted victimized civilians in parts of Oromia within which we are militarily active.” However, the group reiterates that victim assistance and compensation for mine victims remain the direct responsibility of the government.⁵²⁰

Iran: DPIK

Limited Victim Assistance Provided by the DPIK

The DPIK states that it has been helping both civilians and its own military mine victims in Iranian Kurdistan. According to the DPIK, victims sometimes receive emergency care in the DPIK’s own facilities (in Iraqi Kurdistan) and are then directed to specialist organizations.⁵²¹

Iraqi Kurdistan

Victim Assistance in Iraqi Kurdistan

As underlined by the Landmine Monitor Report, in Iraqi Kurdistan the general healthcare situation (including the treatment of landmine survivors) is better than in other regions of the country, thanks to the more stable security situation and “a relatively smooth handover of NGO-operated

516 [Email from CCCM, received May 2006.](#)

517 Dudley, “Mines Force Town to Walk Fine Line: The Story of a Colombian Village that Persuaded Guerrillas to Remove Their Land Mines from a Road Shows How Mines are Both Deadly and Divisive..”

518 [Email from CCCM, received May 2006.](#)

519 [Landmine Monitor Report 2006](#). p. 322.

520 [Email from the Oromo Liberation Front, received 14 October 2005.](#)

521 [Meeting with the Deputy Secretary General of the DPIK, June 2006.](#)

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health facilities to the regional Ministry of Health.” However, many mine-affected communities still lack medical facilities.⁵²²

Rehabilitation services in Dohuk, Erbil, Sulaymaniyah and Halabja are run by national and international NGOs in cooperation with the regional Ministry of Health. International NGOs and organizations that support or run the centers include the ICRC and Emergency. The regional Ministry of Health finances at least two centers on its own.⁵²³ HI has been present in the Sulaymaniyah region since 1991, responding to the needs of people with amputations in the region (most caused by AP mines). Centers which also manufacture prostheses were created in Sulaymaniyah and Halabja, and smaller centers were set up in the towns of Penjwin, Kalar⁵²⁴ and Raniya.⁵²⁵ In 2004, HI handed the entire program over to the local NGO, KORD. The prostheses provided by KORD are manufactured in Iraqi Kurdistan. All services are free-of-charge and the organization assists both the survivors and their families. KORD is active mainly in the area around Sulaymaniyah, but also provides services to people from Iran. Services include transportation, food and accommodation. KORD obtains its main resources from the regional authorities, through the General Directorate for Mine Action, and from the government of the Netherlands.⁵²⁶ Medical assistance is covered by the regional government, but not transport to the hospitals. NPA has also covered transportation.⁵²⁷



Geneva Call 2006

Rehabilitation of survivors in at the KORD Orthopedic and Rehabilitation Center in Sulaymaniyah

522 [Landmine Monitor Report 2006](#), p. 942.

523 *Ibid.* p. 944.

524 [Handicap International's activities in Iraq: Our presence in the country](#), Handicap International, Available: <http://www.handicapinternational.be/content.asp?lng=1&clD=34>, Accessed 4 July 2006.

525 [Email from KORD, received July 2006](#) (2006).

526 [Meeting with KORD representative, Sulaymaniyah, 22 June 2006](#) (2006).

527 [Meeting with NPA representative, Sulaymaniyah, 21 June 2006](#).

Lebanon: Hezbollah

Victim Assistance by Hezbollah-Linked Organizations

NGOs supported by, or linked to, Hezbollah (the Islamic Health Council⁵²⁸ and the Welfare Association for the Care of the Injured and Disabled of War) are active in MRE and victim assistance⁵²⁹ in the south of Lebanon. Funding of these activities of the organizations is allegedly from both internal and external sources.⁵³⁰ The two organizations have been very active, especially in evacuating victims (emergency transport), first aid⁵³¹ and rehabilitation.⁵³² The Islamic Health Council operates an extensive ambulance network and conducts first aid training in South Lebanon and the Bekaa Valley. As of 2005, it provided micro-credits and socioeconomic reintegration activities.⁵³³ The Welfare Association for the Care of the Injured and Disabled of War's activities include promoting the reintegration of survivors through the provision of physiotherapy and prosthetic devices, vocational training, equipment and income-generating projects.⁵³⁴ The Islamic Health Council and the Welfare Association for the Care of the Injured and Disabled of War in Lebanon both form part of the National Mine Victim Assistance Committee that was formed by the National Demining Office in 2001.⁵³⁵

Azerbaijan: Nagorno-Karabakh

Victim Assistance Activities in Nagorno-Karabakh

The healthcare system in Nagorno-Karabakh has been seriously affected by the general economic situation, and by a lack of resources and skilled staff. The ICRC's primary health care program ended in late 2002, and responsibility for the program was transferred to the local health authorities.⁵³⁶ In 2005, ICRC concentrated its resources on supporting the distribution of medicine and supplies to 65 healthcare facilities, mainly in rural areas.⁵³⁷ Physical rehabilitation, prostheses, wheelchairs and crutches are available at the Prosthetic and Orthopedic Center in Stepanakert, operated by the Ministry of Social Security.⁵³⁸ The Republican Rehabilitation Center, operated by the Ministry of Health, also provides such assistance.⁵³⁹ Psycho-social support services are also available, but resources are limited.⁵⁴⁰ According to the Landmine Monitor Report, all landmine survivors receive free or discounted treatment in the medical institutions of Nagorno-Karabakh, and are entitled to monthly pensions, which are reportedly insufficient.⁵⁴¹

528 According to Julie Goodman, the Islamic Health Society was established in 1984 as an alternative to the official hospital, access to which was temporarily blocked by militias. The group was later "adopted by Hezbollah" and has developed into "a network of hospitals, clinics and community training seminars that now serves 600,000 people a year." Julie Goodman, Field hospital mushroomed into thriving medical network Fall 2004 IRP Fellow, Reprinted with permission of The Clarion-Ledger, Jackson, MS, 2006, International Reporting Project, Johns Hopkins University, Available: http://www.journalismfellowships.org/stories/lebanon/lebanon_hospital.htm, Accessed 8 June 2006.

529 Email from international mine agency (2), received May 2006.

530 Interview on Lebanon (1), May 2006.

531 Landmine Monitor Report 2005. p. 810.

532 Interview on Lebanon (1), May 2006.

533 Landmine Monitor Report 2006. p. 1003

534 Ibid. p. 1002.

535 Landmine Monitor Report 2004. p. 1062.

536 Landmine Monitor Report 2003. p. 758

537 Landmine Monitor Report 2006. p. 1163.

538 Landmine Monitor Report 2001. p. 976.

539 Landmine Monitor Report 2006. p. 1164.

540 For several years in the past, the Belgian Committee of *Médecins Sans Frontières* has provided help in this field. For more information see Landmine Monitor Report 2001.

541 Landmine Monitor Report 2006. p. 1164.

Benefits are regulated by law.⁵⁴² The authorities had periodically organized various activities directed at the social-psychological rehabilitation of disabled people,⁵⁴³ but no recent information has been found regarding such activities.

The Philippines: MILF

Limited Victim Assistance by the MILF

In an email to Geneva Call, the MILF stated that it has provided some limited victim assistance, by assisting UXO victims financially for their treatment.⁵⁴⁴

Somalia: Somaliland and SNF

Victim Assistance Activities by the Somaliland Authorities and Other Actors

In Somaliland, public health facilities with the capacity to assist landmine casualties are reportedly limited and hospitals are poorly equipped and staffed. Mine casualties are often treated at the Hargeisa General Hospital or at the surgical hospital in Berbera, which has been equipped by the ICRC.⁵⁴⁵ According to the Landmine Monitor Report, this hospital “has witnessed a sharp deterioration of all services” following the end of assistance from the ICRC and the Italian NGO, *Cooperazione Internazionale*.⁵⁴⁶ Mine clearance organizations (HALO Trust, DDG and, in the past, the Santa Barbara Foundation) train paramedics to work with their mine clearance teams and provide medical equipment and ambulances for use in emergencies.⁵⁴⁷ No training or reintegration programs for landmine survivors have been identified.⁵⁴⁸ However, a project to assist local associations working for the socio-economic inclusion of disabled people was implemented by HI.⁵⁴⁹

The Somalia Red Crescent Society, supported by the Norwegian Red Cross, runs a prosthesis and component manufacturing center in Hargeisa. This center also provides a mobile clinic,⁵⁵⁰ physiotherapy, prostheses, orthoses, crutches, and a repair service.⁵⁵¹ The Disability Action Network runs the Hargeisa Rehabilitation Center, originally established by HI,⁵⁵² which provides physiotherapy treatments, wheelchairs and crutches as well as repairs prostheses. The Somaliland authorities, through the Ministry of Health and Labor, have facilitated the work of this center, notably by providing the buildings and paying employees. Somaliland has adopted legislation to protect the rights of all persons with disabilities, including landmine survivors.⁵⁵³

542 [Landmine Monitor Report 2005](#). p. 968.

543 [Landmine Monitor Report 2001](#). p. 977.

544 [Email from the MILF, received March 2006](#).

545 [Landmine Monitor Report 2003](#). p. 765.

546 [Landmine Monitor Report 2006](#). p. 1187.

547 [Landmine Monitor Report 2003](#). p. 765.

548 *Ibid.* p. 765.

549 [Handicap International: Somaliland](#), Handicap International, Available: http://www.handicap-international.org.uk/page_208.php, Accessed: 9 October 2006.

550 [Landmine Monitor Report 2004](#). p. 1236.

551 [Landmine Monitor Report 2006](#). pp. 1187-1188.

552 [Handicap International: Somaliland](#).

553 [Landmine Monitor Report 2005](#). p. 983.

Limited Victim Assistance Provided by SNF-Linked NGO

The SNF-linked NGO JUDA, supported by the Swiss Foundation for Landmine Victims Aid, has arranged for transport of victims of UXO to the nearest hospital located in Mandera, at the Kenyan border.⁵⁵⁴ The lack of security and funds are the main reasons why JUDA has engaged only in limited victim assistance. JUDA has reportedly also sponsored the evacuation of mine victims to Nairobi.⁵⁵⁵

Sri Lanka: LTTE

Victim Assistance by LTTE-Linked Organizations and Other Actors

Generally, Sri Lanka has sufficient medical facilities to provide the care needed by landmine survivors. However, health care is less effective in LTTE-controlled areas.⁵⁵⁶ These deficient services have further deteriorated following the tsunami in 2004.⁵⁵⁷ The main organization currently working on victim-assistance in LTTE-controlled areas of the country is White Pigeon,⁵⁵⁸ with the support of UNICEF⁵⁵⁹ and the ICRC. White Pigeon operates two prosthetics workshops, which also distribute crutches, wheelchairs and tricycles and provide prosthesis fitting, rehabilitation services, income generation opportunities and micro-credit services for landmine survivors and their families.⁵⁶⁰ It also provides vocational training for persons with disabilities, including landmine survivors.⁵⁶¹ The organization also conducts follow-up home visits to patients and its staff are trained in basic physiotherapy and counseling to facilitate such visits.⁵⁶²

Sudan: SPLM/A

Victim Assistance by the SPLM/A and Other Actors

In South Sudan, the conflict has had seriously damaging effects on the health care system. Despite international assistance, the vast majority of medical structures in southern Sudan are poorly equipped to provide adequate medical services. According to South Sudan's Article 7 Report, in 2005 there were 19 hospitals with surgical capabilities operating in SPLM/A areas.⁵⁶³

According to the Landmine Monitor Report, the new structure assigns the NMAC and the Regional Mine Action Center in south Sudan to implement and/or coordinate victim assistance activities with the technical assistance of UNMAO, led by UNMAS.⁵⁶⁴ According to Sudan's Updated Article 7 Report, the SPLM/A Secretariat of Health is the principal organization dealing with health and disability issues in the south. However, its current capabilities are limited due to the lack of resources and personnel.⁵⁶⁵ The SPLM/A Secretariat of Health allegedly supervises

554 [Email from the Swiss Foundation for Landmine Victims Aid, received 17 July 2006](#) (2006).

555 [Meeting with JUDA, Nairobi, 2 February 2005](#).

556 [Landmine Monitor Report 2003](#), p. 693.

557 [Landmine Monitor Report 2005](#), p. 891.

558 [Interview on Sri Lanka, December 2005](#).

559 [Email from international mine action agency in Sri Lanka, received February 2006](#). UNICEF supports psychosocial rehabilitation and community-based rehabilitation through local NGOs, including White Pigeon. [Landmine Monitor Report 2006](#), p. 1092.

560 [Landmine Monitor Report 2005](#), p. 893.

561 [Landmine Monitor Report 2004](#), p. 1128.

562 [Landmine Monitor Report 2005](#), p. 893.

563 [\[South\] Sudan's Article 7 Report, 30 April 2005](#).

564 [Landmine Monitor Report 2006](#), p. 677.

565 [Republic of Sudan: Updated Article 7 Report \(01 October 2004-30 April 2005\), Ministry of Foreign Affairs, 30 April 2005](#), p. 26.

all medical facilities, which operate with support from local and international NGOs, church groups, the ICRC and UN agencies. The largest indigenous NGO is the Sudan Medical Care. Key support organizations include NPA, the ICRC, German Emergency Doctors, *Médecins Sans Frontières*, Save the Children, Merlin and UNICEF, among many others.⁵⁶⁶ Most mine/UXO victims have been transported to Kenya by the ICRC and Operation Lifeline Sudan,⁵⁶⁷ where the Lopiding Hospital performs amputations as well as operating an orthopedic workshop, which provides prosthetics and physical training for amputees. Now rehabilitation services in South Sudan are available in Juba and Rumbek.⁵⁶⁸

The orthopedic workshop and rehabilitation center in Rumbek provides orthopedic and physical care services to the disabled, including mine/UXO survivors. At present there are very few interventions in the area of psycho-social support and economic reintegration for mine/UXO survivors in southern Sudan. According to Sudan's Updated Article 7 Report, the SPLM/A introduced restrictions on the publication of data collected by SLR/SLIRI on victims (and mainly combatant victims) in the south.⁵⁶⁹

Turkey: Kongra-Gel/HPG

Limited Victim Assistance Provided by the Kongra-Gel/HPG

The Kongra-Gel/HPG provides victim assistance, at least to its own members when they are victimized (e.g. when they are injured in military operations or by demining). Civilian victims would be assisted on an *ad hoc* basis in two main ways: the provision of first aid (e.g. stopping bleeding, calling doctor, providing transport) when the victim is close to the site of the accident, or by seeking to facilitate transport to a doctor.⁵⁷⁰

Western Sahara: Polisario Front

Victim Assistance by the Polisario Front and Other Actors

There is only one rehabilitation center in a Saharawi refugee camp, in which patients can receive shelter, medicines and material supplies from the Saharawi authorities: the Chehid Chreif Center located close to Rabouni. The orthopedic and physiotherapy departments have never worked due to lack of necessary equipment and qualified staff.⁵⁷¹ Mine survivors, persons with military casualties and disabled people can receive treatment in the center. Patients receive medical support and basic supplies, but no pensions are awarded to survivors. The Saharawi Association for Mine Victims was created in October 2005 to provide support to mine survivors. It is based in the Chehid Cherif Center.⁵⁷²

According to the Landmine Monitor 2005, the ICRC prosthetic workshop at the Ben Aknoun center in Algiers, Algeria, provided access to physical rehabilitation for Saharawi amputees un-

⁵⁶⁶ [South] Sudan's Article 7 Report, 30 April 2005.

⁵⁶⁷ Until 28 February 2006, the ICRC and Operation Lifeline Sudan operated a medical emergency air evacuation service to Lopiding hospital in Kenya. *Landmine Monitor Report 2006*. p. 679.

⁵⁶⁸ *Ibid.* p. 679.

⁵⁶⁹ [South] Sudan's Article 7 Report, 30 April 2005.

⁵⁷⁰ Interview with HAW-PAR deminer, Geneva, May 2006.

⁵⁷¹ Report from Boybat Cheik Abdelhay, SCBL, April 2006.

⁵⁷² *Ibid.*

til the beginning of 2004.⁵⁷³ However, due to practical and economic difficulties, it was not easy for Saharawis to access this center. The ICRC has recently expressed an interest in opening a prostheses workshop in the refugee camps. For this purpose, a delegation from the ICRC visited the camps in June 2006.⁵⁷⁴

573 Landmine Monitor Report 2006, p. 1201.

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CONCLUSION

This report confirms that it is possible to engage armed non-state actors (NSAs) in humanitarian mine action activities - understood as activities which aim to reduce the social, economic and environmental impact of mines and unexploded ordnance. *The benefits of such engagement for the populations are equal to the benefits that arise from other forms of mine action, and it is important not to discriminate against populations in areas under the control or influence of NSAs.* Difficulties and challenges can be - and have been - overcome. Hence, it is argued here that, while appropriate analysis and evaluation of the particular situations is needed, NSAs must be considered as potentially positive actors in mine action.

Current and former NSAs have been involved in humanitarian mine action for decades. The present report has aimed to contribute to an understanding of the advantages and challenges of, and lessons learned from, the involvement of NSAs in mine action. Through this, it is hoped to mobilize mine action in areas under the control or influence of NSAs. This report, which is based on interviews and correspondence with key informants (principally mine action practitioners), input from NSAs, field research and various written sources, has studied the involvement of NSAs in mine action in two ways: analyzing elements for the assessment of NSA mine action; and describing the current involvement of NSAs in the five mine action pillars:

- mine ban advocacy/policy;¹
- stockpile destruction;
- mine clearance and related activities;
- mine risk education (MRE); and
- victim assistance.

The report demonstrates that NSAs globally (in Africa, Asia, Europe, Middle East/North Africa and Latin America) have been active in mine action efforts, both formally (through mine action programs) and informally (through spontaneous or *ad hoc* efforts). Mine action may have been conducted: (i) by the NSA itself; (ii) by NGOs which are more-or-less closely linked to the NSA; or (iii) by specialized independent international non-governmental organizations (NGOs) or agencies and facilitated by the NSA.

This conclusion summarizes the main findings of the report under the headings:

- NSA involvement in the five mine action pillars;
- assessment of NSA involvement in mine action and its advantages;
- challenges, tentative solutions and lessons learned; and
- elements of analysis

¹ It should be noted that the report employs an expanded concept of "advocacy", which includes the commitment to an anti-personnel (AP) mine ban, or a stated moratorium or limitation on landmine use.

3.1 NSA Involvement in the Five Mine Action Pillars

There were practical examples of NSA mine action found in the areas of each of the five mine action pillars. However, there are quite important differences between the numbers of NSAs involved in the different mine action pillars.

Many NSAs are involved in “informal” or “spontaneous” mine action which is neither publicized nor part of larger mine action programs. Generally, the most complete coverage of the mine action pillars occurs where NSAs collaborate with international agencies and NGOs. However, in some of these cases, surprisingly, there were no actions within the mine ban and stockpile destruction pillars. NSAs that conduct mine action on an *ad hoc* basis also sometimes manage to cover several of the mine action pillars. Nevertheless, the importance of third party involvement in mine action in areas under the control of NSAs should not be underestimated, given that such efforts provide: information about mine action standards; a more comprehensive coverage of the different aspects of the mine action pillars; and resources (in terms of equipment for, and expertise in, demining, MRE, and victim assistance).

3.1.1 Mine Ban Policy

The greatest numbers of NSAs are involved in activities related to mine ban policy: 35 NSAs have banned anti-personnel (AP) mines. Of these, 31 have signed the Deed of Commitment,² and at least 14 had allegedly introduced some type of limitations (temporal or applied) to their mine use. At least six NSAs, all of them signatories to the Deed of Commitment, have reportedly been involved in promoting the mine ban to other actors.

3.1.2 Stockpile Destruction

NSAs are rarely involved in stockpile destruction, although this has occurred, generally on an *ad hoc* (i.e., incomplete and/or limited) basis in a total of ten instances. Sometimes, the failure to destroy stocks appears to have been related to the fact that the NSA has not agreed to a total ban on AP mines. Nevertheless, it should be remembered that, in some cases, the failure of NSAs to destroy their stocks has also been due to circumstances beyond their control, for instance, a lack of funds or non-cooperation by a concerned state.

3.1.3 Mine Clearance and Related Activities

Some 31 NSAs have participated in mine clearance and related activities to a substantial extent: in ten cases these formed part of a mine action program, while the remainder participated on a spontaneous or *ad hoc* basis. Spontaneous or *ad hoc* action has involved activities such as the clearing of camps when leaving them, clearing mines on the request of the population and the

² The humanitarian NGO Geneva Call proposes a mechanism through which NSAs can abide by a total ban on AP mines by signing a “Deed of Commitment under Geneva Call for Adherence to a Total Ban on Anti-Personnel Mines and Cooperation in Mine Action”.

adoption of policies to map the mines employed. More substantial efforts can be performed by the NSAs themselves, by actors organizationally linked to them, or by independent organizations. On some occasions when mine action has been conducted by other actors in areas under NSA control, it has not always been clear exactly what NSAs have done to facilitate these efforts.

3.1.4 Mine Risk Education

Few NSAs have been directly involved in large-scale MRE programs: four groups are conducting MRE programs themselves, and some 12 are facilitating projects or programs. NSAs engage more frequently in *ad hoc* MRE by providing information about mines to civilians (14 cases documented).

3.1.5 Victim Assistance

Victim assistance efforts have reportedly been provided by NSAs to civilians (in 20 cases) and by other actors in situations where the NSA has allowed for or facilitated such efforts (15 such cases were documented).³ While not always reported, it can be assumed that most NSAs generally provide their own combatant victims with victim assistance, to the extent this is possible.

³ Whereas this pillar also covers activities relevant to socio-economic reintegration of mine victims, NSAs rarely participate in activities other than physical and medical treatment.

3.2 Assessment of NSA Involvement in Mine Action and Its Advantages

3.2.1 NSAs Involved in Mine Action

Mine action is a logical development of the realization by an NSA of the negative effects of landmines. However, it appears that the relationship between a mine ban and other aspects of mine action is not always clear-cut. Other mine action activities can take place in the absence of a mine ban, although such efforts are considered to be less sustainable. Generally, NSAs that have committed to a mine ban are more likely to be involved in mine action than groups that have not committed. In addition, a mine ban (whether a unilateral statement, an internal regulation, a Deed of Commitment signature, or an agreement with the concerned government) could enhance international and national interest in mine action and create a momentum. Some mine action practitioners (as well as Action 46 of the Nairobi Action Plan) suggest that there should be greater support for mine action activities when the concerned NSAs have committed to a mine ban.

There are different explanations of the reasons why NSAs become involved in mine action. Recurring themes are humanitarian and development concerns and self-interest. Community pressure is sometimes highlighted as a main factor. There are at least four variations on the self-interest theme: military reasons; material gain; and internal and international reputation. The themes are not mutually exclusive, and an NSA's decision to engage in mine action could be motivated by a combination of factors. However, humanitarian engagement with NSAs does not confer any legitimacy on them or otherwise affect their legal status.⁴

When considering more closely the characteristics of the NSAs involved in mine action and their particular situations, it appears that there are significant differences between them. Some groups are small and actively involved in warfare, while some more closely resemble governments of entities that are not, or are not widely, recognized as states. Some are frequent or formerly frequent mine users, while others have never used mines or have made more limited use of them. With reference to involvement in a total ban (rather than a limitation) of AP mines, NSAs generally appear to be more open to such involvement during peace processes or cease-fires. However, some groups have committed to a total ban or agreed on limitations on the use of mines during ongoing fighting or in situations of frozen conflict. Although the NSAs involved in mine action are not confined to those that control territory, these NSAs may feel under particular pressure to provide a broader range of services, including mine action, to their populations. Taking part in mine action could represent an opportunity for the NSA to provide an additional service to the population. The participation of NSAs in mine action could also be regarded as a form of reparation to the direct victims and the affected communities. As NSAs may often lack the financial means to compensate victims, assistance in mine clearance and related activities, as well as victim assistance, could serve as alternative forms of reparation for indiscriminate mine use.

3.2.2 Advantages of NSA Mine Action

This report has determined that, despite some difficulties, NSA mine action has generally been successful, both in larger and smaller-scale interventions. In general, the implementation of

⁴ Geneva Call confronts this issue through Article 6 of the Deed of Commitment, which is based on Common Article 3 of the Geneva Conventions.

NSA mine action (with international involvement) appears to be most successful when an NSA is in control of territory, and/or the concerned state(s) facilitate or do not create any major obstacles to such activities. Another facilitating factor is the existence of a peace or cease-fire agreement.

From the point of view of mine ban practitioners, the primary benefits of NSA mine action were considered to be the same as those arising from other forms of mine action; i.e. principally humanitarian and developmental. Nevertheless, the complementary effects of NSA mine action (employment and stability; peace-building; security and disarmament; and openness to discussing other humanitarian norms) are different, and these are often perceived to be as important as, or even more important than, the primary benefits and advantages of working with NSAs. In addition, *the primary benefits for the population in an area under the control of or influence of NSAs may be relatively more significant, given that these areas are more often underdeveloped and greatly lack developmental and humanitarian activities.*

The main factors that appear to encourage humanitarian mine action organizations to engage with NSAs in mine action (and that make such organizations regard NSA involvement as necessary, rather than merely desirable) are: the NSA's military training and possession of information about the mines in the area (and possibly maps); the NSA's links to the territory and the population; and the security and cost-effectiveness of working with these actors. In other cases, it is not only these practical factors, but also the fact that the NSA may be considered by the local population as the legitimate authority, or may enjoy the widespread respect of the constituency, that influences the decision to work with it.

3.3 Challenges, Tentative Solutions and Lessons Learned

As previously mentioned, this report has shown that it is possible, although not always easy, to work with NSAs in humanitarian mine action. Various difficulties and challenges involved in NSA mine action have been identified. They relate to the political context (including the role of the concerned state), the NSA, and third-party actors. In addition, some of the specific problems faced by those involved in NSA mine action during an armed conflict were highlighted. The main problems identified in this respect were the uncertain and sensitive political situation, security, and continued mine use and explosive remnants of war contamination. However, difficulties and challenges can be, and have been, overcome.

The main lessons learned identified include the need:

1. to understand and adapt to the political and conflict situation;
2. for confidence-building, commitment and cooperation;
3. for transparency and financial control;
4. to involve the local communities; and
5. to consider the organizational aspects of mine action and peace-building.

The challenges and corresponding lessons learned are presented below under the following headings: (i) the political context; (ii) the NSAs; (iii) third parties; and (iv) others.

Arguments concerning the conditions necessary for mine action were mostly focused on the general political and security situation and the need for some kind of communication with the NSAs. It was highlighted that the concerned state has to be, if not supportive, then at least not openly obstructive to the process; e.g. by allowing international organizations to work. The general security and conflict situations are crucial, as is good communication and direct dialogue with the NSAs on key issues (e.g. on the issue of what constitutes humanitarian mine action).

3.3.1 The Political Context

Need to Understand and Adapt to the Political and Conflict Situation

The need for flexibility and understanding of the circumstances in which NSA mine action takes place has been particularly striking during the work on this report. This requires that the situation be carefully analyzed in all its specificities, taking into account local knowledge. There is a need for realism and adaptability, not only in terms of methodology, but also in terms of outcome.

Although it has sometimes been argued that a cease-fire, or even a peace agreement, is a necessary condition for comprehensive mine action operations, it is generally agreed that the possibilities for action are very context-specific and that different opportunities may present themselves within different regions in a conflict setting. During a conflict situation, a step-by-step approach, in which the minimum actions possible are performed, may not only save lives in the interim, but may also facilitate larger-scale mine action activities once the situation permits and build confidence to go further. Mine action may hence need to begin in an *ad hoc* or limited manner. If the situation allows for some action, this window of opportunity could be seized and actors could do what is possible at a given moment. For example, if demining operations are not feasible, it may be possible to begin with some survey and mapping, then subsequently

some MRE, and finally commence demining when it is possible politically and in light of security considerations. Mine action with NSAs should therefore be not only a remedial, but also a preventive action, which facilitates and prepares for repatriation of internally displaced persons and refugees.

Flexibility and adaptability are also crucial features for security-related problems; a major concern for NSA mine action. Mine action organizations have seen the need to introduce new security procedures and use local guards in order to overcome significant security problems. Another possible solution to security problems, at least on a temporary basis, has been to work at a distance, by training of staff in a safer environment and undertaking other aspects of mine action that can be performed at a distance (e.g. certain parts of survey). However, there will always be a need for expert supervision which, depending on the national capacity, might have to be international.

Need for Cooperation by the Concerned State

One of the main conclusions of a workshop on mine action in the midst of conflict, held in Zagreb in 2005, and co-organized by Geneva Call and the NSA Working Group of the International Campaign to Ban Landmines, related to the allocation of legal responsibility for mine action in areas controlled by NSAs. It was found that states parties to the Mine Ban Treaty are responsible for mine action efforts undertaken in the parts of their territory that, while not under their control, are under their jurisdiction. While a state party can justify its failure to fulfill its mine action obligations in the areas of its territory that it does not control, it is still bound to make "good faith" efforts to perform its treaty obligations. Legal research has indicated that the argument that NSAs may be engaged, and may engage, in a ban on AP mines only if the concerned states agree, is not in accordance with the current development of international law. According to this research, governments have a responsibility to protect their own citizens and, when they are unable to do so (due to an ongoing internal armed conflict), that responsibility should be able to be taken up by the wider international community.

One recurrent theme during the work for the report was the crucial role of the concerned state(s). Concerned states have played very different roles in NSA mine action, ranging from posing an outright security threat to mine action operators, to actively facilitating mine action. Lack of cooperation of the concerned government is an often-cited difficulty faced in NSA mine action. Equipment and staff have frequently been hindered from entering a country. In some cases, the government has completely halted mine action activities, but more commonly, the concerned state interferes in the practical aspects of the work, by obstructing just as much as it can, stopping short of total non-cooperation. It should be noted, however, that in some cases, the concerned states were very supportive of mine action activities despite the complex situations, and successful actions were undertaken without difficulties.

Related to problems with the concerned state is the dilemma of an operator working with an NSA potentially being accused of increasing the war-making capacities of the latter. Some organizations have dealt with this issue of lack of trust on the part of the government by working on both sides of the conflict. Governments have sometimes been compensated materially (by being given equivalent support for mine activities despite less urgent needs) for support given to the NSA. It has been suggested that a way to overcome this problem is for humanitarian actors to work in full transparency with the concerned state. In addition, humanitarian actors should convince the government (through direct lobbying and public advocacy campaigns directed at the concerned state and other states) that mine action principally has humanitarian benefits. Alternatively, NSA facilitation with logistics can help overcome some of the problems that arise from the non-cooperation of a concerned state.

The importance of the role of the concerned state is also linked to the importance of not allowing international humanitarian law to become rhetoric. In order to avoid this, concerned governments need to allow for mine action activities to take place. In addition, the international community should assist in these activities and NSAs should facilitate this assistance and demonstrate goodwill in this regard.

3.3.2 The NSAs

Need for Capacity-Building and Training

One major challenge to NSA mine action, highlighted both by humanitarian actors and NSAs, is the lack of capacity and equipment of NSAs. In many cases, there is a clear need for training and capacity-building in (for example) technical and operational capacity and management skills. General capacity-building and training has been suggested as a way of confronting the problems of NSA involvement in mine action that allegedly stem from the NSAs themselves: namely, lack of organization, lack of transparency and a predisposition to set biased priorities. A note of caution should be expressed in this regard; it may be difficult to arrive at a balance between supporting the NSAs on these issues without supporting them politically or financially. Hence, this work could be implemented with the help of independent humanitarian organizations, such as agencies of the United Nations and international NGOs. Donor governments are often willing to contribute to reinforcing the capacity of other governments in mine action. If the relevant conditions are met, donor governments should be more open to supporting training relevant to humanitarian mine action activities, mine action institutions and mine action logistics of, or related to, NSAs.

It has been suggested that NSAs should assume greater responsibility for facilitating and coordinating the operations. This could be encouraged through awareness-raising activities with NSAs about AP mines and humanitarian demining. Nevertheless, in work with NSAs, it is important not only to stigmatize their use of mines and failure to participate in mine action, but to raise awareness and educate them about the need for transparency and action on these issues. Too great an emphasis on stigmatizing NSAs (so-called “naming and shaming”) could have the counter-productive effect of causing them to withdraw from dialogue about mine action.

Need for Financial and Priority Control

Accusations of corruption arising out of the non-transparency of NSAs (although not numerous) are being taken seriously by international NGOs and agencies. In some cases, the problem has been solved by setting up systems of strict financial control, or even external, independent financial control. Such measures may also avoid unnecessary tensions between mine action organizations and NSAs. Most international organizations choose to maintain some kind of financial and/or priority-setting control, the latter to prevent attempts by NSAs to favor certain communities at the expense of others. Some international mine action operators have chosen to give the last word on prioritization to international staff. This solution has also been adopted for similar problems in state mine action.

3.3.3 Third Party Actors

Need for Increased Support

In general, third party states and the international community have been considered by mine action practitioners to have been quite supportive of mine action efforts involving NSAs, although not sufficiently so. The difficulty in raising funds and the lack of pressure on non-cooperating states are areas where third party actors could make greater contributions. Both the financial and political aspects of support are considered to be crucial. However, despite the problems related to funding for NSA mine action, it has been argued that some governments are interested in supporting mine action work with NSAs because of the expected peace-building gains. It has also been claimed that humanitarian actors themselves ought to make further efforts to establish the need for mine action (and the humanitarian benefits it brings) to the concerned governments. Action 46 of the Nairobi Action Plan encourages support to mine action efforts in areas under the control or influence of NSAs.

3.3.4 General

Need for Confidence-building, Commitment and Cooperation

To work in difficult situations, mine action practitioners need to build up relationships of trust, not only with the NSAs, but also with the local communities and authorities. In some cases, it was considered that a mine ban on behalf of the NSA (such as the Deed of Commitment) had or would be crucial in order to ensure NSA cooperation with mine action organizations. It was also argued that the fact that NSAs have commenced “spontaneous” mine action before enrolling in international programs may facilitate the commencement of such programs. Further arguments stressed the need to secure a commitment by all parties to the conflict (state and non-state) to the non-use of mines and to cooperate in mine action, whether unilaterally or by agreements between the parties. Mine action issues should also (but not exclusively) be included in exploratory discussions and peace negotiations between governments and NSAs.

With reference to the implementation of mixed demining teams (made up of NSA and government forces) which aim at confidence and peace-building, communication between all parties and leadership by an independent NGO (providing expertise and supervision) may facilitate the process. However, caution has been expressed in relation to conditioning mine action advances on advances in the peace process: if confidence-building measures fail, they may undermine confidence rather than build it. Hence, one lesson to be learned is the need to be careful when stating what constitutes “success” so as not to raise expectations excessively when dealing with mine action in a sensitive conflict situation.

Need for Transparency

One key practice to facilitate mine action activities in difficult situations is transparency on behalf of all actors. Humanitarian actors need to be transparent towards both NSAs and the concerned state(s) in order to avoid security risks and accusations of “spying”. By being open and clear about their activities, humanitarian actors can convince the parties of their neutrality. NSAs and the concerned state(s) also need to be transparent towards humanitarian actors in order to maximize the benefits from mine action, since restrictions on the sharing of information may cause delays or lead to the cancellation of operations. Humanitarian actors should

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also be transparent to each other in order to confront common problems with joint solutions. Finally, ideally the directly concerned parties (NSAs and states) should be as transparent as possible to each other in terms of sharing relevant information about mined areas and the progress of mine action activities.

Need for Organization and Coordination

In terms of the organization of NSA mine action, the need to address coordination techniques, information-sharing and understandings between the different actors has been highlighted. For instance, one suggestion was the need for all NGOs to address corruption jointly. In practical terms, it has been argued that implementation works best when there are strong NGOs working as implementing or intermediary agencies. The donors provide the funding to the NGO, which works directly with the NSA.

Need to Involve the Local Communities

Mine action organizations have generally experienced a strong need to work more closely with local and national authorities. Mine action practitioners are increasingly working with local communities, notably in so-called community liaison, which is designed to create a fruitful information exchange between mine action organizations and the communities. NSAs sometimes also form part of local communities. On the occasions when NSAs are involved in spontaneous mine action activities, it is especially important that mine action practitioners deal with them in order to avoid tensions between international/national and spontaneous local efforts. In addition, involving NSAs in mine action is also relevant to the issue of accountability, since the people who demine stay in the area afterwards and could be held responsible.

The link or relationship, if any, between the NSA and the community appears to be especially crucial in NSA mine action. It has been seen that the inclusion of affected communities in the processes of dialogue and negotiation with NSAs on the landmine issue can be beneficial since the affected communities are able to put pressure on the armed actors. However, it can also put the population at risk. In these cases it is of the utmost importance to carefully analyze the situation and, if necessary, to take measures to protect the communities or to limit their involvement in NSA mine action.

3.4 Elements of Analysis

When considering NSA involvement in mine action, there are some relevant parallels that can be drawn to the involvement of the regular military in mine action. As for the regular armed forces, the political situation and the NSA's link to the population determine:

- whether NSAs should be involved in mine action during or after armed conflict;
- if it is advantageous to work with demobilized rather than active NSA soldiers; or
- whether civilian actors are preferred.

Sensitive issues that need to be carefully considered in different conflict and post-conflict situations include:

- whether the population trusts the actor;
- the nature of the relationships between the actor and other relevant actors in the area; and
- the possible outcomes of the actions.

In sum, the main conclusion of the research is that engaging NSAs in mine action has significant benefits, since their involvement supports the implementation of the main objective of the Mine Ban Treaty: to reduce the humanitarian impact of AP mines and unexploded ordnance on the population.

APPENDIX

4.1 *Abbreviations and Acronyms*

ABSDF	All Burma Students' Democratic Front
AMAC	Abkhaz Mine Action Centre
AP	Anti-personnel
ARNO	Arakan Rohingya National Organization
ASNLF/GAM	Aceh Sumatra National Liberation Front/Free Aceh Movement
AV	Anti-vehicle
BCMO	Baharsaf Cut the Mine Organization
BWAB	Bangsamoro Women's Auxilliary Brigade
CCCM	Colombian Campaign Against Landmines
CNDD-FDD	National Council for the Defense of Democracy/Forces for the Defense of Democracy
CNF/CNA	Chin National Front/Chin National Army
CCW	Convention on Conventional Weapons
CPN-M	Communist Party of Nepal-Maoist
CPP/NPA/NDFP	Communist Party of the Philippines/New People's Army/National Democratic Front of the Philippines
DCAF	Geneva Centre for the Democratic Control of Armed Forces
DDG	Danish Demining Group
DDR	Disarmament, Demobilization and Reintegration
DPIK	Democratic Party of Iranian Kurdistan
ELN	National Liberation Army
EOD	Explosive Ordnance Disposal
ERW	Explosive Remnants of War
FARC	Revolutionary Armed Forces of Colombia
FSD	Swiss Foundation for Mine Action
GIAN/RUIG	Geneva International Academic Network
GICHD	Geneva International Centre for Humanitarian Demining
HDU	Humanitarian Demining Unit
HI	Handicap International
HPA	Hiran Patriotic Alliance
HPG	People's Defense Forces
ICBL	International Campaign to Ban Landmines
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person
IED	Improvised Explosive Device
IHL	International Humanitarian Law
IKMAC	Iraqi Kurdistan Mine Action Center
IMAS	International Mine Action Standards
IMSMA	International Management System for Mine Action
JASMAR	Sudanese Association for Combating Landmines
JUDA	Juba Land Aid Development Agency
JVA	Jubba Valley Alliance
Kongra-Gel/HPG	Kurdistan People's Congress/People's Defense Forces
KDP	Kurdistan Democratic Party
KFOR	Kosovo Force
KIO/KIA	Kachin Independence Organization/Kachin Independence Army
KLA	Kosovo Liberation Army
KNPP/KA	Karenni National Progressive Party/Karenni Army
KNU/KNLA	Karen National Union/Karen National Liberation Army
KOMA	Kurdistan Organization for Mine Awareness
KORD	Kurdistan Organization for Rehabilitation of the Disabled
KPC	Kosovo Protection Corps
KRG	Kurdistan Regional Government
LIS	Landmine Impact Survey
LTTE	Liberation Tigers of Tamil Eelam

APPENDIX

LRA	Lord's Resistance Army
MAG	Mine Advisory Group
MFDC	Movement of the Democratic Forces of Casamance
MILF	Moro Islamic Liberation Front
MINURSO	United Nations Mission for the Referendum in Western Sahara
MRE	Mine Risk Education
NCBL	Ban Landmines Campaign Nepal
NDA	National Demining Agency (Somaliland)
NGO	Non-Governmental Organization
NPA	Norwegian People's Aid
NMSP/MNLA	New Mon State Party/Mon National Liberation Army
NSA	Armed non-state actor
NSCN-IM	National Socialist Council of Nagalim-Isaac/Muivah
NUPA	National United Party of Arakan
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
OLF	Oromo Liberation Front
OSIL	Operation Save Innocent Lives
Palipehutu-FNL	Party for the Liberation of the Hutu People-National Liberation Forces
PKK	Kurdistan Workers Party
PMAC	Puntland Mine Action Center
Polisario Front	Popular Front for the Liberation of Saguía el Hamra and Río de Oro
PRIO	International Peace Research Institute of Oslo
PSIO	Program for the Study of International Organization(s)
PUK	Patriotic Union of Kurdistan
RCD-Goma	Congolese Rally for Democracy-Goma
RNA	Rohingya National Army
RPA-ABB	Revolutionary Proletarian Army - Alex Boncayao Brigade
RPM-M	Revolutionary Workers Party of Mindanao
RRA	Rahanweyn Resistance Army
RSO/RA	Rohingya Solidarity Organization/Rohingya Army
SCBL	Saharawi Campaign to Ban Landmines
SIMAS	Sudanese Integrated Mine Action Service
SLR/SLIRI	Sudanese Landmine Response/Sudanese Landmine Information and Response Initiative
SMAC	Somaliland Mine Action Center
SNA	Somali National Alliance
SNF	Somali National Front
SOMER	Somali Environmental Review
SPLM/A	Sudan People's Liberation Movement/Army
SPM	Somali Patriotic Movement
SRRC	Somalia Reconciliation and Restoration Council
SSA	Somali Salvation Army
SSA-S	Shan State Army-South
SWEDEC	Swedish EOD and Demining Centre
TRO	Tamils Rehabilitation Organization
UN	United Nations
UNDP	United Nations Development Program
UNHCR	United Nations High Commissioner for Refugees
UNMAS	United Nations Mine Action Service
UNICEF	United Nations International Children's Emergency Fund
UNOPS	United Nations Office for Project Services
URNG	Guatemalan National Revolutionary Unity
USC	United Somali Congress
UXO	Unexploded Ordnance
WFP	World Food Program

4.2 Questionnaire

Questionnaire Armed Non-State Actor Mine Action

A report by Geneva Call entitled “Armed Non-State Actors and Landmines. Volume I: A Global Report Profiling NSAs and their Use, Acquisition, Production, Transfer and Stockpiling of Landmines” indicates that around 60 armed non-state actors (NSAs) are alleged or confirmed to have used anti-personnel or anti-vehicle mines in over 20 countries. However, many NSAs have or might have engaged also in some kind of mine action activity. We are interested in your experience, both with specific NSAs with which you might currently be cooperating, as well as former or general experiences that you might have had from NSA mine action. Please use separate forms of this questionnaire for each specific NSA.

1. What role has the NSA played in mine action? What has the NSA done to positively contribute to mine action in areas under its control/influence? What has it itself done in terms of practical implementation? How has it assisted/facilitated the work of others?

Mine Action policy, programming and planning

- a. Framework for mine action (i.e. Deed of Commitment, peace agreements, unilateral commitments, etc.)
- b. Coordination bodies (i.e. Mine Action Centre, Mine Action Program, focal persons, informal authorities etc.)
- c. Level of manpower or expertise for humanitarian mine action (i.e. management, training, etc.)
- d. Any female participants in the mine action?
- e. Any external assistance provided? By whom and how?
- f. Any “spontaneous” or local mine action initiatives? (i.e. spontaneous acts that are not part of a formalized mine action program)?

Mine Clearance and related activities

- a. Survey
- b. Mapping of mined areas
- c. Marking and Fencing of mined areas
- d. Demining Techniques (i.e. manual demining, dogs, machines, other)
- e. Explosive Ordnance Disposal

- f. Battle Area Clearance
- g. Demining Standards (IMAS or other national/local standards including military SOPs)
- h. Any external assistance provided? By whom and how?

Stockpile Destruction

- a. Landmine Stockpiles or IEDs (types, quantities, place, dates, other details)
- b. Ammunition Stockpiles destruction (types, quantities, place, dates, other details)
- c. Methods of destruction (IMAS or other standards)
- d. Any external assistance provided? By whom and how?
- e. Any external observers present?
- f. Any kind of certification?

Mine Risk Education

- a. Mine risk education activities? By whom?
- b. Beneficiaries (numbers, groups, etc.)
- c. Any external assistance provided? By whom and how?

Victim Assistance

- a. Victim assistance activities (i.e. first aid, medical treatment, prosthesis, reintegration programs, psychological treatment, etc.)
- b. Beneficiaries
- c. Any external assistance provided? By whom and how?

2. Elements for an assessment on mine action by the NSA.

- a. Reasons why the NSA got involved in mine action?
- b. Main constraints when working with the NSA in mine action?
- c. How could challenges be overcome?
- d. Role of the concerned State?
- e. Role of other States and of the international community?
- f. Primary benefits of mine action by the NSA?

- g. Positive side-effects of mine action by the NSA?
- h. How could the NSA's intervention in mine action be improved or strengthened?
- i. Main lessons learned?

3. General assessment of NSA involvement in mine action

- a. Was/is NSA involvement in mine action necessary?
- b. Is NSA mine action successful? If yes, when has NSA involvement in mine action been most successful? If not, why not?
- c. If/when operating in an ongoing conflict situation, what are the main constraints for mine action?
- d. Are there any necessary conditions for enabling mine action with NSAs?

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