

Key Developments: Non-State Armed Groups

According to *Landmine Monitor Report 2008*, use of antipersonnel mines by non-state armed groups (NSAGs)¹ has taken place in at least nine countries since mid-2007. Use of factory-produced or self-made antipersonnel mines by NSAG was reported in five States Parties to the Mine Ban Treaty (Afghanistan, Colombia, Ecuador, Iraq and Peru) and in four states not party to the treaty (India, Myanmar/Burma, Pakistan and Sri Lanka).

Previously, Landmine Monitor cited NSAG use of antipersonnel mines in at least eight countries in 2006-2007, in at least ten countries in 2005-2006, and in at least 13 countries in 2004-2005.

Commitments to a Mine Ban

A significant number of non-state armed groups have indicated their willingness to observe a ban on antipersonnel mines. This has taken place through unilateral statements, bilateral agreements, signature to the Deed of Commitment administered by Geneva Call,² and most recently through the “Rebel Group Declaration of Adherence to International Humanitarian Law on Landmines” developed by the Philippines Campaign to Ban Landmines (PCBL).³

Four NSAGs have signed the PCBL Rebel Group Declaration: the Moro Islamic Liberation Front (MILF) in October 2008, the Marxist-Leninist Party of the Philippines (MLP-P) in July 2008, the Revolutionary Workers Party of the Philippines (RPM-P, Nilo de la Cruz faction) in May 2008, and the Revolutionary Workers Party of Mindanao (RPM-M) in February 2008.

The Democratic Party of Iranian Kurdistan signed the Geneva Call Deed of Commitment in December 2007.

In October 2007, the United Jihad Council, a coalition of 18 armed groups in Kashmir, unilaterally issued a Declaration of a Total Ban on Antipersonnel Mines in Kashmir. This followed a Declaration for a Mine Free Kashmir in which some Kashmiri political parties called on all combatant groups in Kashmir to halt the use of antipersonnel mines, and requested international assistance for mine survivors and for mine clearance.

Use by Non-State Armed Groups

Compared to the previous year, *Landmine Monitor Report 2008* added Ecuador, Peru, and Sri Lanka to the list of countries where NSAG were found to be using antipersonnel mines. It removed Lebanon and Russia (Chechnya). There have been some reports of use of antipersonnel mines by NSAGs since mid-2007 in Niger, the Philippines, Russia, Somalia, Turkey, Thailand, and Yemen, but Landmine Monitor has been unable to confirm use from available information.

¹ Non-State Armed Groups include any identifiable group that uses armed methods, and is not within the *formal* structure of a recognized state. This includes: 1) counter-state armed political movements, guerrilla movements and rebel armed forces; 2) militias or civil patrols often operating under the sanction of official entities, but not within the legal state structure; and, 3) criminal groups, among others. There are exceptions and complications to the above categories, and Landmine Monitor makes its own determination on a case-by-case basis, within this general framework. Information regarding Abkhazia, Kosovo, Nagorno-Karabakh, Palestine, Somaliland, Taiwan and Western Sahara is in the Other Areas section of *Landmine Monitor Report 2008*, and not in the sections dealing with NSAGs.

² Geneva Call is a Swiss-based NGO. Under the Deed of Commitment a signatory agrees to prohibit use, production, stockpiling, and transfer of antipersonnel mines, and to undertake and cooperate in mine action. Geneva Call has received signatures from NSAGs in Burundi, India, Iran, Iraq, Myanmar, the Philippines, Somalia, Sudan, Turkey, and Western Sahara.

³ This declaration of adherence unilaterally commits the signatory to the spirit of the Mine Ban Treaty, the Convention on Conventional Weapons (CCW) Amended Protocol II on landmines and Protocol V on explosive remnants of war (ERW), as well as customary international humanitarian law rules regarding use of mines and explosive devices.

In *Afghanistan*, new use of antipersonnel mines and victim-activated Improvised Explosive Devices (IEDs) by the Taliban has been reported. A spokesperson for the Taliban reportedly confirmed the planting of new mines against the Afghan Army and international forces.

In Colombia, the Revolutionary Armed Forces of Colombia (FARC) continued to be the largest user of landmines in the country, and among the largest in the world, causing hundreds of casualties each year. The overwhelming majority of devices are improvised, rather than factory-made mines. The National Liberation Army (ELN) also used mines.

In *Ecuador*, in March 2008, many FARC rebels reportedly died while fleeing through one of their own minefields during a Colombian military attack on a FARC camp in Sucumbíos province of Ecuador. In April 2008, the Ecuadorian Army seized and destroyed landmines found in another FARC camp inside their border.

In *India*, the United National Liberation Front (UNLF) has used victim-activated explosive devices in Manipur.

In *Iraq*, insurgent forces used command-detonated IEDs extensively but, according to both UN and Landmine Monitor data, only rarely used antipersonnel mines, victim-activated IEDs, or booby-traps. However, there are many documented instances of discoveries and seizures of antipersonnel mines by Coalition and Iraqi Forces.

In *Myanmar/Burma* the Karen National Liberation Army (KNLA), the Karenni Army, the Democratic Karen Buddhist Army (DKBA), the Shan State Army-South (SSA), the Monland Restoration Party, the United Wa State Army, and several other NSAGs continued to use antipersonnel mines in 2007 and early 2008. The Southern Shan State Army (SSS) of Wa warlord Maha Ja, not previously identified as a user of antipersonnel mines was alleged to have used mines in this reporting period.

In *Pakistan*, NSAGs sporadically used antipersonnel mines in Balochistan, some districts of the Northwest Frontier Province, and the Federally Administered Tribal Areas in attacks on Pakistani security forces and civil administration, and in sectarian, inter-tribal and inter-family conflicts.

In *Peru*, since early 2007, remnants of the Shining Path have reportedly used victim-activated explosive devices, referred to as “explosive traps,” around illegal coca fields in the Alto Huallaga sector, Huánuco region, and in the San Martín region.

In *Sri Lanka*, the army has repeatedly accused the *Liberation Tigers of Tamil Eelam* (LTTE) of planting antipersonnel mines. The army has reported encountering newly laid mines, and capturing newly manufactured mines.

In the *Philippines*, there were no confirmed instances of use of improvised antipersonnel mines, but the Armed Forces of the Philippines alleged that the New People’s Army (NPA) used victim-activated explosive devices in July 2008 in Maco, Compostela Valley, and that the Moro Islamic Liberation Front (MILF) used antipersonnel mines in North Cotabato and Maguindanao provinces in August 2008. NPA and MILF publicly rejected the allegations.

In *Turkey*, the government continues to accuse the Kurdistan Workers Party (PKK) of using antipersonnel mines.⁴ In May 2008, Turkish officials showed an ICBL mission photos of VS-50 mines they said were seized from the PKK as recently as March 2008. According to media reports, the PKK is regularly using command-detonated IEDs in attacks on security personnel. These explosive attacks have frequently been reported as “landmines” in the Turkish media, but Landmine Monitor was only able to identify one media report in which an incident attributed to recent use by the PKK appeared to have been the result of a victim-activated antipersonnel mine or IED.

Insurgent and rebel groups have been using IEDs in increasing numbers. An IED that is victim-activated—that explodes from the contact, presence or proximity of a person—is considered an antipersonnel mine and prohibited under the Mine Ban Treaty. An IED that is command-detonated—where the user decides when to explode it—is not prohib-

⁴ The PKK/KADEK/Kongra Gel is listed as a terrorist organization by Australia, Canada, the EU, NATO, US, and UK.

ited by the treaty, but use of such devices is often in violation of international humanitarian law, such as when civilians are directly targeted. Command-detonated bombs and IEDs have been frequently reported by the media, militaries, and governments as “landmines.” This has led to some confusion, and Landmine Monitor has consistently attempted to determine if an IED was victim-activated, or detonated by some other means.

NSAGs reportedly used command-detonated IEDs in Afghanistan, Algeria, Colombia, El Salvador, Iraq, India, Pakistan, Peru, the Philippines, Russia, Somalia, Sri Lanka, Thailand, Turkey and Yemen.

There were reports of NSAG use of antivehicle mines in Abkhazia, Afghanistan, Algeria, the Temporary Security Zone between Ethiopia and Eritrea, Iran, Lebanon, Niger, Pakistan, Senegal, Somalia, Sri Lanka, Sudan, Turkey and Yemen.

Production

Compared to a decade ago, very few NSAGs today have access to factory-made antipersonnel landmines. This is directly linked to the halt in trade and production, and the destruction of stocks, brought about by the Mine Ban Treaty. Some NSAGs have access to the mine stocks of previous regimes (such as in Afghanistan, Iraq, and Somalia), but most armed groups today produce their own improvised mines.

The LTTE probably produce the most sophisticated antipersonnel mines among NSAGs. In March 2008, a Sri Lanka Army officer told Landmine Monitor the LTTE had started producing and using antipersonnel mines with an electronic antihandling feature. NSAGs in Colombia, India, Myanmar/Burma, and Peru are known to produce victim-activated improvised mines.

Transfer

For the past decade, global trade in antipersonnel mines has consisted solely of a low-level of illicit and unacknowledged transfers. In 2007 and early 2008, there were only a small number of reports of such trafficking in antipersonnel mines to, or by, NSAG.

In July 2007 the U.N. Monitoring Group on the arms embargo on Somalia reported that at the Bakaraaha arms market, Mohamed Omar Habeeb “Dheere,” the mayor of Mogadishu, purchased “a variety of anti-tank mines and antipersonnel mines” between November and December 2006. The July 2007 and April 2008 reports of the Monitoring Group stated that several other transactions of unspecified mines and antivehicle mines also took place.⁵

Antipersonnel mines were reportedly available on the clandestine market in the Federally Administrated Tribal Areas of Pakistan. Niger authorities seized a stockpile of antipersonnel mines being trafficked from Chad. Ugandan authorities reportedly seized several caches of antipersonnel mines, which were being trafficked from Sudan to the Democratic Republic of Congo (DRC).

Stockpiles and Destruction

During this reporting period, NSAGs and criminal groups were reported to possess stocks of factory-made antipersonnel mines in Afghanistan, Algeria, Iraq, Myanmar/Burma, Niger, Pakistan, Somalia, Sri Lanka, Turkey and Uganda. NSAGs were reported to possess stocks of improvised victim activated mines in Colombia, Ecuador, India, Myan-

⁵ In earlier reports released in November 2006, the UN monitoring group reported transfers of antipersonnel mines, as well as antivehicle mines, from Eritrea to Mogadishu on 28 July 2006. The report added that the government of Ethiopia provided antipersonnel mines to Puntland and Qeybdiid militias in September 2006. The ICBL lamented the fact that States Parties have not vigorously pursued these serious and specific allegations as potential violations of the Mine Ban Treaty and strongly encouraged States Parties to seek further information and clarification on this matter from both the UN Monitoring Group and the governments of Eritrea and Ethiopia.

mar/Burma and Peru. Most often, Landmine Monitor identifies whether an NSAG possesses stocks through reports of seizures by government forces.

Several NSAGs which have signed the Geneva Call Deed of Commitment revealed information on, or destroyed, some stocks of antipersonnel mines during the reporting period. On 1 September 2008, the Democratic Party of Iranian Kurdistan destroyed 392 antipersonnel mines in Koya, northern Iraq. In Somalia, on 24 July 2008, the Puntland Mine Action Center destroyed 48 stockpiled antipersonnel mines near Garowe. In Myanmar/Burma, the Lahu Democratic Front destroyed 34 mines from its stockpile.

Non-state armed groups in states not party to the Mine Ban Treaty have also acquired stocks of antipersonnel and other mines by lifting them from the ground, capturing them, stealing them from arsenals, and purchasing them from corrupt officials. In Algeria, a group consisting of Moroccans and Algerians were collecting antipersonnel mines from the Algerian-Moroccan border and extracting the explosives for the purpose of making other kinds of explosive devices. In Myanmar/Burma, state-made antipersonnel mines have both been lifted and redeployed.

Mined Areas, Demining, Survey and Risk Education

Only non-state armed groups with territory under their control are involved in mine action. The exact number of NSAGs who have mined areas under their control is not known. NSAGs and linked organizations have sometimes carried out limited mine clearance and, to a greater extent, explosive ordnance disposal (EOD) operations.⁶ In 2007, in northern Iraq, the HAW PAR mine action organization, which is associated with Turkish Kurds but operates in the Sidiqan area in Iraqi Kurdistan, where the PKK resides, destroyed antipersonnel mines and other UXO collected in the area. The Puntland Mine Action Center conducted limited EOD in northern Somalia.

Organizations linked to non-state armed groups provided limited Risk Education (RE) in Myanmar/Burma in 2007 and early 2008 where the Karen National Union's Kawthoolei Department of Health and Welfare and the Committee Serving Internally Displaced Karen People conducted RE as well as surveys of dangerous areas and mine casualties in rebel-controlled and contested sections of the country.⁷

UN agencies, international and local NGOs provided RE to populations living in areas accessed or controlled by NSAGs in Senegal, Colombia, Afghanistan, Somalia, Lebanon, Chad, Iraq, Russia in 2007-2008.

Victim Assistance

Some non-state armed groups, associated with a specific population, have provided mobile or stationary medical clinics, hospitals, prosthetic facilities or other health services for mine victims.

Medical capacities of NSAGs are almost always supported by an NGO donor/partner specializing in providing humanitarian medical assistance.

In this reporting period, this was only reported to take place in Myanmar/Burma where the Karen National Union (KNU) Gho Kay hospital provides some prostheses to mine victims. Several international donors support the Back Pack Health Worker Teams in Burma, a pan-ethnic, cross-border, medical service to communities in insurgent-held areas of Burma. The Free Burma Rangers, a private relief agency, runs its own mobile medical teams in insurgent-held areas of Burma and has provided emergency amputations for mine victims and medical referral to hospitals in Thailand.

⁶ However, some demining operations were also attacked by NSAGs. For example, in Afghanistan 10 deminers working for nongovernmental organizations were killed in late 2007 and early 2008.

⁷ The Karen National Union's armed wing, the Karen National Liberation Army, is likely the most prolific user of landmines among Burma/Myanmar's many non-state armed groups.