

Landmines/ERW, Refugees, and Displacement

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Many countries with large numbers of refugees or displaced persons due to conflict also often have significant contamination by landmines, cluster munitions, and other explosive remnants of war (ERW).¹ This includes countries with high numbers of landmine, ERW, and cluster munition victims² in need of assistance.³ This paper provides an update from one last published in June 2015.⁴

Fleeing armed conflict or persecution, refugees no longer enjoy the protection of their own state. Through international humanitarian and human rights law, states have recognized and committed to address the needs of both displaced persons and of landmine and cluster munition victims.

Since the last Landmine and Cluster Munition Monitor paper on issues relating to landmines, refugees, and displacement in June 2015, some concerning developments were reported, including in a number of countries that are States Parties to the Mine Ban Treaty and/or Convention on Cluster Munitions:

- In **Yemen**: reports indicate that landmines and cluster munitions are causing displacement, killing or injuring displaced persons, and preventing return.
- In **Syria**: displaced persons are returning to areas contaminated by landmines, unexploded submunitions, and ERW.
- In **Turkey**: risk education and a survey of survivors are ongoing in border refugee camps.



A Yazidi man injured by a landmine in the Iran-Iraq war, now displaced by fighting in Iraq to a refugee camp in Turkey with his wife. ©Jelena Vicentic/ICBL-CMC, October 2015.

- In **Algeria**: flooding devastated Sawhari refugee camps leaving thousands of refugees, including mine/ERW survivors, homeless.
- In **Croatia**: refugees seeking to enter the European Union began taking a new route concerningly close to mined areas that remain on the Croatian-Serbian border.
- Also in **Europe**: media reports indicate there are numerous persons with disabilities, including survivors and other war-injured persons, among refugees entering various countries of Europe.

According to the most recent available count, at the end of 2014, 59.5 million people were forcibly displaced worldwide as a result of persecution, conflict, other violence, or human rights violations. Of this global total some 19.5 million were refugees,⁵ 38.2 million were internally displaced persons (IDPs), and close to 1.8 million were asylum-seekers.⁶

Dangers faced by refugees, asylum seekers, and displaced persons

Refugees, asylum seekers, returnees, IDPs, and stateless persons are especially vulnerable⁷ to landmines, ERW, and cluster munitions due to: their lack of knowledge of the area and types of contamination; having little or no contact with more informed local communities, needing to access scarce local resources; or changing conditions in an area during the time that they have been away (in the case of return). This is the case when they are leaving, entering, or remaining in countries contaminated by explosive hazards.⁸

In **Yemen**, reports indicated that casualties from cluster munition strikes, unexploded submunitions, and landmines among displaced persons are increasing.⁹ Médecins Sans Frontières (MSF) treated a number of casualties and reported that a large number of them were children.¹⁰ Displaced persons have been prevented from returning to their homes due to contamination by landmines and ERW contamination. The Yemen Executive Mine Action Center reported that the majority of landmine victims were refugees and IDPs returning to Aden.¹¹

After the border between Hungary and Serbia was closed in September 2015, refugees began travelling through **Croatia** on the way to the European Union. The route taken by these refugees goes directly through minefields leftover from the Balkan conflicts of the 1990s.¹² Concern about this danger motivated the Government of Croatia and NGOs to move mine clearance teams to these border areas in an effort to prevent casualties.¹³

As an indication of the problem inside **Myanmar**, in June 2015, the Danish Refugee Council/Danish Demining Group estimated that, where they work in Kachin State, IDPs account for approximately half of all landmine casualties. This indicates that in order to make a living, IDPs must return to their place of origin to work their land and tend their animals.¹⁴

In addition to massive displacement due to conflict in **Ukraine**,¹⁵ many communities in eastern Ukraine have been exposed to ERW and mines left behind in devastated towns and villages. Displaced families returning to communities formerly under conflict remain at great risk.¹⁶

Protection and assistance in places of refuge and return

Many landmine and cluster munition survivors and the families of casualties are, or have been, refugees. This means that they are outside the protection of the state they are fleeing and may face difficulties to be recognized and integrated into the receiving country. It is a special issue of concern for the international mine action community as a whole.

States Parties to the Mine Ban Treaty and Convention on Cluster Munitions are responsible for ensuring adequate assistance for mine/ERW victims on their territory, no matter their displacement or citizenship status. Yet, as noted by the UNHCR Executive Committee, host states with refugees, “are often developing countries, have limited resources and face various challenges in providing such services and facilities” for persons with disabilities in these settings.¹⁷ In responding to the needs of mine/ERW survivors, states can request, and should be able to expect, support from the international community to protect and assist these vulnerable groups.

Challenges from displacement are aggravated for mine/ERW survivors and other persons with disabilities due to the frequent interaction with the multiple additional barriers to their full and equal participation. Such barriers can include physical or environmental barriers, language and literacy barriers, and policy barriers and attitudinal barriers, such as social stigma and stereotyping.¹⁸ Furthermore, resources for services tend to be even more limited in refugee camps, although specific services are sometimes provided to address the physical rehabilitation needs of landmine/ERW survivors.

In October 2015, flooding had a devastating effect on refugees, including many mine/ERW survivors, from Western Sahara living in camps in **Algeria**. Thousands have lost their homes and possessions just as winter is beginning. UN agencies present in the camps have undertaken relief efforts, however funding shortfalls are limiting response activities.¹⁹

In **Lebanon**, the ICRC continued to respond to the needs of Syrian refugees by providing emergency medical care to the weapon-wounded, including post-operative care and physical rehabilitation. A few were fitted with assistive devices.²⁰ In Lebanon, as well as Iraq (Kurdistan region), Jordan, and Syria, Handicap International (HI) teams are supplying aid to injured refugees, persons with disabilities, and vulnerable persons, including by providing orthopedic devices and helping them access services.

In **Turkey**, in 2015, the national campaign Initiative for a Mine Free Turkey carried out risk education and survivor survey in four major refugee camps, with refugees from Iraq and Syria, in the first stages of the project.

Across the border in **Syria**, a number of organizations including DanChurchAid and HI are undertaking clearance work in Kobani to lessen the risks faced by returnees. Risk education programs for the residents who have returned are also ongoing.²¹

Media reports indicate that there are many persons with disabilities, including war-injured persons and landmine and cluster munition survivors, among refugees travelling through Europe. There is no information on how many persons with disabilities or landmine survivors are among the refugees. There appears to be a lack of even basic services to refugees with disabilities as they seek safety.²² UNHCR is concerned that in **Greece** “refugees have to find themselves a place to sleep in the few shelters available creating conditions for the ‘strongest’ to find a shelter to the detriment of persons with specific needs.”²³

In **Ukraine**, due to the ongoing conflict, specialized medical or psychological services are generally not accessible because of high costs and limited availability. Access to housing, education, and employment opportunities was a challenge for many IDPs throughout the country, with displaced persons with disabilities facing even more obstacles in this regard.²⁴

Concluding note

In 2015, the UNHCR announced that worldwide displacement is at the highest-recorded levels and still increasing, with more than 59.5 million refugees, asylum-seekers, and IDPs around the world. On average 42,500 people became displaced by wars, conflict, and persecution each day in 2014.²⁵ In light of this global increase in displacement, there is a heightened need to ensure that refugees and displaced persons are safe from the risks of landmines, cluster munitions, and other ERW, and that mine/ERW survivors displaced from their homes are able to access needed services. States that survivors have found refuge in, or returned to, and states’ legal obligations and commitments under key relevant conventions are detailed below.

Table: Responsibilities to protect and assist

All states listed have made a commitment to provide victim assistance through the Mine Ban Treaty or Cluster Munition Convention, or both. Mine Ban Treaty States Parties in **bold** have also been identified as having significant numbers of landmine survivors.

The 1951 Convention relating to the Status of Refugees (Refugee Convention) is the key legal document in defining who is a refugee, their rights, and the legal obligations of states. It sets out the basic rights that States Parties need to ensure to all those present on their territory.

The Convention on the Rights of Persons with Disabilities (CRPD) 2006, is another major framework with the potential to impact mine/ERW survivors. The CRPD is legally binding and sets out the obligations on States to promote, protect and ensure the rights of persons with disabilities.

State	Mine Ban Treaty	Convention on Cluster Munitions	Refugee Convention	CRPD
Afghanistan	State Party	State Party	State Party	State Party
Algeria	State Party	—	State Party	State Party
Bosnia and Herzegovina	State Party	State Party	State Party	State Party
Croatia	State Party	State Party	State Party	State Party
Cyprus	State Party	Signatory	State Party	State Party
Greece	State Party	—	State Party	State Party
Iraq	State Party	State Party	—	State Party
Jordan	State Party	—	—	State Party
Kenya	State Party	Signatory	State Party	State Party
Lebanon	—	State Party	—	Signatory
Serbia	State Party	—	State Party	State Party
Turkey	State Party	—	State Party	State Party
Uganda	State Party	Signatory	State Party	State Party
Yemen	State Party	—	State Party	State Party

Endnotes:

¹ For example in States Parties to the Mine Ban Treaty such as Afghanistan, Iraq, Senegal, Sudan, South Sudan, Somalia, Ukraine, and Yemen, as well states not party to the Mine Ban Treaty, such as Pakistan, Libya, and Syria.

² Throughout this paper, the term “victims” is used to mean all persons who have been killed or suffered physical or psychological injury, economic loss, social marginalization, or substantial impairment of the realization of

their rights caused by landmines, cluster munitions, and ERW. They include those persons directly impacted by these weapons as well as their affected families and communities. “Survivors” are a subset of victims and are any individuals who have been directly injured by an explosion of a landmine, cluster submunition, or an ERW and have survived the incident.

³ As in Mine Ban Treaty State Party Ukraine, and state not party Syria.

⁴ See, Landmine and Cluster Munition Monitor, “Landmines/ERW, Refugees, and Displacement,” 20 June 2015, www.the-monitor.org/media/2034850/MonitorBriefingPaper_Refugees_20June2015_final2.pdf.

⁵ Of this total, 14.4 million people were under UNHCR’s mandate and 5.1 million Palestinian refugees were registered by UNRWA.

⁶ UNHCR, “World at War: Global Trends, Forced Displacement in 2014,” June 2015, <http://unhcr.org/2014trends/>.

⁷ See, Rae McGrath, “Landmines: Legacy of Conflict. A Manual for Development Workers,” Oxfam and Mines Advisory Group, 1994, pp. 34–37.

⁸ For the purpose of this paper a “hazard” is a landmine, cluster submunition, or other ERW threat with the potential to cause harm; a “risk” is the likelihood of death or injury from exposure to the hazard. These terms are used independently from the terms “Suspected Hazardous Area” and “Confirmed Hazardous Area” of the International Mine Action Standards (IMAS).

⁹ Human Rights Watch, “Yemen: Cluster munition rockets kill, injure dozens,” 26 August 2015, www.hrw.org/news/2015/08/26/yemen-cluster-munition-rockets-kill-injure-dozens; and MSF, “MSF treats child landmine victim in Aden, Yemen,” 29 September 2015, www.doctorswithoutborders.org/article/msf-treats-child-landmine-victim-aden-yemen.

¹⁰ MSF, “Yemen: Crisis update – 10 November 2015,” 10 November 2015, www.msf.org/article/yemen-crisis-update-10-november-2015.

¹¹ “Fearing landmines, displaced Yemenis wary of return,” *Al-Jazeera*, 21 August 2015, www.aljazeera.com/news/2015/08/fearing-landmines-displaced-yemenis-wary-return-150819132624816.html.

¹² Ishaan Tharoor, “The refugees’ path to Europe marked by new threat: land mines,” *Washington Post*, 16 September 2015, www.washingtonpost.com/news/worldviews/wp/2015/09/16/refugees-face-new-threat-on-journey-to-europe-land-mines/.

¹³ Patrick Kingsley, “Refugees enter Croatia from Serbia after Hungary blocks border,” *The Guardian*, 16 September 2015, www.theguardian.com/world/2015/sep/16/refugees-enter-croatia-from-serbia-after-hungary-blocks-border.

¹⁴ Roger Fasth and Pascal Simon (Danish Demining Group), “[Mine Action in Myanmar](#),” *The Journal of Mine and ERW Action*, Issue 19.2, July 2015.

¹⁵ It is estimated that of the 5 million people in Ukraine affected, more than 1.1 million people were internally displaced. “Children killed and injured by landmines in Eastern Ukraine,” *UN Radio*, 31 March 2015, www.unmultimedia.org/radio/english/2015/03/children-killed-and-injured-by-landmines-in-eastern-ukraine/#.VVSsn5NnC24.

¹⁶ UNICEF, “Children killed and injured by landmines and unexploded ordnance in eastern Ukraine - UNICEF,” 31 March 2015, www.unicef.org/media/media_81398.html.

¹⁷ UNHCR EXCOM, “Conclusion on refugees with disabilities and other persons with disabilities protected and assisted by UNHCR,” 12 October 2010, www.unhcr.org/4cbeb1a99.html.

¹⁸ See, Women’s Refugee Commission, “Refugees with Disabilities: Increasing Inclusion, Building Community: A discussion tool on improving access & inclusion for displaced persons with disabilities,” 2014, p. 6, <https://womensrefugeecommission.org/resources/download/1009>.

¹⁹ UNHCR, “Devastating flooding affects 25,000 Sahrawi refugees in Tindouf camps,” 23 October 2015, www.unhcr.org/562a19706.html.

²⁰ ICRC, “Annual report 2014,” Geneva, 12 May 2015, p. 501.

²¹ DanChurchAid, “DanChurchAid embarking on a mission in Kobani and Lebanon,” 7 April 2015, www.danchurchaid.org/news/news/danchurchaid-embarking-on-a-mission-in-kobani-and-lebanon; and Handicap International, “Handicap International resumes activities in Kobani,” August 2015, www.handicap-international.us/handicap_international_resumes_its_activities_in_kobani.

²² Human Rights Watch, “Greece: Chaos, insecurity in registration center,” 12 October 2015, www.hrw.org/news/2015/10/12/greece-chaos-insecurity-registration-center; MSF, “Migration: Up to 3,000 people stranded at the border between Serbia and Croatia without shelter,” 19 October 2015, www.msf.org/article/migration-3000-people-stranded-border-between-serbia-and-croatia-without-shelter; “We WILL get to Europe... Disabled migrants in wheelchairs and helpers carrying prosthetic legs struggle to cross the Serbia-Croatia border as doctors warn refugees are already suffering in cold weather,” *Daily Mail*, 28 September 2015, www.dailymail.co.uk/news/article-3251775/New-fear-migrants-doctors-warn-treating-babies-exposure-plunging-temperatures-heap-misery-children-seeking-sanctuary-Europe.html.

²³ UNHCR, “Some 3,300 people a day still arriving on Levos,” 13 November 2015, www.unhcr.org/5645eb7f9.html.

²⁴ UNHCR, “International Protection Considerations Related to the Developments in Ukraine – Update II,” 15 January 2015, p. 13.

²⁵ UNHCR, “World at War: Global Trends, Forced Displacement in 2014,” June 2015, <http://unhcr.org/2014trends/>.