

## Landmines in Asia-Pacific

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### Mine Ban Treaty Status

#### States Parties

Afghanistan	Cook Islands	Maldives	Philippines
Australia	Fiji	Nauru	Samoa
Bangladesh	Indonesia	New Zealand	Solomon Islands
Bhutan	Japan	Niue	Thailand
Brunei	Kiribati	Palau	Timor-Leste
Cambodia	Malaysia	Papua New Guinea	Vanuatu

#### Signatories

Marshall Islands
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#### States Not Party

China*	Lao PDR	Nepal	Tonga
India*	Micronesia	Pakistan*	Tuvalu
Korea, North	Mongolia	Singapore	Vietnam
Korea, South*	Myanmar/Burma	Sri Lanka*	

\*These States not Party have joined Amended Protocol II of the Convention on Conventional Weapons (CCW), which regulates the use of mines.

### Universalizing the Norm

30 of 40 countries in the Asia-Pacific region voted in favor of UN General Assembly Resolution 63/42 on 2 December 2008, which promoted universalization and full implementation of the Mine Ban Treaty. Eight states not party to the Mine Ban Treaty voted in favor of the resolution: China, Lao PDR, Micronesia, Mongolia, Singapore, Sri Lanka, Tonga, and Tuvalu. Seven countries in the region abstained from voting: India, Myanmar, Nepal, North Korea, Pakistan, South Korea, and Vietnam. Three Asia-Pacific countries were absent from the vote: Fiji, Kiribati, and Tonga.

### Contamination

More than half of the countries in Asia-Pacific are contaminated with mines or explosive remnants of war (ERW): Afghanistan, Bangladesh, Cambodia, China, India, Indonesia, Lao PDR, Mongolia, Myanmar, Nepal, North Korea, Pakistan, the Philippines, South Korea, Sri Lanka, Thailand, and Vietnam. Afghanistan, Cambodia, and Lao PDR are among the world's most severely mine- and ERW-contaminated countries.



## Clearance

Under Article 5 of the Mine Ban Treaty, States Parties must clear all known mined areas under their jurisdiction or control as soon as possible, but not later than 10 years of the treaty entering into force.

No mine-affected country in the Asia-Pacific region has so far met its Article 5 clearance obligation. In 2008, Thailand, whose original Article 5 deadline was 1 May 2009, was granted an extension of over nine years. In 2009, Cambodia submitted a request to extend its Article 5 deadline of 1 January 2010 by an additional 10 years, which, if accepted by the other States Parties at the Second Review Conference, would make its new deadline 1 January 2020. The ICBL has recommended an initial two-year extension period to enable Cambodia to identify the extent of residual contamination and therefore to submit a second extension request based on more accurate plans. It remains unclear whether the Philippines is mine-affected.

## Casualties

In 2007, 5,426 casualties caused by mines, ERW, and victim-activated improvised explosive devices (IEDs) were recorded in 78 countries and areas, including 14 countries in Asia-Pacific.<sup>1</sup> In this region, a total of 2,446 casualties were recorded in 2007, which accounts for 45% of all recorded casualties.

### Recorded Casualties in Asia-Pacific Countries

Country	Killed	Injured	Unknown	Total
Afghanistan	208	601	2	811
Cambodia	65	287	0	352
India	41	129	0	170
Indonesia	2	6	0	8
Korea, South	1	0	0	1
Lao PDR	31	69	0	100
Mongolia	1	2	0	3
Myanmar	47	338	53	438
Nepal	13	91	0	104
Pakistan	89	182	0	271
Philippines	9	16	0	25
Sri Lanka	6	28	0	34
Thailand	0	19	0	19
Vietnam	48	62	0	110

## Risk Education

In 2007, risk education was deemed adequate in 23 countries (including two Asia-Pacific countries) and inadequate in 38 countries (including eight Asia-Pacific countries).

<sup>1</sup> Casualties were recorded in Afghanistan, Cambodia, India, Indonesia, Lao PDR, Mongolia, Myanmar, Nepal, Pakistan, the Philippines, South Korea, Sri Lanka, Thailand, and Vietnam.

	Adequate Risk Education Coverage	Inadequate Risk Education Coverage
<b>States Parties</b>	Afghanistan	Cambodia, Thailand
<b>States Not Party</b>	Nepal	India, Lao PDR, Myanmar, Pakistan, Sri Lanka, Vietnam

“Adequate” coverage means that a program was capable of providing appropriate risk education for at-risk groups and was able to respond to emerging situations. “Inadequate” means that appropriate risk education was not delivered on a scale to match the threat or geographical coverage necessary.

## Use of Antipersonnel Mines

In 2008 only two governments continued to use antipersonnel mines, including one in Asia-Pacific—Myanmar/Burma. Myanmar’s military forces used antipersonnel mines extensively, as they have every year since Landmine Monitor began reporting in 1999. Mine use was recorded in Karen state and Pegu division.

Non-state armed groups used antipersonnel mines or mine-like improvised explosive devices (IEDs) in at least five countries in Asia-Pacific: Afghanistan, India, Myanmar, Pakistan, and Sri Lanka.

## Production

Landmine Monitor identifies 13 states as producers of antipersonnel mines, including nine states in Asia-Pacific: China, India, Myanmar, Nepal, North Korea, Pakistan, Singapore, South Korea, and Vietnam.

- **China:** In April 2008, several sources in Beijing told Landmine Monitor that facilities to produce antipersonnel mines are idle, have shut down, or have been converted for production of other products such as plastic materials. They said this reflected several factors: the existence of adequate stockpiles for China’s own use; the government’s policy not to export antipersonnel mines; and the lack of demand internationally for CCW-compliant antipersonnel mines. One official noted that production began to decrease in 1996, when China announced its moratorium on export, and continued to diminish until coming to a halt in recent years, although these companies retain some technicians and a limited production capacity.
- **India:** The country is actively engaged in the production of detectable versions of M14 antipersonnel mines that are compliant with CCW Amended Protocol II. India has informed Landmine Monitor that it does not produce remotely-delivered mines.
- **Nepal:** Officials have given conflicting information about production of antipersonnel mines, with some military and political officials acknowledging domestic production, but others—more recently—denying it. In 2007 and 2008, two different army officials insisted that there was no past or current production of antipersonnel mines. In 2007, a Nepal Army spokesperson denied any mine production, while acknowledging that soldiers frequently made command-detonated IEDs at barracks using obsolete weapons such as mortar shells, rockets, bombs, and antivehicle mines. In 2008, another army official told Landmine Monitor that Nepal did not produce or use any victim-activated mines or IEDs.
- **Pakistan:** In November 2007, Pakistan reported that it planned incorporation of self-destruct and self-deactivation mechanisms in its future production of antipersonnel mines, in compliance with CCW Amended Protocol II. The protocol requires that all remotely-delivered mines have self-destruct and self-deactivation mechanisms. Pakistan reported in 2002 that it was developing a remotely-delivered antipersonnel mine system, but has provided no further details.

- **South Korea:** In 2007 it was reported to Landmine Monitor that the Hanwha Corporation, a private company, produced about 10,000 self-destructing antipersonnel mines, designated KM 74, which can be set to self-destruct 48 hours after deployment. In June 2008, South Korea told Landmine Monitor that a government-managed research project on alternatives to antipersonnel mines is scheduled for 2009–2012.
- **Vietnam:** In May 2008, representatives of the army and the Ministry of Foreign Affairs told a visiting Canadian governmental delegation that Vietnam has not produced mines since the Mine Ban Treaty came into force. However, the Ministry of Foreign Affairs official also emphasized that Vietnam reserves the right to use and produce landmines in the future.

## Stockpile Destruction

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Article 4 of the Mine Ban Treaty obliges all States Parties to destroy their stockpile of antipersonnel mines no later than four years after entry-into-force of the treaty for that state. Eighty-five Mine Ban Treaty States Parties have completed destruction of their antipersonnel mine stockpiles, including ten Asia-Pacific countries—Afghanistan, Australia, Bangladesh, Cambodia, Indonesia, Japan, Malaysia, New Zealand, the Philippines, and Thailand.

## Transparency Reporting

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Under Article 7 of the Mine Ban Treaty, States Parties are required to submit annual transparency reports. As of 1 June 2009, 53% of States Parties had submitted their annual transparency reports due 30 April 2009. The compliance rate for Asia-Pacific countries is 33%, with eight of 24 States Parties submitting an Article 7 report.

Reports are outstanding from Bhutan, Brunei, the Cook Islands, Fiji, Kiribati, Malaysia, the Maldives, Nauru, Niue, Palau, Papua New Guinea, the Philippines, Samoa, Solomon Islands, Timor-Leste, and Vanuatu. Several of these countries have not submitted a transparency report since their initial submissions.<sup>2</sup>

## National Implementation Legislation

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Article 9 of the Mine Ban Treaty states that “Each State Party shall take all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited” by the treaty.

Fifty-seven States Parties have passed new domestic laws to implement the treaty and fulfill the obligations of Article 9, including five Asia-Pacific countries—Cambodia, the Cook Islands, Japan, Malaysia, and New Zealand.

Several Asia-Pacific States Parties consider their existing domestic law code or criminal laws sufficient for implementing the Mine Ban Treaty, including Bhutan, Indonesia, and the Solomon Islands. Landmine Monitor is unaware of any progress Afghanistan, Bangladesh, Palau, the Philippines, or Thailand have made in enacting appropriate domestic measures to implement the Mine Ban Treaty.

It is important for States Parties to pass legislation that includes penal sanctions for any potential future violations of the treaty, and provides for full implementation of all aspects of the treaty.

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<sup>2</sup> Those Asia-Pacific countries that have not submitted an Article 7 report since their initial submissions are Bhutan, Brunei, the Cook Islands, Palau, and Timor-Leste.