

## Briefing Paper

# Landmine Use by Non-State Armed Groups: A 20-Year Review

November 2019

This Briefing Paper draws from Landmine Monitor<sup>1</sup> reporting, particularly country profiles that contain information regarding use of antipersonnel landmines by non-state armed groups (NSAGs).<sup>2</sup>

### Overview

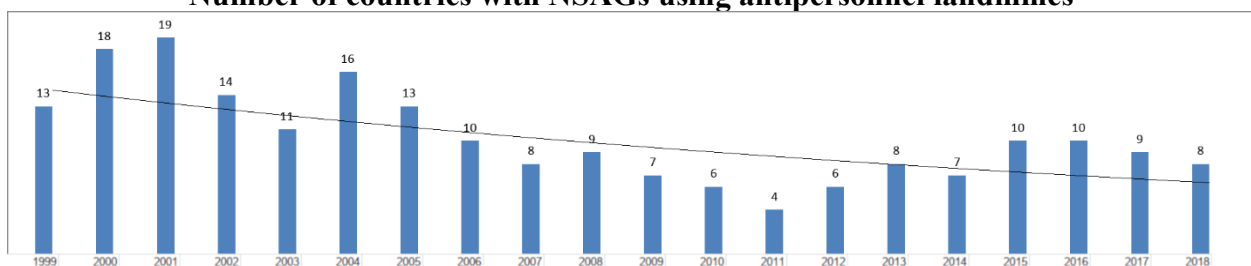
In the 20 years since the Mine Ban Treaty entered into force in 1999, there has been a downward trend in use of antipersonnel mines by NSAGs. The number of countries in which NSAGs laid mines in 2019 was six, after reaching a high in 2001 of 19, and a low in 2011 of four.

In 2012, the downward trend was disrupted by a growth in Islamist insurgencies, in particular Islamic State in Iraq and Syria, which developed the capacity to manufacture improvised antipersonnel landmines in vast numbers. Also, in recent years, the Houthi insurgency in Yemen developed the capacity to produce improvised antipersonnel landmines on an industrial scale.

Technology sharing between Islamist groups in Africa led to an increase in the use of improvised antipersonnel landmines in some countries. The disintegration of Libya post-Gaddafi and the abandonment of state control of its arsenals led to a large leak of factory-made antipersonnel landmines.

Since 2011, armed groups have for the first time used antipersonnel mines in States Parties Cameroon, Chad, Iraq, Niger, Nigeria, and in non-signatory Syria.<sup>3</sup>

**Number of countries with NSAGs using antipersonnel landmines**



<sup>1</sup> Monitor website at <http://the-monitor.org/en-gb/reports/2019/landmine-monitor-2019.aspx>.

<sup>2</sup> NSAGs 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.

<sup>3</sup> States Parties Cameroon, Chad, Niger, and Nigeria did not have active insurgencies when they joined the Mine Ban Treaty and declared themselves free of contamination. Mine use by militias in Iraq, which occurred post invasion, was not observed post 2008 until the rise of ISIL. Syria, a state not party to the Mine Ban Treaty, did not have active insurgencies prior to 2011.

## Twenty-Year Review

During the first decade of the Mine Ban Treaty, a significant decline was documented in the number of countries in which NSAGs were using antipersonnel mines. (*See chart above.*) This was partially due to the lack of access to factory-made mines. Mine Ban Treaty States Parties were no longer transferring mines and were destroying stockpiles as mandated by the treaty. Moreover, the strong stigma emerging against antipersonnel mines meant that even those governments that had not joined the treaty were no longer exporting them. The stigma also led numerous NSAGs to renounce use of antipersonnel mines.

From 1999–2009, Landmine Monitor identified NSAG use of antipersonnel mines in at least 28 countries, including in 19 States Parties and nine states not party<sup>4</sup> (*italics*):

- Africa: Angola, Burundi, DRC, Guinea-Bissau, Namibia, Senegal, *Somalia*, Sudan, and Uganda;
- Americas: Bolivia, Colombia, Ecuador, and Peru;
- Asia-Pacific: Afghanistan, Bhutan, *India*, *Myanmar/Burma*, *Nepal*, *Pakistan*, the Philippines, and *Sri Lanka*;
- Commonwealth of Independent States: *Georgia (including Abkhazia) and Russia (including Chechnya, Dagestan, and North Ossetia)*;
- Europe: Former Yugoslav Republic of Macedonia (FYR Macedonia), Turkey, and the Former Republic of Yugoslavia (FR Yugoslavia); and
- Middle East and North Africa: Iraq and *Lebanon*.

There were also very sporadic and isolated incidents of new use in a number of other countries by rebel groups, criminal elements, and other NSAGs. The rebel groups that made the most extensive use of antipersonnel mines, and mine-like IEDs, between 1999–2009 were likely the Revolutionary Armed Forces of Colombia (FARC) and the Liberation Tigers of Tamil Elam (LTTE) in Sri Lanka, followed by the Karen National Liberation Army (KNLA) in Myanmar/Burma.

During the second decade of the Mine Ban Treaty there were a number of years during which there occurred an increase in the number of countries where NSAGs used antipersonnel mines. (*See chart above.*) More striking than the number of countries, was the increase in the number of mines laid, with particularly widespread use by Islamic State (IS) in Iraq and Syria, and affiliated groups, Houthi forces in Yemen, and the Taliban in Afghanistan. Nearly all of which were improvised antipersonnel mines. This increase in mine-laying resulted in a serious spike in the number of global landmine casualties.

From 2010–2019, Landmine Monitor identified NSAG use of antipersonnel mines in at least 18 countries, including 13 States Parties and five states not party:

- Africa: Cameroon, Nigeria, Senegal, *Somalia*, and Sudan;
- Americas: Colombia;
- Asia-Pacific: Afghanistan, *India*, *Myanmar/Burma*, *Pakistan*, and Thailand;
- Europe: Ukraine;
- Middle East and North Africa: Iraq, *Libya*, Mali, *Syria*, Tunisia, and Yemen.

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The rebel groups that made the most extensive use of antipersonnel mines and mine-like IEDs between 2010–2019 were the Islamic State in Iraq and Syria, Ansar Allah (Houthi movement) in Yemen, and the Taliban in Afghanistan. The FARC continued to be a major user until 2016.

Since 2010, Landmine Monitor has identified NSAG use each year in Afghanistan Myanmar/Burma, and Pakistan.

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<sup>4</sup> Both Somalia and Sri Lanka became States Parties post 2009. FYR Macedonia is now North Macedonia.

Additionally, since 2010, Landmine Monitor identified NSAG use of antivehicle mines in Afghanistan, India, Iraq, Iran, Kenya, Mali, Pakistan, Palestine, Senegal, Somalia, Sudan, South Sudan, Syria, Tunisia, Ukraine, and Yemen.

### **NSAGs Ban Policy**

During the first decade of the Mine Ban Treaty, extensive efforts were made to engage NSAGs in banning use of antipersonnel landmines, and a significant number of NSAGs indicated their willingness to observe a ban on antipersonnel mines. This occurred by a variety of methods: through unilateral statements, bilateral agreements, signature to the Deed of Commitment administered by Geneva Call<sup>5</sup>, and by the Rebel Declaration developed by the Philippines Campaign to Ban Landmines; both of whom are ICBL members.<sup>6</sup>

From 1999–2009, at least 59 NSAGs committed to halt use of antipersonnel mines.<sup>7</sup> However, the exact number is difficult to determine, since NSAGs have no permanence. NSAGs frequently split into factions with different policies, go out of existence, or become part of state structures.

During the second decade of the Mine Ban Treaty, efforts made to engage NSAGs in banning use of antipersonnel landmines continued, leading to an additional 19 commitments to a landmine ban.<sup>8</sup>

### **Stockpiling, Production, and Trade**

Few NSAGs are known to have possessed large stockpiles of antipersonnel landmines. The exceptions were formerly the LTTE in Sri Lanka, IS in Iraq and Syria, and the current Ansar Allah forces in Yemen, all of which developed sophisticated production capacity. The FARC in Colombia produced very large numbers of improvised antipersonnel mines, over many years, through a widely distributed, small-scale production capacity. Additionally, in Libya, irregular militias seized the arsenals formerly belonging to the Gaddafi regime that were believed to contain large quantities of antipersonnel landmines.

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<sup>5</sup> 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. From 1999–2009 Geneva Call had received signatures from NSAGs in Burundi, India, Iran, Iraq, Myanmar/Burma, the Philippines, Somalia, Sudan, Turkey, and Western Sahara.

<sup>6</sup> The *Rebel Group Declaration of Adherence to International Humanitarian Law on Landmines* unilaterally committed the armed group to the spirit of the Mine Ban Treaty, Convention on Conventional Weapons Amended Protocol II on landmines, and Protocol V on Explosive Remnants of War (ERW) (*see below*), as well as customary international humanitarian law rules regarding use of mines and explosive devices. Four NSAGs in the Philippines pledged to abide by the Rebel Declaration.

<sup>7</sup> From 1999–2009, 39 through the Deed of Commitment, 18 by self-declaration, and four by Rebel Declaration (two signed both the Rebel Declaration and the Deed of Commitment). Prior to 1999, several declarations were issued regarding the landmine ban by NSAGs, some of whom later signed the Deed of Commitment and/or the Rebel Declaration.

<sup>8</sup> The following 18 NSAG all signed Geneva Calls Deed of commitment between 2009 and 2019. In March 2009, in northeast India, the Zomi Re-unification Organisation. In April and June 2009, three factions of the Komala Party (the Kurdistan Organization of the Communist Party of Iran, the Komala Party of Kurdistan, and the Komala Party of Iranian Kurdistan). In April 2012, in Sudan the Justice & Equality Movement (JEM). In August 2013, in Sudan, the Sudan People's Liberation Movement-North (SPLM-N). In June 2014, three Syrian Kurdish factions, the People's Protection Units (YPG), the Women's Protection Units (YPJ), and the Democratic Self-Administration in Rojava. In August 2014, two factions of the Sudan Liberation Movement/Army, led by Abdul Wahid (SLM/A-AW) and the Mini Minawi (SLM/A-MM). In October 2014, Hazzm Movement, a faction of the Free Syrian Army. In June 2015, in Iran, the Kurdistan Freedom Party. In November 2017, three factions of the Free Syrian Army—the Al-Motaseem Brigade, the Brigade 51 and the Al-Hamza division. In July 2019, in Yemen, the Southern Transitional Council. In September 2019, the Central Division, a faction of the Syria National Army. However, some of these groups have since ceased to exist.

Additionally, in April 2011 the Libyan National Transitional Council (NTC), after significant lobbying by NGOs and the UN, issued a communiqué stating that no forces under its control would use antipersonnel landmines, committed to destroy landmines in its possession, pledging not to use antipersonnel or antivehicle mines, and recommending that any future government join the Mine Ban Treaty. However, the NTC dissolved in August 2012. In November 2016, in Colombia the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP) halted mine use through agreement to end armed conflict. In October 2017, in Colombia, the Unión Camilista-Ejército de Liberación Nacional (ELN) committed to halt mine use through a ceasefire which ended January 2018.

A few NSAGs have destroyed stockpiles of antipersonnel mines they possessed. The Polisario Front in Western Sahara had a stockpile of 20,493 antipersonnel landmines, which it destroyed in public destruction ceremonies between 2006 and 2019. In January 2019, it announced it had completed the destruction of its entire antipersonnel landmine stockpile.<sup>9</sup> Previously NSAG's in Iraq, Myanmar/Burma, Somalia, and Sudan have also destroyed stockpiled mines or components.

Occasionally foreign factory-made antipersonnel mines, and antivehicle mines, appear in the hands of NSAGs, suggesting a low level of clandestine trade.

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<sup>9</sup> Geneva Call, "Final destruction of 2,485 stockpiled anti-personnel mines in Western Sahara," Press Release, 22 January 2019.