



SOUTH KOREA

RECOMMENDATIONS FOR ACTION

- The Republic of South Korea (South Korea) should accede to the Anti-Personnel Mine Ban Convention (APMBC) as a matter of priority.
- South Korea should clear all anti-personnel mines from the Demilitarised Zone (DMZ) as soon as possible.

CONTAMINATION

The Korean War left mines and explosive remnants of war (ERW) in southern Korea, and because of a security threat, South Korea laid barrier minefields along the DMZ separating it from the Democratic People's Republic of Korea in the north (North Korea).

The DMZ and the Civilian Control Zone (CCZ), immediately adjoining the southern boundary of the DMZ, remain among the most heavily mined areas in the world due to extensive mine-laying during the Korean War and in the 1960s, in 1978, and in 1988. In 2006, South Korea indicated that about 970,000 mines were emplaced in the southern part of the DMZ, about 30,000 mines in the CCZ, and about 8,000 mines in 25 military sites that cover an area of about 3km² in the northern parts of Gyeonggi-do and Gangwon provinces, below the CCZ.¹ Previously, a report by the National Defence Committee in 2010 said that South Korea had about 1,100 "planned" mined areas covering 20km² and some 209 unconfirmed mined areas covering 97.82km².²

In April 2018, the North Korean leader, Kim Jong-un, and the South Korean president, Moon Jae-in, met and issued a statement promising to bring "lasting peace" to the peninsula with a commitment to denuclearisation and to ending hostilities, turning the DMZ into a peace zone.³ In June 2018, President Moon Jae-in called for an inter-Korean operation to excavate the remains of soldiers in the DMZ killed in the 1950–53 Korean War.⁴ In September 2018, the North Korean and South Korean Ministers of Defence signed a military agreement, the Panmunjom declaration, which mandates that North Korea, South Korea and the United Nations Command (UNC) "will remove all mines in the Joint Security Area (of the DMZ) in Panmunjom within 20 days, beginning on October 1, 2018".⁵ South Korean officials confirmed on 22 October 2018 that clearance of the Joint Security Area in Panmunjom by North and South Korea had been completed.⁶ North Korea were reported to have cleared five mines while South Korea found none.⁷ Mine clearance will also take place from 1 October 2018 in Cheolwon, Gangwon province, to enable joint recovery of the bodily remains of soldiers, and to enable the establishment of an inter-Korean road within the joint recovery site.⁸

South Korea has also had to contend periodically with wooden box mines carried by flood water from North Korea during the rainy season. An incident was reported in July 2017, when a wooden mine was found and destroyed on a small island along the maritime border by the South Korean navy during a sweep for displaced box mines after heavy rains.⁹ In June 2016, South Korean military officials reported that close to 260 North Korean wooden box mines had washed up along the border region in 2010–15.¹⁰

In 2016, South Korea made allegations of new anti-personnel mine use by North Korea. On 23 August 2016, South Korean officials reported that the North had planted mines near the village of Panmunjom inside the DMZ, which is jointly administered by North Korea and the United Nations (UN) Command. A South Korean official stated “the North Korean’s military was seen laying several landmines last week on the North’s side of the Bridge of No Return”, which spans the military demarcation line. The UN Command “strongly condemned” any action by North Korea that jeopardises the safety of personnel in the DMZ, but would not speculate on the North’s actions.¹¹

Previously, in 2015, two South Korean soldiers were seriously wounded in a landmine blast while conducting a routine patrol inside the DMZ near the town of Paju, 50km north of Seoul.¹² The US-led UN Command Military Armistice Commission sent a multi-national Special Investigation Team to examine the incident which concluded “the North Korean People’s Army violated paragraphs 6, 7 and 8 of the Armistice Agreement by emplacing wooden box land mines along a known Republic of Korea patrol route in the southern half of the Demilitarized Zone, injuring two Republic of Korea soldiers. Additionally, the investigation determined that the devices were recently emplaced, and ruled out the possibility that these were legacy landmines which had drifted from their original placements due to rain or shifting soil”.¹³ North Korea rejected the allegation, stating it would make “no sense” for it to use landmines south of the border and that it only used mines in self-defence.¹⁴

It was also reported in the media in 2016 and 2015 that North Korean forces had been using anti-personnel mines along the DMZ border, apparently to prevent North Korean soldiers from fleeing to South Korea.¹⁵

PROGRAMME MANAGEMENT

There is no national mine action authority or mine action centre in South Korea. Demining is conducted by the South Korean army, which has undertaken limited clearance of the DMZ and CCZ, and has concentrated mostly on demining military bases in rear areas. In September 2018, it was reported that the South Korean army had called for the establishment of an agency dedicated to removing landmines in the DMZ. The agency would be tasked with planning and executing the removal process.¹⁶

In 2013, the Ministry of Defence said it had submitted a bill on mines to the parliament to allow civilian organisations to remove mines laid during the Korean War, in order to facilitate ongoing military clearance. “The bill is aimed at making legal grounds and a process to allow both the military and civilians to remove mines so as to protect lives and the property of people”, the Ministry said in a press release.¹⁷ As at September 2017, South Korea’s National Assembly had not passed the bill.

LAND RELEASE

In its latest Convention on Certain Conventional Weapons (CCW) Amended Protocol II Article 13 transparency report for calendar year 2017, South Korea reported that 462 military deminers had cleared a total of 102,828m² and destroyed 142 mines, at a cost of US\$1.12 million.¹⁸ For 2016, South Korea had reported clearing 191,019m² and destroyed 134 mines.¹⁹

At the end of September 2018, clearance began at the JSA in Panmunjom in South Korea, following the agreement between Kim Jong-un and Moon Jae-in the previous month. All the mines in the JSA, the only section of the DMZ where forces stand face-to-face, were expected to be cleared before the end of October.²⁰

ARTICLE 5 COMPLIANCE

South Korea is not a state party to the APMBC, but nonetheless has obligations under international human rights law to protect life, which requires the clearance of mines in areas under its jurisdiction or control as soon as possible.

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- 2 "Find One Million: War With Landmines", *Korea Times*, 3 June 2010.
- 3 "North and South Korean leaders promise 'lasting peace' for peninsula", *The Guardian*, 27 April 2018, at: <https://www.theguardian.com/world/2018/apr/27/north-south-korea-summit-leaders-promise-lasting-peace-denuclearisation-kim-jong-un-moon-jae-in>.
- 4 "S. Korea's first mine-clearing tank wins battle suit", *Aju Business Daily*, 9 July 2018, at: <http://www.ajudaily.com/view/20180709110922386>.
- 5 Agreement on the Implementation of the Historic Panmunjom Declaration in the Military Domain, Song Young-moo and No Kwang Chol, 19 September 2018, Annex 2, p. 7, at: <https://www.ncnk.org/resources/publications/agreement-implementation-historic-panmunjom-declaration-military-domain.pdf>; and "Korean leaders sign agreement for North Korea to take further steps to denuclearize", *ABC News*, 20 September 2018, at: <https://abc7chicago.com/korean-leaders-sign-agreement-for-north-korea-to-take-further-steps-to-denuclearize/4281506/>.
- 6 "Koreas finish removing land mines from border village", *Associated Press*, 22 October 2018, at: <https://www.apnews.com/6ab59a08c6e347bba1ab1a767b3fc368>.
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- 8 Agreement on the Implementation of the Historic Panmunjom Declaration in the Military Domain, Song Young-moo and No Kwang Chol, 19 September 2018, Annex 3, p. 9.
- 9 "North Korea Wooden Land Mine Swept into South Korea", *Sputnik International*, 28 July 2017, at: <https://sputniknews.com/asia/201707281055978664-north-korean-landmine-crosses-border/>.
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- 12 "South Korea Accuses the North After Land Mines Maim Two Soldiers in DMZ", *The New York Times*, 10 August 2012, at: http://www.nytimes.com/2015/08/11/world/asia/north-korea-placed-mines-that-maimed-2-south-korean-soldiers-at-dmz-seoul-says.html?_r=0; and J. Park, "South Korea condemns North on land mine blast, vows retaliation", *Reuters*, 10 August 2015, at: <http://www.reuters.com/article/us-southkorea-northkorea-mines-idUSKCN0QF07A20150810>.
- 13 US Forces Korea, "United Nations Command Military Armistice Commission Investigates land mine detonation in demilitarized zone", Press release, 13 August 2015, at: <http://www.usfk.mil/Media/Press-Releases/Article/613531/united-nations-command-military-armistice-commission-investigates-land-mine-det/>.
- 14 "North Korea Rejects Landmine Blasts Blame", *Sky News*, 14 August 2015, at: <http://news.sky.com/story/north-korea-rejects-landmine-blasts-blame-10349417>; and statement of North Korean Ambassador, UN press conference, 21 August 2015, available at: <https://www.scribd.com/doc/275521285/North-Korea-Ambassador-s-August-21-2015-Opening-Statement-at-UN-Press-Conference>.
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- 18 CCW Amended Protocol II Article 13 Report (for 2017), Form B.
- 19 Ibid.
- 20 "Koreas begin clearing landmines from heavily fortified border", *BBC*, 1 October 2018, at: <https://www.bbc.com/news/world-asia-45704909?SThisFB>.