



# 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 May 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 3km<sup>2</sup> in the northern parts of Gyeonggi-do and Gangwon provinces, below the CCZ.<sup>1</sup> Previously, a report by the National Defence Committee in 2010 said that South Korea had about 1,100 "planned" mined areas covering 20km<sup>2</sup> and some 209 unconfirmed mined areas covering 97.82km<sup>2</sup>.<sup>2</sup>

South Korea has also had to contend periodically with wooden box mines carried by flood water from North Korea during the rainy season. The armed forces' Joint Chiefs of Staff (JCS) said in July 2014 that the military had found 258 North Korean mines in the preceding four years.<sup>3</sup>

1 Response by the Permanent Mission of South Korea to the UN, New York, 9 May 2006.

2 K. Chang-Hoon, "Find One Million: War With Landmines", *Korea Times*, 3 June 2010.

3 "Military urges extra care on land mines from North Korea", *Korea Herald*, 14 July 2014.

In 2016 as in the previous year, South Korea reported serious allegations of new anti-personnel mine use by the 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 stated it “strongly condemns” any action by North Korea that jeopardises the safety of personnel in the DMZ, but would not speculate on the North’s actions.<sup>4</sup>

On 4 August 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.<sup>5</sup> 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”.<sup>6</sup> 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.<sup>7</sup>

In June 2015, it was also reported to the media by a South Korean official that North Korean forces had been using anti-personnel mines along the DMZ border “for the past couple of months”, ostensibly to prevent North Korean soldiers from fleeing to South Korea.<sup>8</sup>

## 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 November 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.<sup>9</sup> As of December 2015, 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 2015, South Korea said army deminers had cleared 62,471m<sup>2</sup> during the year and removed “approx. 364 mines”, with 837 military servicemen participating in mine clearance activities and a budget of US\$1.25 million.<sup>10</sup> In 2014, South Korea reported clearing 66,400m<sup>2</sup> at a cost of \$1.24 million.<sup>11</sup>

The JCS reported that the 433 mines cleared by military deminers in 2014 were from coastal areas and land close to the border with North Korea, of which 312 were anti-vehicle mines and 211 anti-personnel mines. The JCS said in a statement: “We will continue the operations to spot and remove mines near the border regions and major military bases in phases”.<sup>12</sup>

## ARTICLE 5 COMPLIANCE

South Korea is not a state party or signatory to the APMBBC but nonetheless has obligations under international human rights law to protect life, which requires the clearance of mines as soon as possible.<sup>13</sup>

4 K. Tong Hyung, “North Korea planting landmines at border with South, claims UN”, *The Independent*, 23 August 2016, at: <http://www.independent.co.uk/news/world/asia/north-korea-planting-landmines-border-with-south-un-claims-a7205241.html>; and “Bridge of No Return: Seoul Accused Pyongyang of Planting Landmines on Border”, *Sputnik International*, 28 August 2016, at: <https://sputniknews.com/asia/20160823/1044569788/seoul-accuses-pyongyang-planting-landmines.html>.

5 C. Sang-Hun, “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](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>.

6 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/>.

7 “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 Korea’s 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>.

8 “North Korea plants landmines in DMZ apparently to prevent soldiers fleeing”, *Yonhap*, 14 June 2015, at: <http://english.yonhapnews.co.kr/national/2015/06/14/0301000000AEN20150614000700315.html>.

9 “S. Korea pushes to allow civilians to remove land mines”, *Yonhap*, 14 November 2013.

10 CCW Amended Protocol II Article 13 Report (for 2015), Form B.

11 Ibid. (for 2014), Form B.

12 Lee Min-hyung, “Military clears hundreds of mines this year”, *Korea Times*, 28 November 2014; “S. Korean military removes 433 landmines this year”, *Yonhap*, 28 November 2014.

13 South Korea is a state party to the 1996 International Covenant on Civil and Political Rights, Article 6 of which requires that states parties respect and protect the right to life.