

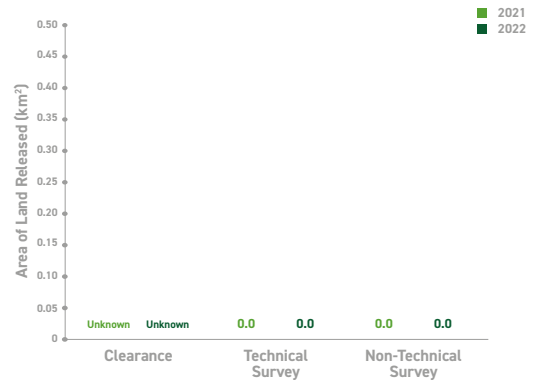
## KEY DATA

### ANTI-PERSONNEL (AP) MINE CONTAMINATION: UNKNOWN

AP MINE  
CLEARANCE IN 2022  
**UNKNOWN**

AP MINES  
DESTROYED IN 2022  
**UNKNOWN**

## LAND RELEASE OUTPUT



## KEY DEVELOPMENTS

Myanmar made no concrete progress in 2022 towards the establishment of a fully functioning mine action programme. With the possibility to conduct technical survey, clearance, or explosive ordnance disposal (EOD) spot tasks stymied, humanitarian demining operators have been limited to non-technical survey (NTS), risk education, and victim assistance. A March 2023 resolution of the United Nations (UN) Human Rights Council called on the Myanmar military to halt all use of anti-personnel (AP) mines.<sup>1</sup>

## RECOMMENDATIONS FOR ACTION

- Myanmar's armed forces and armed ethnic organisations should halt the use of AP mines, including victim-activated mines of an improvised nature.
- Myanmar should accede to the Anti-Personnel Mine Ban Convention (APMBC) as a matter of priority.
- Relevant authorities in Myanmar should grant permission to humanitarian mine action organisations to undertake surveys to identify and mark mined areas using conventional marking systems, particularly where returns of internally displaced persons (IDPs) are planned.
- Mine action non-governmental organisations (NGOs) and their implementing partners should develop standards for implementing and reporting permitted activities, including community-based assessments and NTS.

<sup>1</sup> Human Rights Council Resolution 52/31, adopted without a vote on 4 April 2023, operative para. 12.

## DEMINING CAPACITY

### MANAGEMENT

- Department of Rehabilitation (DoR)

### NATIONAL OPERATORS

- Tatmadaw (Army)
- Unspecified ethnic armed entities/non-State armed groups
- Unspecified non-government organisations

### INTERNATIONAL OPERATORS

- DanChurchAid (DCA)

- Danish Refugee Council Humanitarian and Disarmament and Peacebuilding Sector (DRC)
- The HALO Trust (HALO)
- Humanity & Inclusion (HI)
- Mines Advisory Group (MAG)
- Norwegian People's Aid (NPA)

### OTHER ACTORS

- United Nations Children's Fund (UNICEF)

## UNDERSTANDING OF AP MINE CONTAMINATION

Myanmar is heavily mined as a result of conflicts between the Tatmadaw (army) and numerous non-State armed groups (NSAGs) affiliated with ethnic minorities. The conflicts started after the nation's independence in 1948. AP mines, including those of an improvised nature, as well as other improvised explosive devices (IEDs) continue to be laid by government forces and NSAGs.<sup>2</sup> Mine use is reported to have accelerated since the military's February 2021 coup and the escalating conflict it has ignited across the country.<sup>3</sup>

There is no accurate estimate of the extent of mine contamination but in the years before the coup available data showed that nine of the fourteen states and regions were contaminated with landmines and explosive remnants of war (ERW).<sup>4</sup> Mine contamination was concentrated in the states bordering Bangladesh, China, and Thailand. United Nations Children's Fund (UNICEF) monitoring of mine and ERW incidents found that most casualties in 2021 occurred in Shan and Kachin states in the north and east of the country, in the western state of Rakhine, and in the south-eastern Kayah and Magway states. Other states experiencing mine/ERW casualties included Bago, Chin, Kayah, Mon, Sagaing, and Tanintharyi.<sup>5</sup> Since the coup, analysis of casualties suggests mine use has spread more widely.<sup>6</sup> UNICEF data showed 40% of casualties in the first half of 2023 occurred in the central

Sagaing region, an area that was mostly peaceful before the coup but has since experienced fierce resistance to the military from the People's Defence Forces.<sup>7</sup>

The Independent International Fact-Finding Mission on Myanmar, established by the UN Human Rights Council, reported in September 2019 that northern Myanmar is "heavily contaminated with landmines" and that the parties to the conflict, including the Tatmadaw, the Kachin Independence Army (KIA), the Restoration Council of Shan state (RCSS, formerly referred to as the Shan State Army South (SSA-S), and the Shan State Progressive Party (SSPP, formerly referred to as the Shan State Army North (SSA-N)), all continued to emplace landmines and IEDs.<sup>8</sup>

In 2021 and 2022, the Tatmadaw was reported laying mines to protect infrastructure such as pipelines and telecommunications towers.<sup>9</sup> The Tatmadaw was also reported laying landmines "on a massive scale" in Kayah state using mainly M-14 and MM-2 AP mines that are manufactured by Myanmar's military to protect military positions and to lay in areas from which troops withdraw. Troops were also said to be placing mines around entrances to houses and on paths to rice fields.<sup>10</sup>

## PROGRAMME MANAGEMENT

Myanmar has pursued a number of options for setting up a national mine action authority (NMAA) since 2012

but none had reached a conclusion before the military coup in February 2021. The Tatmadaw established a State

2 Amnesty International, "Myanmar: Military's use of banned landmines in Kayah state amounts to war crimes", 20 July 2022 at: <https://bit.ly/3FBrbLD>; and "Myanmar: In reverse: Deteriorating Human Rights Situation, Report, January–February 2021, p. 8, at: <https://bit.ly/3Sd74er>.

3 See, e.g., United Nations High Commissioner for Refugees (UNHCR), Myanmar Emergency Update: Key displacement figures and, 6 March 2023; and R. Ayisi, "Children pay a heavy price as more landmines are laid," UNICEF, 4 April 2023, at: <https://bit.ly/3tQFuJE>

4 Landmine Monitor, Myanmar Burma Mine Ban Policy, Last updated 12 November 2019, at: <https://bit.ly/2Trv0m>.

5 UNICEF, Myanmar Landmines/ERW Incidents Information (2021), Factsheet (covering January–December 2021), at: <https://uni.cf/3cgxhWW>.

6 V. Milko and D. Rising, "I just want my legs back: Myanmar landmine casualties soar", *Associated Press*, 19 February 2023, at: <https://bit.ly/40b0PrW>

7 UNICEF, Overview of incidents and casualties nationwide in 2023 (January–June), at: <https://bit.ly/45pOZ0o>.

8 "Report of the Detailed Findings of the Independent International Fact Finding Mission on Myanmar", UN doc. A/HRC/42/CRP.5, 16 September 2019, pp. 155–58.

9 See, e.g., "Myanmar junta lays landmines around Chinese-backed pipelines", *The Irrawaddy*, 21 January 2022; at: <https://bit.ly/3Q5FYTX>; and G. Moeller, "Myanmar military lays landmines around Telenor's telecoms towers", *ScandAsia*, 8 November 2021, at: <https://bit.ly/3s637gV>.

10 Amnesty International, "Myanmar: Military's use of banned landmines in Kayah State amounts to war crimes", 20 July 2022.

Administration Council (SAC) to lead the government but has not set up a mechanism for managing or coordinating mine action.

The government first set up a Myanmar Mine Action Centre under the Myanmar Peace Centre (MPC) in 2012 with support from Norwegian People's Aid (NPA), but the centre was never fully staffed. The MPC was dissolved at the end of March 2016 and replaced by a National Reconciliation and Peace Centre, which reported to the then head of government, State Counsellor Aung San Suu Kyi.<sup>11</sup> In 2019 and early 2020, Myanmar was making progress towards establishing an NMAA, which is needed to strengthen its humanitarian mine action programme. The government told the Fourth APMBC Review Conference in November 2019 that "Myanmar will as soon as feasible establish the needed national legislation to establish a national mine action authority."<sup>12</sup>

Myanmar held an international workshop on how to establish an NMAA to lead and manage a humanitarian mine action programme in Nay Pyi Taw in October 2019, attended by the Tatmadaw, humanitarian mine action NGOs in Myanmar, the Association of Southeast Asian Nations (ASEAN) Regional Mine Action Centre (ARMAC), the Geneva International Centre for Humanitarian Demining (GICHD), and several ambassadors.<sup>13</sup> Discussions focused on which ministries would form part of a future NMAA and the mechanisms for establishing the Authority.<sup>14</sup> An interministerial meeting on 3 January 2020, attended by 14 different ministries including the Ministry of Defence, agreed in principle to establish an NMAA.<sup>15</sup>

The government then created an interministerial task force in 2020 to work towards setting up the NMAA.<sup>16</sup> Myanmar informed the Eighteenth Meeting of States Parties to the APMBC in November 2020 that it had set up a Mine Action Working Group in May 2020 as "the first step towards formulating a National Strategy and Plan of Action for mine clearance".<sup>17</sup> However, momentum was lost with the onset of the COVID-19 pandemic and the resulting shift in government priorities, and was further eclipsed by government elections in November 2020 and the February 2021 coup.<sup>18</sup>

The operating context for humanitarian demining organisations—as for humanitarian and civil society organisations in general—has become increasingly challenging. A Department of Rehabilitation (DoR) created in 2018 gradually took over responsibility for overseeing mine

action operators and their activities. Operators found the DoR cooperative and engaged.<sup>19</sup> As the department charged with implementing the government's "National Strategy on Resettlement of IDP Return and Closure of IDP Camps", it was said to be committed to acquiring approvals needed to allow humanitarian demining to begin, but it was also felt to lack the capacity needed to tackle national-level issues such as creating an NMAA and mine action legislation. In November 2020, the DoR's Director General announced during a mine risk working group (MRWG) meeting that it had finalised the vision and terms of reference of a working committee that was to be set up prior to the establishment of an NMAA and had submitted it to the President office for consideration. No concrete results emerged by the time the Tatmadaw took over the government in February 2021. Since then, operators have followed a policy of non-engagement with the DoR.<sup>20</sup>

Meetings of the MRWG also came to a halt after February 2021. The SAC expressed interest in establishing a new MRWG in April 2022 but engagement between the government and humanitarian actors has remained largely frozen and no further action followed on the issue.<sup>21</sup> Movement restrictions, the proliferation of military checkpoints, deteriorating communications and additional controls imposed by a Registration of Associations Law introduced in October 2022, in addition to deteriorating security, have complicated the operating environment.

In response to mounting conflict and casualties, UNICEF led the creation of a Mine Action Area of Responsibility (MAAoR) in December 2021 "to ensure predictable, accountable and effective responses to the threat posed by landmines and explosive remnants of war in Myanmar" and to ensure that "action on mines is at the centre of humanitarian planning and responses."<sup>22</sup> Demining organisations endorsed the terms of reference. The MA AoR met monthly in 2022, attended by demining organisations, NGOs, and UN humanitarian agencies, reviewing developments, displacement trends and available data. Meetings were co-chaired by Mines Advisory Group (MAG) in the first six months with the position due to rotate every half-year between international and national organisations every six months. Sub-national coordinating bodies were set up for Rakhine state, the South East (Kayin, Mon, and Tarintharyi states), and Kachin state.<sup>23</sup>

At the Fourth APMBC Review Conference in November 2019, Myanmar acknowledged that mine action "is a precondition for safe return and resettlement of IDPs, and sustainable

11 R. Fath and P. Simon, "Mine Action in Myanmar", *Journal of Mine Action*, Issue 19.2 (July 2015).

12 Statement of Myanmar, Fourth APMBC Review Conference, Oslo, 25–29 November 2019.

13 Ibid.; and emails from Bekim Shala, Country Director, Mines Advisory Group (MAG), 13 April 2020; and Geoff Moynan, Programme Manager, HALO, 8 May 2020; and "Multi-stakeholder workshop on establishing a National Mine Action Authority in Myanmar", ARMAC, 30 October 2019, at: <http://bit.ly/2An5L6H>.

14 Email from Bekim Shala, MAG, 13 April 2020.

15 Interview with Win Naing Tun, Department of Rehabilitation, MSWRR, Geneva, 14 February 2020; and email from Kyaw Lin Htut, Programme Manager, NPA, 3 April 2020.

16 Interview with Win Naing Tun, Department of Rehabilitation, MSWRR, Geneva, 14 February 2020; and email from Hilde Jørgensen, Programme Manager – Humanitarian Mine Action, NPA, 27 May 2021.

17 Statement of Myanmar, Eighteenth Meeting of States Parties (18MSP), Geneva 16–20 November 2020.

18 Email from Hilde Jørgensen, NPA, 27 May 2021.

19 Email from Liam Harvey, Programme Manager, DRC, 21 April 20.

20 Email from Matthew Walsh, Head of Humanitarian Response and Mine Action, DCA, 22 April 2021.

21 Email from mine action stakeholders, August 2022.

22 UNICEF Myanmar Country Office Situation Report No. 6, 5 August 2022.

23 Email from Kim Warren, Coordinator, MA AoR, 11 August 2022, zoom interview, 12 August 2022.

and durable solutions." It declared that the government was "finding practical ways to move forward to closing the IDP camps using this national strategy" and that it aimed "to start humanitarian demining in non-conflict areas as a part of this camp closure strategy".<sup>24</sup> That position and any

consideration of how to put it into practice has been eclipsed by the February 2021 military coup and the subsequent intensification of conflict resulting in a sharp rise in the number of IDPs.

## ENVIRONMENTAL POLICIES AND ACTION

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It is not known how, if at all, the environment is taken into consideration during planning and tasking of survey and clearance of mines in Myanmar in order to minimise potential harm.

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## GENDER AND DIVERSITY

International demining operators present in Myanmar, including DanChurchAid (DCA), The HALO Trust (HALO), MAG and NPA, pursued gender and diversity policies in relation to employment and inclusive consultation with communities.<sup>25</sup> It was not known how gender and diversity policies were applied in 2022.

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## INFORMATION MANAGEMENT

Myanmar does not have a centralised mine action information management database. Data collection and information management were included as one of the six main priorities of the 2018–19 MRWG strategic plan.<sup>26</sup> It was hoped that a national database would be set up once an NMAA was established,<sup>27</sup> but that process stalled after the February 2021 coup.

The MA AoR ranked improving information management as a top objective and specifically creating a comprehensive mine victim information system. UNICEF continues to collect victim data from open sources which it releases quarterly but the number of victims is believed to significantly exceed that recorded in available data.<sup>28</sup>

DCA in 2021 had a project with a component related to information management which sought to build partners to capacity to gather, input, manage, and analyse data and included plans to introduce and train them in the use of Information Management System for Mine Action (IMSMA) Core. The project was delayed as a result of the coup.<sup>29</sup>

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## PLANNING AND TASKING

In the absence of a national mine action authority, Myanmar has not formulated national or state level plans for mine action.

The MA AoR drew up a strategic plan setting out general goals for the sector, including improving information management, risk education, victim assistance, improving coordination, and developing advocacy to raise the profile of humanitarian demining operators in Myanmar and attract more funding for delivery of protection services. In the first six months of 2022, MA AoR members reportedly provided explosive ordnance risk education (EORE) to approximately 150,000 people, of whom 68,434 were children.<sup>30</sup>

Operators are not tasked by central authorities but liaise with local communities in their operating areas to identify tasks.<sup>31</sup> The location of armed clashes and displacement as well as results of community survey helped operators to determine priorities.<sup>32</sup>

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24 Statement of Myanmar, Fourth APMBC Review Conference, Oslo, 25–29 November 2019.

25 Emails from Matthew Walsh, DCA, 22 April 2021; Liam Harvey, DRC, 21 April 2021; Julie Utting, HALO, 10 May 2022; Sofia Raineri, Project Manager, Kachin and South-East Myanmar, MAG, 8 August 2022.

26 Email from Matthew Walsh, DCA, 22 April 2021.

27 Emails from Bekim Shala, MAG, 13 April 2020; Fabrice Vandeputte, HI, 8 May 2020; Kyaw Lin Htut, NPA, 3 April 2020; and Liam Harvey, DRC, 22 May 2020; and Matthew Walsh, DCA, 22 April 2021.

28 Email from Kim Warren, MA AoR, 11 August 2022; and Zoom interview, 12 August 2022.

29 Email from Matthew Walsh, DCA, 22 April 2021.

30 UNICEF Myanmar Country Office, Situation Report No. 6, 5 August 2022.

31 Email from Julie Utting, HALO, 10 May 2022.

32 Email from Sofia Raineri, MAG, 8 August 2022.

## LAND RELEASE SYSTEM

### STANDARDS AND LAND RELEASE EFFICIENCY

Historically, Myanmar has not developed national standards and therefore operators have followed the International Mine Action Standards (IMAS) and their own standard operating procedures (SOPs). Operators are not permitted to conduct technical survey, clearance, or EOD so the focus of the mine action sector is on developing standards for permitted activities.

Prior to the February 2021 military coup, tentative steps to develop national standards saw the drafting of a first national standard on marking, which was approved by the government in January 2020. A Non-technical Survey Working Group also worked on a standard for NTS in 2020, led by the Mine Action Advisor from the New Zealand

Embassy,<sup>33</sup> but the group had not finalised and approved the standard by the February 2021 coup which suspended discussions on national standards.

The civilian-led government in office in 2018 agreed that physical marking (with warning signs) and fencing should be included as part of NTS<sup>34</sup> but implementation has been patchy. It also approved marking of polygons, though local authorities were also involved in the approval process.<sup>35</sup> Circumstances prevailing after the coup, including increased hostilities, the junta's crackdown on civil society and humanitarian programmes, and increased use of mines by parties to the conflict left little space for developing humanitarian mine action.

### OPERATORS AND OPERATIONAL TOOLS

Five international demining organisations (DCA, the Danish Refugee Council (DRC), HALO, MAG, and NPA) have offices in Yangon and some provincial locations. Demining organisations are not permitted to conduct technical survey or clearance and therefore have concentrated on building up NTS, risk education, and community liaison. The level of activity operators can undertake in Myanmar has become unclear due to visa restrictions and lack of clarity from national authorities over the scope and implementation of an Organisation Registration Law introduced in October 2022. This law carries severe penalties for non-compliance.<sup>36</sup>

DCA works entirely through local partner organisations in Myanmar. DCA had around 15 formal partners in 2020, the last year for which it provided information, and supported a number of other small civil society organisations (CSOs) implementing risk education and victim assistance. Prior to February 2021, DCA also worked closely with the Departments of Social Welfare and Rehabilitation on EORE activities. As at April 2021, DCA hoped to be able to provide NTS training and implementation support to its partner organisations though this was contingent on the political situation.<sup>37</sup>

DRC had planned to start NTS in Kachin and Shan states in 2020 but it was prevented from proceeding, first by COVID-19 restrictions and then, after February 2021, by political-security circumstances. In partnership with national CSOs, DRC conducted community liaison and mapping activities continued throughout 2020, the last year for which it provided information, and started conducting risk education in Rakhine state.<sup>38</sup>

HALO's Myanmar programme had a total staff of 52 in 2021, including seven risk education teams with thirty personnel, working from five locations in three of the most heavily impacted states. Visa restrictions obstructing entry of international staff resulted in remote management of the programme. In addition to a headquarters in Yangon, it had team locations established in Lashio (Shan state), Myitkyina (Kachin state) and in Hpa-an (Kayin). HALO teams are dual-trained for NTS and risk education but in view of COVID-19 restrictions focused on risk education in 2021. In response to escalating conflict in Myanmar after the February coup, HALO introduced additional emergency procedures in 2021 creating a more responsive security alert and monitoring system.<sup>39</sup>

MAG had a total staff of 47 in 2022, including 9 risk education/community liaison teams with 25 people, an expansion from its 6 teams in 2021.<sup>40</sup> MAG was operating in Kayin and Tanintharyi at the start of 2021 and through partners in Kayah and Kachin states. After February, MAG suspended NTS but expanded operations to Chin state (Mindat, Paletwa, and Thantlang) concentrating on risk education and community-based assessments of the mine/explosive ordnance threats using community interviews to develop a sense of the scale of contamination.<sup>41</sup> It added two project manager positions in 2022, one to run programmes in Rakhine State and the north-west with the other covering Kachin State and the south-east. MAG chaired a MA AoR for Rakhine State and the north-west which started meeting in October 2022. Meetings lapsed at the end of the year but restarted in 2023. MAG also supported an MA AoR meeting in the south-east.<sup>42</sup>

33 Email from Liam Harvey, DRC, 21 April 2021.

34 Emails from Liam Harvey, DRC, 21 April 2021; and Matthew Walsh, DCA, 22 April 2021.

35 Emails from Bekim Shala, MAG, 16 August 2019 and 26 May 2020; and Kyaw Lin Htut, NPA, 21 August 2019.

36 See, e.g., R. L. Root, "New NGO law imposed by military in Myanmar threatens aid delivery", *Devex*, 15 February 2023, at: <https://bit.ly/46ESKQc>.

37 Emails from Matthew Walsh, DCA, 22 April and 29 June 2021.

38 Email from Liam Harvey, DRC, 21 April 2021.

39 Email from Julie Utting, HALO, 14 September 2023.

40 Email from Camille Marie-Regnault, Country Director, MAG, 15 May 2023.

41 Email from Sofia Raineri, MAG, 8 August 2022.

42 Email from Camille Marie-Regnault, MAG, 15 May 2023.

Since 2021, NPA also shifted the focus of its operations away from non-technical survey and preparing for land release to risk education and conflict protection and preparedness. In 2022, NPA closed down its Head Office in Yangon and field offices in Bago, Kachin, and Mon states but continued to work remotely on Conflict Preparedness and Protection (CPP) through its partners.<sup>43</sup>

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## LAND RELEASE OUTPUTS AND PROGRESS TOWARDS COMPLETION

Even before the February 2021 military coup, demining operators were not permitted to conduct technical survey, clearance, or EOD spot tasks by either the government or ethnic minority authorities. After the coup, operators largely limited their activities to community-based assessments of contamination and risk education. In 2023, donor support has mainly focused on risk education and victim assistance.<sup>44</sup>

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<sup>43</sup> Email from Felipe Atkins, Country Director, NPA, 1 September 2023.

<sup>44</sup> Email from Camille Marie-Regnault, MAG, 15 May 2023.