

## VIETNAM

## PROGRAMME PERFORMANCE

	2017	2016
Problem understood	5	5
Target date for completion of mine clearance	2	2
Targeted clearance	4	4
Efficient clearance	3	3
National funding of programme	6	5
Timely clearance	4	4
Land-release system in place	4	4
National mine action standards	5	5
Reporting on progress	4	4
Improving performance	6	5
<b>PERFORMANCE SCORE: POOR</b>	<b>4.3</b>	<b>4.1</b>

## PERFORMANCE COMMENTARY

Vietnam continued to strengthen the Vietnam National Mine Action Centre (VNMAC) as a mechanism for coordinating mine action, which is taking steps to develop legislation, standards, and information management and sharing. The extent and management of Vietnam's national mine action capacity remains opaque and it has not demonstrated progress in defining the extent and location of remaining mine contamination or in reporting the progress of action to address it.

## RECOMMENDATIONS FOR ACTION

- Vietnam should accede to the Anti-Personnel Mine Ban Convention (APMBC) as a matter of priority.
- Vietnam should prepare and publish a detailed assessment of remaining mined areas.
- VNMAC should draw up a strategic plan for completing mine clearance.
- VNMAC should provide regular detailed reporting on the progress of demining.

## CONTAMINATION

Vietnam's mine problem is certainly small compared with its explosive remnants of war (ERW) contamination, though its full extent is unknown. A survey conducted between 2010 and 2014 reported anti-personnel mine contamination in 26 of 63 cities and provinces but gave no further details.<sup>1</sup> Most mines were left by conflicts in the 1970s with neighbouring Cambodia and China, and affect areas close to its borders with those countries.<sup>2</sup> Some mines have also been found around former United States (US) military installations.<sup>3</sup>

Vietnam cleared an area up to 1km deep along its northern border in the 1990s under an agreement with China, but areas further inland from the border are believed to be still contaminated with mines emplaced by the military of both countries. Since 2004, military

engineers have reportedly cleared around 95km<sup>2</sup> of contaminated land in the northern provinces of Cao Bang, Ha Giang, Lai Chau, Lang Son, and Quang Ninh bordering China under a project known as "Programme 120", destroying mainly Type 72, K58, and PPM-2 anti-personnel mines.<sup>4</sup> Vietnam has made no disclosure on the extent of remaining contamination in recent years.

Cambodian border areas were affected by irregularly emplaced mines reflecting the more sporadic nature of the fighting there,<sup>5</sup> but Engineering Command reported in 2013 that the problem had been eliminated.<sup>6</sup> Many ports and river deltas were mined extensively during the armed conflict with the United States and were not completely cleared when it ended. A number of sea mines have been found on the coast.<sup>7</sup>

## PROGRAMME MANAGEMENT

Vietnam's mine action programme is undergoing a process of restructuring, but management and operations continue to depend largely on the armed forces. A Prime Minister's Decision in 2006 assigned responsibility to the Ministry of National Defence for the national oversight of mine action, with clearance to be undertaken by the Army Engineering Corps of the People's Army of Vietnam (PAVN).<sup>8</sup> BOMICEN, part of the Ministry of National Defence, acted as a central coordinating body for clearance and survey by national operators.<sup>9</sup>

Vietnam set up Steering Committee 504 in 2010 under the Prime Minister, with the Minister of National Defence and the Minister of Labour, War Invalids and Social Affairs as deputies, charged with overseeing the national mine action programme for 2010–25. In March 2018, the government merged Steering Committee 504 and Steering Committee 33 (in charge of responses to the impact of toxic chemical defoliants dropped by the United States) into Steering Committee 701 on the Settlement of Post-war Unexploded Ordnance and Toxic Chemical Consequences.

Under a 2013 Prime Ministerial decision (No. 738 of 2013), Vietnam set up a national mine action centre – VNMAC – to strengthen the direction of mine action and provide a focal point for mine action operations.<sup>10</sup> A 2014 decree assigned responsibility for managing and coordinating the national mine action programme to the Ministry of National Defence. VNMAC, "under the

leadership of the Prime Minister, directly directed by the Ministry of Defence" has responsibility to propose policy, draw up plans, serve as the focal point for international cooperation, lead fundraising, and "preside over" mine action information management. It is also responsible for organising and implementing quality assurance.<sup>11</sup>

VNMAC has four departments (Planning, Coordination, Technical Affairs and Finance) and three subordinate centres (Training, Information Management Unit, and Survey Consultancy and Supervision Centre). The government appointed VNMAC's director and two deputy directors in 2014 with the centre becoming officially operational in February 2015.<sup>12</sup>

A further decree on management of mine action under preparation since 2016 is intended to clarify VNMAC's mandate as well as to define the role of all state agencies involved in mine action to eliminate overlap.<sup>13</sup> A draft of the decree circulating in 2018 stated the Ministry of National Defence will elaborate and preside over the national mine action programme in coordination with other relevant ministries and sectors. It also identified the Ministry of National Defence as the focal point for international cooperation in mine action. The decree instructed "VNMAC, under the direction of the Prime Minister and managed by Ministry of Defense, to monitor, coordinate and implement mine action tasks."<sup>14</sup> By April 2018, the draft had received endorsement of 20 ministries and was awaiting the Prime Minister's approval.<sup>15</sup>

A Mine Action Partnership Group (MAPG), whose formation was approved by the Prime Minister in 2016 to strengthen coordination between national and international stakeholders, had its first Executive Committee meeting in June 2017. The committee agreed to set up four thematic working groups to take up priority issues in the second half of the year. These were:

- Contributing comments on the (long-awaited) decree on mine action management and the updating of national standards
- Evaluating the status of victim assistance and risk education
- Reviewing the status of information management and plans for a national database; and
- Reviewing resource mobilisation.

Delays in setting up a steering committee, however, stalled further activity.

## Strategic Planning

Vietnam does not have a strategy specifically targeting landmines. Decision 504, approved by the Prime Minister in April 2010, set out a National Mine Action Plan for 2010 to 2025. The plan aimed to “mobilize domestic and international resources in making efforts to minimize and finally create impact-free environment for social economic development.” It called for clearance of 8,000km<sup>2</sup> of ERW contamination between 2016 and 2025.<sup>16</sup>

A VNMAC action plan for 2018 included three main targets:<sup>17</sup>

- Finalise legislation, decrees, and guidelines for the mine action sector in order to provide a unified framework for the sector country-wide
- Clarify estimates of contamination through the release of the landmine impact survey and develop risk education; and
- Clearance of some 300km<sup>2</sup> of ERW affected land.

## Information Management

On a national level, data remains a considerable challenge. VNMAC is in the process of setting up an information management unit that is intended to combine the data on operations and victim assistance held by other national agencies. The project is supported by Norwegian People’s Aid (NPA), which has provided software, hardware, and training. In 2017, support included training in advanced database development and management, data consolidation and developing information management standard operating procedures. VNMAC also started drafting national legislation that would provide for the sharing of information, and was revising the national standards for information management.<sup>18</sup>

Priority tasks in 2017 included populating the database with results of survey and other operations and getting the draft legislation approved.<sup>19</sup> VNMAC’s release in 2018 of the results of an impact survey was welcomed by mine action stakeholders as an important step towards information sharing. With the exception of Quang Tri, Vietnamese provinces with active mine action programmes do not have databases, so operators maintain their own.<sup>20</sup>

## Operators

Most clearance in Vietnam is conducted by the Army Engineering Corps and military-owned commercial companies. Its current strength and deployment are unknown. Officials have previously reported that it had 250 mine clearance and battle area clearance (BAC) teams. Vietnam reportedly has more than 70 military-owned companies undertaking clearance related to infrastructure and commercial and development projects.<sup>21</sup>

International operators conclude agreements to work in Vietnam with the People’s Aid Coordinating Committee, but negotiate their programme of operations separately with the authorities of each province. Humanitarian operators were concentrated in central provinces on either side of the DMZ, which are among the most heavily contaminated.

International operators active in 2017 included Danish Demining Group (DDG) (in Quang Nam and Thua Tien Hue provinces); Mines Advisory Group (MAG) (in Quang Binh and Quang Tri provinces); NPA (in Quang Tri and Thua Thien Hue provinces); and PeaceTrees Vietnam (who have been working in Quang Tri province since 1995).

Under an agreement with the Korea International Cooperation Agency (KOICA), VNMAC, KOICA, and UNDP are collaborating on a US\$20 million project for ERW survey and clearance, information management, risk education, and victim assistance in two central provinces (Binh Dinh and Quang Binh) for three years in 2018–20. A Joint Project Management Unit (JPMU), with representatives of each of these three organisations, will be responsible for the daily and coordinated project management, supported by a United Nations Development Programme (UNDP) chief technical adviser who joined in March 2018. A Joint Project Coordination Committee (JPCC), comprising representatives from the Ministry of Defence, VNMAC, the UNDP and KOICA, will provide overall strategic guidance and oversight.<sup>22</sup>

## LAND RELEASE

VNMAC did not respond to requests for details of mine clearance in 2017. Based on partial reporting, a total of 34 mines were destroyed in 2017.

Among international operators, MAG reported it destroyed three anti-personnel mines out of a total of 8,123 ERW items it cleared in 2017.<sup>23</sup> Operators in Quang Tri province cleared 31 anti-personnel mines in 2017 out of 21,772 items destroyed.

In five years from 2013 to 2017, the Legacy of War Coordination Centre recorded clearance of 497 landmines, 4% of the total number of items cleared, but the number of landmines cleared annually has fallen steadily.<sup>24</sup>

## ARTICLE 5 COMPLIANCE

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

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- 1 VNMAC, "Report on Explosive Remnants of War Contamination in Vietnam, Based on the Explosive Remnants of War Contamination Survey and Mapping – Phase 1", provided by VNMAC 19 April 2018, p. 38.
  - 2 Interview with Sr. Col. Phan Duc Tuan, Deputy Commander, Military Engineering Command, People's Army of Vietnam (PAVN), in Geneva, 30 June 2011.
  - 3 Landmine Action, Explosive remnants of war and mines other than anti-personnel mines, London, March 2005, p. 181.
  - 4 Information provided by Sr. Col. Phan Duc Tuan, PAVN, in email received from Vietnam Veterans of America Foundation (VVAFA), Hanoi, 24 September 2012; and in interview in Geneva, 30 June 2011.
  - 5 Interview with Sr. Col. Phan Duc Tuan, PAVN, in Geneva, 30 June 2011.
  - 6 Interview with Sr. Col. Nguyen Thanh Ban, Head of Bomb and Mine Department, Engineering Command, Hanoi, 18 June 2013.
  - 7 Landmine Action, Explosive Remnants of War and Mines Other than Anti-personnel Mines, London, March 2005, p. 181.
  - 8 Prime Minister's Decision No. 96/2006/QĐ-TTg, 4 May 2006.
  - 9 Email from Col. Nguyen Trong Duc, Ministry of National Defence, 6 August 2006.
  - 10 Interview with Maj. Gen. Pham Quang Xuan, Director, VNMAC, in Geneva, 31 March 2014.
  - 11 Prime Minister's Decision 319/QĐ-TTg, 4 March 2014; information provided by VNMAC, received by email from Ed Rowe, Senior Technical Adviser to VNMAC, Norwegian People's Aid (NPA), 24 July 2018.
  - 12 Information provided by Do Van Nhan, Deputy Director General, VNMAC, received by email from VVAFA, 19 June 2015.
  - 13 Interview with Dang Van Dong, Deputy Director General, VNMAC, in Geneva, 7 February 2017.
  - 14 Draft Decree on the "management and implementation of mine action activities", Hanoi, April 2018.
  - 15 Interview with Nguyen Hang Phuc, Deputy Director General, VNMAC, Hanoi, 18 April 2018; and information provided by VNMAC, received by email from Ed Rowe, NPA, 24 July 2018.
  - 16 Prime Minister, "Decision on Approval of the National Mine Action Plan Period 2010–2025", Hanoi, 21 April 2010.
  - 17 Interview with Nguyen Hang Phuc, VNMAC, Hanoi, 18 April 2018.
  - 18 Email from Edward Rowe, NPA, 2 August 2018.
  - 19 Interview with Dang Van Dong, VNMAC, in Geneva, 7 February 2017; and email from Resad Junuzagic, NPA, 7 April 2017.
  - 20 Emails from Resad Junuzagic, Country Director, NPA, 7 April 2017; Simon Rea, Country Director, MAG, 11 April 2017; and Clinton Smith, DDG, 23 March 2017.
  - 21 Interview with Sr. Col. Nguyen Thanh Ban, Engineering Command, Hanoi, 18 June 2013; email from Executive Office of the National Steering Committee, 6 August 2012; and interviews with mine action stakeholders, Hanoi, 16–20 April 2018.
  - 22 Interview with Nguyen Hang Phuc, Deputy Director General, VNMAC, Hanoi, 18 April 2018; telephone interview with Nils Christiansen, Chief Technical Adviser, UNDP, 23 April 2018; and emails, 3 May and 11 June 2018.
  - 23 Email from Simon Rea, MAG, 17 April 2018.
  - 24 LWCC database, accessed at: [lwcc-dbu-quangtri.vn/en-us/FACTS-AND-FIGURES/](http://lwcc-dbu-quangtri.vn/en-us/FACTS-AND-FIGURES/). Operators cleared 210 landmines in 2013, 108 in 2014, 94 in 2015, and 54 in 2016, mostly US-made M-14 and M-16 anti-personnel mines.