VIETNAM



KEY DEVELOPMENTS

With the adoption of a new national mine action decree in March 2019, followed by adoption of a more detailed Guiding Circular in December 2019, the Vietnam National Mine Action Centre (VNMAC) has now been officially empowered to start coordinating humanitarian mine action in Vietnam. This provided a legal basis for VNMAC to make significant progress in 2020 in ongoing efforts to review and update the national mine action standards to bring them more in line with the International Mine Action Standards (IMAS), establish a fully functioning national information management database, and build a national quality management (QM) capacity.

However, VNMAC's current focus is on survey and clearance of explosive ordnance contamination (mainly explosive remnants of war (ERW)) elsewhere in the country, and not on releasing mined areas along Vietnam's borders.

RECOMMENDATIONS FOR ACTION

- Vietnam should accede to the Anti-Personnel Mine Ban Convention (APMBC) as a matter of priority.
- Vietnam should clear anti-personnel mines in areas under its jurisdiction or control as soon as possible, consonant with its obligations under international human rights law.
- Vietnam should approve VNMAC's final five-year work plan (2021–25), which corresponds to implementation of the National Mine Action Plan for 2010–25.
- Vietnam should publish a detailed assessment of remaining mined areas.
- Vietnam should publish annual reports on its progress in the survey and clearance of mined areas.
- National Technical Regulations (QCVNs) and National Mine Action Standards (TCVNs) should be updated in line with IMAS, including with regards to addressing anti-personnel mine contamination, as distinct from battle area clearance (BAC).
- VNMAC should continue progress to develop a fully functional national information management database and make Information Management System for Mine Action (IMSMA) data available to all clearance operators and relevant stakeholders. Items of explosive ordnance discovered and destroyed, should be clearly and accurately recorded, including distinguishing anti-personnel mines from anti-vehicle mines.
- VNMAC should publish comprehensive annual reports on the results of survey and clearance by all operators.

UNDERSTANDING OF AP MINE CONTAMINATION

Vietnam's mine problem is certainly small compared with contamination from ERW, though the full extent of its mined area is unknown. A survey published in 2018 reported the presence of anti-personnel mines in 26 of 63 cities and provinces but gave no further details.¹

Most mines were left by conflicts in the 1970s with neighbouring Cambodia and China, and affect areas close to its borders with those countries.² Clearance had been reported by Vietnam along its northern border with China in the 1990s and since 2004, but mined areas further inland are believed to persist.³ It was reported in 2013 by Vietnam's Military Engineering Command that clearance had been completed in areas bordering Cambodia.⁴ 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.⁵ Some mines have also been found around former US military installations.⁶

Vietnam also has extensive contamination from cluster munition remnants (CMR) and other ERW (see Mine Action Review's *Clearing Cluster Munition Remnants* report on Vietnam for further information).

NATIONAL OWNERSHIP AND PROGRAMME MANAGEMENT

VNMAC was established in 2014 by Prime Ministerial decree to strengthen the direction of mine action and provide a focal point for mine action operations,⁷ although management and operations continued to depend largely on the Armed Forces.

In a positive development, Vietnam's mine action programme is undergoing significant restructuring, following the Decree on the Management and Implementation of Mine Action Activities (Decree No. 18), which entered into effect on 20 March 2019 and subsequent approval of a Guiding Circular (Guiding Circular No. 195) which was adopted on 27 December 2019 and circulated in early 2020.8 Under Decree 18, while the Ministry of National Defence (MoD) will continue to elaborate and preside over the national mine action programme as the lead authority, in coordination with other relevant ministries and sectors, VNMAC will, under the direction of the Prime Minister and management of the MoD, "monitor, coordinate and implement mine action tasks".10 Guiding Circular 195, which details a number of articles and methods regarding implementation of the Decree, also officially appoints VNMAC as the national coordinator of mine action activities in Vietnam.11

The adoption of Decree and Guiding Circular has given VNMAC a clear mandate, roles, and responsibilities, as the national coordinating entity for mine action operations and have established the legal basis for revision and updating of the national regulations and standards (QCVNs and TCVNs), which began in 2020.¹² VNMAC now have authority over mine action data, which they are beginning to exercise by requiring provinces to collect and report data to the VNMAC Information Management Unit (IMU) on a quarterly basis.¹³ The adoption of the legal framework also paves the way for provincial authorities to be recognised as having a key role in the reporting system between operators and VNMAC.¹4

VNMAC is entirely nationally funded, and implementation of the National Mine Action Programme (Programme 504) is funded by both state and international funding. ¹⁵ According to VNMAC, the government has provided support for mine action, including i) establishment of coordinating agencies and associations to support all levels of mine action activities; ii) completion of a legal system, mechanism and policies, which create a legal basis for post-war demining activities (the MoD cooperates with other ministries to develop Circulars guiding QCVNs, TCVNs, and standing

operating procedures (SOPs) on QM, survey, and clearance and related issues); iii) facilitation of activities to develop the management and administration capacity, and survey and clearance capacity, of demining organisations; iv) formation of a national QM system for survey and clearance in accordance international standards; and v) formation of an information management system.¹⁶

VNMAC's involvement in coordination meetings, such as the Landmine Working Group (LWG), increased in 2020. The LWG, which was co-chaired by Norwegian People's Aid (NPA) and the International Centre (IC) in 2020, and by MAG and UNDP in 2021, is a platform for humanitarian mine action stakeholders in Vietnam to meet regularly to share and discuss updates that impact the sector.¹⁷ During 2020, VNMAC used the LWG for collective discussions, including on the updating of the QCVNs and TCVNs. Quarterly LWG meetings continued throughout 2020, but were not possible in Q1 due to the COVID-19 pandemic.¹⁸ In Quang Tri province, the Quang Tri Provincial Mine Action Center (QTMAC) leads the piloting and coordination of mine action operations.

International NGOs (INGOs) reported that cooperation and collaboration with VNMAC continued to strengthen in 2020, including in its close engagement with the LWG and in discussions seeking input from the international community on the legal frameworks (QCVNs, TCVNs, and SOPs). Coordination also strengthened as a result of the Decree and Circular. This was despite constraints posed by COVID-19, which resulted in limitations on meetings and travel, and which saw VNMAC frequently forced to close their office to non-VNMAC personnel. Despite this, VNMAC have shown an increased understanding in their role and how they need to fulfil, including a greater willingness to discuss ideas and challenges with international operators.¹⁹ However, VNMAC still operates within the limits of the MoD which is very regulated, so there is still room for improved transparency and efficiency.²⁰

Golden West Humanitarian Foundation (Golden West), Mines Advisory Group (MAG), NPA, PeaceTrees Vietnam (PTVN), and the United Nations Development Programme (UNDP), all provide capacity development support in Vietnam (see Mine Action Review's *Clearing Cluster Munition Remnants 2021* report on Vietnam for more details).

GENDER AND DIVERSITY

According to VNMAC, the goal of gender equality has been recognised in the Constitution of Vietnam since 1946, and is clearly stipulated in subsequent amendments and supplements to the Constitution. The 2013 Constitution stipulated that "male and female citizens are equal in all aspects". The policy is to ensure the rights and opportunities for gender equality and that gender discrimination is prohibited.²¹ In March 2021, the Prime Minister approved resolution 28/NQ-CP to promulgate the National Strategy on Gender Equality 2021–2030.²²

In 2006, the Law on Gender Equality was enacted to achieve the goal of eliminating gender discrimination. Other legislation related to gender policy includes Decision No. 2351/QD-TTg dated 24 December 2010 of the Prime Minister approving the National Strategy on gender equality for the period 2011–20 with seven goals and 22 specific targets in areas of governance, economics, labour/employment, education and training, health care, culture, information, family, and state management capacity building on gender equality; and Decision No. 515/QD-TTg dated 31 March 2016 of the Prime Minister approving the project to implement measures to ensure gender equality for female civil servants in the 2016–2020 period.²³

At VNMAC, 22% of employees are female, with women in more than 20% of management/supervisory/executive positions. VNMAC said that women's participation in survey and clearance activities is limited due to the nature of the work and due

to the fact that the majority of participants are from the military forces. For other activities, projects have encouraged the participation of civil society agencies and organisations to help ensure a higher proportion of women. Local partners such as the Provincial Military Commission, the Department of Education and Training, and the Red Cross are required to take gender into account in their training events and activities, to ensure an increase in female participation.²⁵

International operators MAG, NPA, and PTVN all report having organisational gender and diversity policies and state that they consult both women and children during community liaison activities with male and female members of community liaison/survey teams. They say they provide equal opportunities during the recruitment process and are working towards gender-balanced employment. For more information see Mine Action Review's latest *Clearing Cluster Munition Remnants* report for Vietnam.

INFORMATION MANAGEMENT AND REPORTING

Decree 18 and Guiding Circular 195 make VNMAC responsible for information management, including the reporting, collection and provision of data on mines and ERW. VNMAC uses the IMSMA, however the full IMSMA database is not yet accessible to mine action operators. Operators receive a bi-annual report from VNMAC, containing summary data. Linkages between VNMAC and the provinces are still to be fully defined and different models are emerging (for example, QTMAC in Quang Tri province, DBCU in Quang Binh province, and Project Management Unit (PMU)/IMU in Binh Dinh province as part of KV-MAP). VNMAC is in the process of determining how information management will be collected nationally and shared. Example 1950 in the process of determining and shared.

As at April 2021, VNMAC reported that it was making efforts to improve the collection of data and information management capacity nationwide. But continued international assistance (funded by the US) is still required in order for VNMAC to further develop its capacity.²⁹

The information management project, overseen by the PM-WRA Information Management Advisor to VNMAC, is now in the second year of the implementation phase. The national database structure exists and the inputting of available data is ongoing. The VNMAC database unit is now fully functional and operational, and the focus is on standardisation of the

reporting forms to ensure data is reported consistently and is subject to quality control (QC).

VNMAC reported that data collection forms are specified in the Appendices of Circular 195 and the National Standard TCVN 10299-10 (2014), and that since 2020, it had started to develop a set of standardised IMSMA data collection/reporting forms.³¹ The goal for 2021 was to complete all requirements from Guiding Circular 195, including standardised reporting for all forms and consolidation of all historical data into one national IMSMA database. However, this relies on the COVID-19 situation permitting the travel between provinces necessary to coordinate the implementation.³²

NPA is working with VNMAC at the national level to establish IMUs to collect and collate information from across Vietnam and give transparent access to available data. Throughout the period 2019–20, VNMAC's IMU worked to input historical data stored on other databases, including available data from the provinces. However, it is unclear what data the provinces are holding that have not yet been delivered to VNMAC.³³

For details on information management at the provincial level, please see Mine Action Review *Clearing Cluster Munition Remnants* report for Vietnam.

PLANNING AND TASKING

Decision 504, approved by the Prime Minister in April 2010, set out a National Mine Action Plan for 2010–25. The plan, which covers mines, CMR, and other ERW, 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 8,000km² of explosive ordnance between 2016 and 2025.34

A five-year plan (2021–25) has been developed to implement the final period of the current National Mine Action plan, but as at July 2021 had yet to be formally approved. The plan also seeks to develop and implement the technical survey of "zoning areas" confirmed as contaminated by mines and ERW, as the basis for strategic planning. There is no separate plan for anti-personnel mines.³⁵ As at April 2021, international operators expected that VNMAC would share the new five-year plan with sector stakeholders through the LWG forum for review and comments.³⁶ Annual work plans will then be developed, based on the five-year plan.³⁷

There is no national prioritisation system specifically for mine clearance. For details on explosive ordnance prioritisation at the provincial level, please see Mine Action Review *Clearing Cluster Munition Remnants* report for Vietnam.

LAND RELEASE SYSTEM

STANDARDS AND LAND RELEASE EFFICIENCY

Vietnam has both National Technical Regulations (QCVNs), which are legally binding and similar in content to SOPs, and National Mine Action Standards (TCVNs), which despite being standards are considered optional by VNMAC.³⁸

In a positive development, VNMAC made significant progress in 2020 to review and update the QCVNs to help bring them into line with IMAS.³⁹ The former QCVNs and existing TCVNs were drafted more with the MoD in mind, used terminology inconsistently, and chapters contradicted themselves.⁴⁰ INGOs welcomed the inclusiveness of the revision process,⁴¹ which involved the establishment of four working groups, co-chaired by VNMAC, and extensive consultation with operators and international organisations, including the Geneva Institute for Humanitarian Demining (GICHD).⁴² As at May 2021, the revision process for the QCVNs had been completed and was awaiting final approval from the Prime Minister's office. Revision of the TCVNs was also underway in the first half of 2021, in anticipation of the expected official approval and release of the QCVNs, which are required to be adopted first.

As part of the revision process, VNMAC also updated its SOP on QM Systems (QMS), as part of KV-MAP, a process which was still ongoing in 2021. In addition, a single, field-orientated QM SOP has been prepared by the QTMAC, with support from NGOs, for use in Quang Tri province. The latter was undergoing final revision by the mine action sector as of writing and was expected to be adopted and fully implemented by QTMAC by the middle of 2021.⁴³

As at April 2021, VNMAC reported that the relevant authorities were in the process of developing legal documents (Circulars) related to the revised QCVNs, TCVNs, and SOPs.⁴⁴

The QCVNs and TCVNs cover anti-personnel mine operations under the heading mines/ERW clearance, but more work is required in both documents with respect to addressing mined areas, as distinct from battle areas.

OPERATORS AND OPERATIONAL TOOLS

Most clearance in Vietnam is conducted by the Army Engineering Corps and military-owned commercial companies. Outside the central provinces, the current strength and deployment of military-related demining is unknown.

According to VNMAC, the Thua Thien Hue Provincial Military Command conducted survey of explosive ordnance in 2020, and the Engineering Command of the Army conducted both survey and clearance. At the peak of the KV-MAP project, VNMAC reported that 85 survey and clearance teams (totalling 2,125 soldiers) were deployed. Survey and clearance by the Engineering Commands in 2020 increased compared to the previous year. VNMAC expected a further increase in survey and clearance capacity for socio-economic projects in 2021.⁴⁵

Vietnamese officials have previously reported that it had 250 BAC and mine clearance teams nationally. Vietnam reportedly has more than 70 military-owned companies undertaking clearance related to infrastructure and commercial and development projects.⁴⁶

INGO operators active in Vietnam include: MAG, working in Quang Binh and Quang Tri provinces; NPA, working in Quang Tri, Quang Binh, and Thua Thien Hue provinces; and PTVN in Quang Tri and Quang Binh provinces.⁴⁷ In Quang Binh province, MAG, NPA, and PTVN, established a consortium project for joint survey and clearance of cluster munition remnants and other explosive ordnance. Due to approval procedures, NPA began non-technical survey and technical survey operations in Quang Binh in September 2020 and PTVN began EOD spot tasks and clearance in January 2021.⁴⁸ Danish Demining Group (DDG) ceased its survey and clearance operations in Vietnam (Quang Nam province) in January 2020, due to lack of funding.⁴⁹ Survey and clearance by the NGO operators are currently addressing contamination from CMR and other ERW, and not anti-personnel mines. For further details on survey and clearance capacity of humanitarian operators, please see Mine Action Review *Clearing Cluster Munition Remnants* report for Vietnam.

LAND RELEASE OUTPUTS AND PROGRESS TOWARDS COMPLETION

SURVEY IN 2020

According to VNMAC, a total of 120.63km² of land was surveyed in 2020 and confirmed to be contaminated with remnants of bombs, mines, and explosive ordnance, mostly unexploded ordnance (UXO). The amount of area confirmed to be contaminated with mines was not disaggregated,⁵⁰ but is likely to be a very small proportion of the total area.

MAG, NPA, and PTVN did not survey any mined area in 2020.51

CLEARANCE IN 2020

VNMAC reported clearing 61.5km² of land contaminated by all explosive ordnance in 2020, with the destruction of 3,443 submunitions, 86,971 other items of ERW, 77 anti-personnel mines, and 2 anti-vehicle mines. This is believed to result almost entirely from clearance by the provincial military teams coordinated by VNMAC as part of the KV-MAP ERW project. It is not known what proportion of the total area cleared was mine-contaminated area, as the amount of area cleared of anti-personnel mines was not disaggregated from area cleared of CMR and other ERW, 52 but it is likely to be very small.

VNMAC said that the amount of area contaminated by munitions (i.e. not only mines) released in 2020 was an increase on the previous year. This was due to the implementation of multiple projects, including for local socio-economic development; based on official development assistance (ODA), such as KV-MAP; and through operations by INGOs in the central provinces.⁵³

INGO clearance operators are not currently operating in the areas close to Vietnam's borders, where many of the mined areas are located. MAG, NPA, and PTVN did not clear any mined area in 2020 and none of the three organisations encountered mines during their CMR or EOD operations. ⁵⁴ MAG did, however, destroy four anti-personnel mines during EOD spot call outs in 2020: two in Quang Binh province and two in Quang Tri province. ⁵⁵

QTMAC recorded that six anti-personnel mines and two anti-vehicle mines were destroyed in Quang Tri province in 2020: all during EOD responses. All of the mines discovered and destroyed were isolated mines and were not part of a minefield. This was a decrease compared to the nine anti-personnel mines destroyed during EOD responses in 2019.⁵⁶

Vietnam has not set a deadline for completion of anti-personnel mine clearance. In its national mine action plan for 2010 to 2025 it called for the clearance of 8,000km² of explosive ordnance from 2016 to 2025⁵⁷ but did not specify how much of this, if any, should be mined area.

VNMAC reported that the COVID-19 pandemic has impacted survey and clearance efforts. Challenges posed by the pandemic include the organisation and deployment of the field personnel according to the regulations of the Government and each locality in implementing the activity/project; the organisation of COVID-19 prevention sanitation, and the work of ensuring personnel, equipment, and logistics for performing tasks.⁵⁸

PLANNING FOR RESIDUAL RISK AFTER COMPLETION

The GICHD has been supporting VNMAC, NPA, and UNDP in the review of the current legislative and normative framework, with a focus on residual risk management. In 2021, the support will expand to conduct training course on residual risk management, site safety, and long-term risk management (LTRM) tools and protocols.⁵⁹

As part of the project on residual risk, GICHD has worked with VNMAC, UNDP, and NPA on several areas, with activities having started in December 2020 and expected to last throughout 2021 and 2022. Activities under the project include:

- Review of the QCVNs, TCVNs, and SOPs with a focus on risk management, site safety, and QM.
- Support in drafting Vietnam's explosive ordnance risk education (EORE) standard and strategy.
- Assessment of VNMAC's current legal, normative, procedural, and structural capacities with respect to dealing with the residual threat, and provision of recommendations for future desired capacity.
- Site safety training for 50 VNMAC staff and related offices.
- A Risk Management Regional Forum to share, develop, and steer good practice in risk management for the sector in the region, which is expected to take place on the ARMAC platform.
- A Regional Workshop on Liability, All Reasonable Effort, and Risk Management which will also include outreach and familiarisation of the existing and upcoming IMAS technical notes on mine action (TNMAs) and will also promote exchange of good practices and share common challenges across countries.
- An online Risk Management Training E-Publication portal. This resource will be available for online guided learning, face-to-face events, and workshops, and self-access to the material. The e-learning publication will cover ISO 31000:2018 on Risk Management, IMAS 07.14 on Risk Management in Mine Action, Risk Management related to ammunition management (IATGs), and associated educational materials/studies.
- A pilot LTRM project to supplement the existing LTRM protocols and tools, with the goal of helping equip VNMAC to address EO residual contamination through the development of a national plan and policy instruments for the implementation of a nationally owned, sustained and sustainable residual risk management of explosive ordnance.⁶⁰

Golden West believes that the Provincial Military Commands provide a long-term capacity to respond to residual ERW regardless of external funding or support. Golden West is building a Vietnamese capacity to continue EOD operations in a safe and effective manner as long as the threat to the public exists.⁶¹

The Foundation has worked with VNMAC to improve their technical EOD skills and to support formal training by the United States DOD by providing continuity and field mentoring to inculcate trained skills into everyday operations. With US funding, Golden West has provided equipment and training to BOMICEN (Technology Centre for Bomb and Mine Disposal Engineering Command), an advisory agency under the Vietnamese Ministry of Defence and Engineering Command.⁶²

Golden West is also training PTVN EOD teams, funded by PTVN, to help develop their training capability, ensuring long-term success. PTVN instructors regularly work with Golden West and VNMAC, enhancing training skills and building a lasting capability.⁶³

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