

*COMMUNICATING ELEMENTS OF PLANS  
TO IMPLEMENT ARTICLE 5*

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MALAWI

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1. SITUATION ANALYSIS

Background <sup>1 2</sup>

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<sup>1</sup> Article 7 Report for Malawi

<sup>2</sup> UNMAS Mission Assessment Report 2003

Malawi faces both a mine and Unexploded Ordinance (UXO) problem. It should be noted that Malawi has never owned or used landmines and that the mine problem in Malawi is the result of conflicts in neighbouring countries.

The mine problem stems from the historical conflicts in neighbouring Mozambique. In the liberation war against the Portuguese and the subsequent civil war between the FRELIMO GOVERNMENT and RENAMO rebellion, refugees and combatants from both sides established at least 16 camps along the Mozambique-Malawi border in the southeast, south and southwest of Malawi. Key crossing points on the border were mined by both parties in order to disrupt ingress and egress of opposing forces. It is also probable that protective mines were laid by the refugees/combattants around the 16 camps they established in Malawi. The annual heavy rains may have compounded the mine problem as flooding may have caused the mines to migrate in some areas, including from Mozambique to Malawi.

Compounding this outcome however, was the outcome of the Malawi Defence Force (MDF) operation in 1993 to forcibly disband the Malawi Young Pioneers (MYP), a paramilitary force in Malawi until that time in human, logistics and financial. UXO are known to be in some or all of the 33 camps that the MYP occupied throughout Malawi.

Remedying these two problems is currently beyond the capability of the limited national resources of Malawi. The only assistance that Malawi has received thus far from the international community of mine action experts is the visit of a UN mission assessment team in late 2003 and the Norwegian Peoples Assistance which will undertake a survey in about 4 weeks.

The receipt of this team's report in early 2004 has provided the framework and the initial technical knowledge needed for Malawi to begin shaping a mine action campaign. Malawi is currently addressing this with its own limited resources and knowledge; donor assistance would be welcome to address the knowledge gap, in building capacity and in the subsequent implementation of the mine action campaign. Notwithstanding, Malawi is committed to developing a national mine action campaign using solely its own resources if need be.

What is the impact of the problem on local communities from a human risk and socio-economic point of view?

Communities in the southeast and southwest are affected by the mine/UXO problem in the vicinity of the Mozambican border. A number of valuable areas for farming and land resettlement are currently not used because of the historical casualties in these areas from mines and UXO, as well as mine/UXO detonations during bush fires. There have been a number of landmine and UXO casualties in Malawi over the last two decades. While records are not complete because of the nature of the problem in Malawi, it is assumed that there have been a minimum of 200 deaths from mines/UXO in the last 20 years and somewhere from a few hundred to several hundred-plus casualties. The 2003 UN report assessed that local Malawian communities are well sensitised to the mine/UXO problem following incidents mine/UXO explosions. The local population just abandoned those areas deemed infested. The report noted, however, that over time, local communities would start venturing into mine/UXO infested areas, as would new residents in the area. This, in turn, would increase the chance of greater casualties if the mine/UXO problem were not addressed.

What is the impact of the problem from a national development point of view?

Malawi is only just beginning to include the need to address the mine/UXO problem in its national development planning.

She faces land pressure in line with its national development mechanisms of farming, agriculture, land resettlement and infrastructure development. The intention is to reflect in national development plans the need to survey and clear the known affected areas in order to be able to return the land to the people for social, economic and development purposes.

To what extent must mines be cleared (e.g., border minefields, minefields surrounding military installations or infrastructure) in the context of the Convention's prohibitions of the use of anti-personnel mines?

The only known area of mines is along the border with Mozambique. This border is some 1000km in length. Although a survey has yet to be carried out with assistance from Norwegian Peoples Aid (NPA), as said earlier it is believed that mines were used at crossing points along the border and around the border refugee camps used by Mozambican refugees and combatants. Some 16 camps in Malawi have been identified for survey and possible clearance. The possible mine/UXO infested crossing points will need to be identified in the initial survey planned to be conducted from May 2007 .

Government Response with respect to the situation it faces?

Malawi signed the Mine Ban Treaty on 4 December 1997, ratified it on 13 August 1998 and became a States Parties to the Ottawa Convention on 1 March 1999. Since then, Malawi has undertaken the following actions related to mine action:

- Formed a National Committee for Landmines at the inter-Ministerial level to set policy and mobilise resources:
  - Chaired by the Principal Secretary, Ministry of Defence.
  - Committee consists of high level representatives from Ministry of Defence, Ministry of Home Affairs, Ministry of Foreign Affairs, Ministry of information, Ministry of Health, Ministry of Agriculture, Ministry of Lands and Housing, Ministry of Tourism, Ministry of Education, Ministry of Local Government and Ministry of Welfare and People with Disabilities.
- Formed the initial component of the National Mine Action Office at the MOD Headquarters to coordinate mine action at the operational level.
- Hosted a UN Assessment Mission visit to Malawi from 19-29 August 2003. Another meeting was held on 22<sup>nd</sup> January as Malawi National Committee for Landmines and UNDP and the last one was held on 16<sup>th</sup> April both 2007.
- Submitted two Article 7 transparency reports: the first in 2003, the second in 2004 and the last is this one April 2007. how many reports

- Developed better coordination between the Army and the Police in the response to and reporting of mine/UXO incidents, to include recording statistics from mine/UXO incidents as seen in the annex.
- Tasked relevant Government departments to develop their project proposals for all aspects of mine action.
- POLICY ? Commenced work on national legislation

The Government of Malawi has been proactive in signing and ratifying the Ottawa Convention and actively promoting the anti-landmine message. However, for a number of reasons, such as uncertainty over the terms of the Convention, a lack of technical expertise and a lack of mine action capability, the mine/UXO problem in Malawi has yet to be adequately addressed. The Government of Malawi has recognised the need to remedy this situation and has initiated a programme of mine action to do so as reflected in this report.

## 2. VISION

Malawi's vision is to be free of the threat of landmines and unexploded ordnance, where individuals and communities live in a safe environment conducive to development, and where mine victims are fully integrated into society.

With donor support forthcoming from NPA, it is feasible to achieve this vision by 2009. Donor support is requested for policy formulation, National legislation, civic education for Government, stakeholders to members of the general public and clearance of mines. Otherwise achieving this vision will take substantially longer

## 3. STRATEGIC OBJECTIVES 2007 SURVEY

Objective 1: To identify all mined areas in Malawi through an initial survey by November 2007 .

The National Mine Action Office is currently planning for a survey of the known mine/UXO contaminated areas, namely the 16 former refugee/combatant camps along the Malawi/Mozambican border, and the 33 former MYP camps. It is intended that this survey should be complete by November 2007.

A national survey will be undertaken in the entire country with assistance from NPA to start in about 4 weeks time.

One of the purposes of this objective is to develop the need for, and requirements of, a mine/UXO awareness campaign in Malawi.

Objective 2: To survey all known mined areas by the end of November 2007

An Impact Survey will be conducted of the identified mine/UXO affected areas in order to develop a priority for clearance tasks, noting that some of this information will be collected during the survey in Objective 1.

At the completion of Objectives 1 and 2, we will be able to prioritise future marking and clearance activities against national development priorities and socio-economic factors.

### Objective 3: Mine Awareness Campaign

There are three purposes or sub-objectives for the Campaign

a: To conduct mine risk education and UXO awareness in communities in the Dedza, Ntcheu, Mwanza, Nsanje, Mulanje, Machinga, and Mangochi Districts along the Southern Region border with Mozambique and former MYP camps. The number of affected communities and persons will be determined during Objectives 1 and 2.

b: To mobilise awareness in national decision-makers as to the extent, scope and effect of the mine/UXO problem in Malawi in order that mine action is reflected in the national development plan and linked to national development priorities.

c: To mobilise awareness in the international mine action community in order to mobilise support and resources

### Objective 4: To clear or mark all affected areas by end of 2008

To prioritise all mined areas for clearance based on Malawi's humanitarian and socio-economic priorities and the results of the upcoming Landmine Impact Survey.

To clear or mark all high impact areas by end of 2008, and all low impact areas by the middle of 2009. The areas to be cleared are the 16 known former refugee/combattants camps in the border regions, the 33 former MYP camps and yet to be identified points along the border. These timelines are a result of donor response. It should also be noted that the confirmation of the possible mined areas along the border, during the impact survey, will have an effect on the above timeline.

### Objective 5: Improve the level of victim assistance

Victim assistance is provided through the national health system. The Ministry of Health provides surgical services. The Ministry of People with Disabilities provides programmes to reintegrate landmine/UXO survivors back into society, along with other programmes for all persons with disabilities.

Services in Malawi are limited. For example, there are only four orthopaedic surgeons, all of whom are in the South and in private practice.

To achieve uniformity, the Ministry of Health and the Ministry of People with Disabilities will sponsor any projects for improving victim assistance. The National Committee on Landmines will regularly receive feedback on such proposals in order to assess the quality of victim assistance for landmine/UXO survivors in Malawi, within the context of the national health system.

### Objective 6: To develop National Policy and legislation on landmines for presentation to Parliament by 2008

The MOD has initiated the development of national landmine policy and legislation on behalf of the National Committee on Landmines. A legal officer is currently developing the first draft that will then be circulated for inter-ministerial comment.

Objective 7: Build capacity in the National Mine Action Office to coordinate mine action operations in Malawi.

In order to function effectively, capacity will need to be built in the National Mine Action Office in the following areas:

- Survey, including both trained assessors and techniques
- Information management system in mine action (IMSMA).
- Detection and clearance capability in the MDF and other stakeholders.
- Mine risk education facilitators.
- Standards and quality assurance.
- Equipment and training of personnel at all levels.
- Recruitment and training of staff.

#### 4. IMPLEMENTATION MECHANISMS

##### Coordination mechanisms

The MOD coordinates mine action in Malawi through the National Committee for Landmines at the inter-ministerial level to ensure that national development priorities are realised, the government meets its obligations to the appropriate international conventions and that resources are mobilised. Operational coordination will be implemented through the National Mine Action Office once it has been fully established. The National Mine Action Office will also be responsible for ensuring that mine action operations are conducted to agreed standards and for implementing a quality assurance regime.

Malawi will continue to be involved in the SADC Mine Action Committee as a means of leveraging the experiences of other mine-affected nations in southern Africa. This committee, coupled with bilateral arrangements to be developed with neighbouring countries such as Mozambique, will allow for a collaborative approach where possible to share information in order to identify mined areas along common border.

##### Resource mobilisation mechanisms

NPA will assist in surveying all areas. At present, there are no other donors supporting mine action in Malawi. This can be attributed in part to the time taken for the Government of Malawi to come to terms with the complexities of mine action. The 2003 UNMAS mission assessment report has been a key catalyst in initiating the mine action process in Malawi.

Malawi is committed to mobilising its own limited resources in order to address the mine/UXO problem and has tasked a number of government departments accordingly. Key gaps are technical expertise in mine action such as survey

techniques, modern mine detectors, data collection and management system besides funding for the marginal costs of mine action operations.

The need for capacity building in mine action to seek support for developing the mine action capability in Malawi can not be over-emphasised. This approach will be based on the following:

A direct bilateral approach to potential donors who have supported mine action in the southern Africa region.

A direct bilateral approach to those organisations that support capacity building in mine action.

A direct bilateral approach to those donors present in Malawi.

Establishing a local donors/NGO mine action forum in Malawi in order to appraise them of the mine/UXO problem in Malawi and the intended mine action plan to address this problem in order to identify areas of potential support.

Investigating the establishment of a Trust Fund for mine action in Malawi.

Developing the Malawi component of the UNMAS Mine Action Portfolio.

Planning, monitoring and evaluation mechanisms

The National Committee for Mine Action will formally review progress on a quarterly basis and make the necessary adjustments to the national plan.

An Annual Mine Action Report will be circulated to all stakeholders to inform them of mine action developments in Malawi

Linkages to national development mechanisms

The Government's key national development goals relate to reducing hunger and poverty through growth in farming, agriculture, land resettlement and infrastructure development. The mine action programme will allow currently unused land to be made available for these national development purposes.

The National Committee liaise closely with the relevant government ministries, and stakeholders to develop a broad understanding of their mine action priorities from the national to the village level. The National Committee will invite the ministries and government authorities to develop specific plans that will establish linkages between their development activities and mine action

## 5. CURRENT SITUATION

The UNDP and NPA will assist in surveying the country. NPA has informed the Government that they identified donors for the survey. The Field Team will comprise of one TIA Officer and one TIA Tech Officer. They will work closely together and support each other in respective tasks.

The TIA Officer will gather impact data by conducting interviews and entering data into TIA questionnaires. The TIA Tech Officer will collect terrain data, identify the polygon of the hazard area and draw a sketch of the task.

The Malawian counterpart will follow the teams in the field and learn from their working routines. The survey will begin on 14 May and is expected to finish October 2007,

## EXPECTED OUTCOME

- Scope of the problem will be known and results disseminated
  - Number of hazard areas will be known
  - Impact will be assessed
  - Size of the mine/UPO infested areas will be demarcated
  - Assets needed will be known and mobilised
  - Time needed has been drawn
  - Costing has been by NPA
- Operational National Database
- All affected communities have received MRE
- National capacity established for Survey and Information Management
- National Clearance Plan produced

## 6. IMPLEMENTATION PLAN 2007 -2012

Note – Strategic Objectives 5 and 6 are not reported on further here as they will be resourced under separate proposed initiatives

Objective 1.	To identify all mine/UXO affected areas in Malawi by November 2007
Implementation Plan	
Develop a methodology for conducting a National survey Train selected Malawi government and NGO personnel in survey techniques Assess the 16 known former refugee/combantant camps for mine/UXO infested. Assess the 33 former MYP camp sites for UXO infestation' Assess the mine/UXO infested areas along the border. Gather information on infested areas in the country.	
Objective 2.	To survey all known mined areas by November in 2007
Implementation Plan	
Develop the methodology for a Landmine Impact Survey of selected areas Train selected Malawi government and NGO personnel in impact survey techniques Prioritise future marking and clearance activities and MRE against national development priorities and socio-economic factors based on the findings of the impact survey	
Objective 3.	Mine Awareness Campaign
Implementation P	
Conduct mine risk civic education and UXO awareness in communities in the Dedza, Mwanza, Chikwawa Nsanje, Mulanje, Machinga and Mangochi Districts. Mobilise awareness in national Policy-makers the extent, scope and effect of the mine/UXO problem in Malawi in order that mine action is reflected in the national	

<p>development plan and linked to national development priorities.</p> <p>Mobilise awareness in the international mine action community in order to mobilise support and resources in human, material and financial.</p> <p>Note – the latter two are within the resources of the Government of Malawi to effect and will not be reported on further here</p>	
Objective 4.	Clear or mark all affected areas by the middle of 2009
Implementation Plan	
<p>To prioritise all mined areas for clearance based on Malawi's humanitarian and socio economic priorities and the results of the Landmine Impact Survey.</p> <ul style="list-style-type: none"> <li>• To clear or mark all high impact areas by the end of 2008</li> <li>• To clear or mark all low impact areas by the middle of 2009</li> </ul>	
Objective 7.	Build capacity in the National Mine Action Office to coordinate mine action operations in Malawi.
Implementation Plan	
<p>In order to function effectively, capacity will need to be built in the National Mine Action Office in the following areas:</p> <ul style="list-style-type: none"> <li>• Survey, including both trained assessors and technicians</li> <li>• Information management system in mine action (IMSMA)</li> <li>• Detection and clearance capability in the MDF</li> <li>• Mine risk education facilitators</li> <li>• Standards and quality assurance</li> </ul>	