

The Convention and the threat of improvised anti-personnel mines – 20 June 2023

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Thank you, Chair. Many thanks also the ISU for inviting MAG to speak on this important topic, which has been a key operational and policy theme for us, especially during the past decade. The significant increase improvised mine use in recent years correlates with the overall trend towards asymmetric conflict and the prevalence of non-state armed groups who have limited access to conventionally manufactured weaponry. The huge scale of contamination in areas formerly occupied by the so-called Islamic State triggered discussions in the mine action sector around victim-operated IEDs, especially their status under the Convention, questions of humanitarian principle, and the technical expertise and mandate of actors involved in their clearance. From MAG's perspective, these questions were, and still are, best addressed through consistent disaggregation of data that avoids conflating other types of IED, such as vehicle borne or command-operated, with those that are victim operated and fall within the scope of the convention, together with strong context and conflict analysis. Although the situation in the Middle East is complex and long term commitment of sufficient resources is a concern, the region benefits from significant capacity and experience; improvised landmines are a part of a broader profile of significant contamination from explosive remnants of war and conventional landmines. Mine action infrastructure in contexts like Iraq and Yemen is well-established, with significant capacity development support from the UN, alongside the contribution of international NGOs who undertake survey and clearance operations directly.

In contrast, states in the Sahel, Lake Chad Basin, and increasingly in the Gulf of Guinea, are fighting an ongoing insurgency in which IED use is a key tactic. Many of these states now need to map and respond to improvised mine contamination and fulfil the relevant Treaty obligations for the first time, meaning that mine action structures are often minimal or not yet established. For states such

as Chad and Niger, mine action authorities already exist to coordinate the national response to older, conventional contamination, but do not yet have the capacities and strategies needed to incorporate improvised landmine contamination into their strategies. The situation is further complicated by challenges in accessing contaminated areas due to ongoing conflict, insecurity and often remote geographies. Large scale clearance of improvised anti personnel mines is not possible in such contexts, and even conducting full non-technical survey can be challenging.

Addressing this type of contamination under the framework of the Convention also requires a different mindset from traditional mine action contexts in which Article 5 reporting and planning are framed in terms of completion. This framing rests on the assumption that other treaty provisions are fully implemented, notably the prohibition on use. While engaging non state armed groups in the long term may be possible, convincing them to adhere to the spirit of the APMBC is unlikely to offer a fast solution. For now, we must work on the assumption that improvised landmines will proliferate as long as conflict continues. The establishment of sustainable national capacities as highlighted in Article 25 of the Oslo Action Plan is key – less with a view to managing residual risk as may be the case in other contexts, and more with a view to managing and responding to an ongoing and evolving problem. The question of sustainable national capacities is relevant for all mine-affected states, and could therefore be an important issue for dialogue between States Parties. For example, MAG is providing capacity development support to Senegal, Mauritania and Guinea-Bissau, all of whom are addressing conventional mine contamination. This offers opportunities for sharing learning between states in West Africa and the Sahel in terms of how national structures can best be designed and resourced. At the same time, it must be recognised that a one-size-fits all approach should not be taken to establishing national capacities – rather they should be grounded in strong assessment and responsive to context.

Once established, the key priority for mine action authorities in states affected by improvised landmines and active conflict is to manage contamination data and coordinate the response across all pillars of mine action, as well as to undertake the analysis needed to report under the relevant articles of the APMBC. The precise extent, nature and location of improvised landmine contamination is currently unknown in the absence of baseline data, systematic data collection and information management. To be able to close this data gap, consensus is needed on disaggregation of IED data to provide clear guidance for all relevant actors. A meeting of ECOWAS Member States and other stakeholders was coordinated in Lome, Togo, late last year to discuss the IED problem. States provided excellent presentations that highlighted some good data collection practices by security forces, but at present, disaggregation is rarely taking place. While anecdotally a significant percentage of IEDs in the Sahel and West Africa are victim operated and therefore fall under the scope of the Convention, disaggregation of different IED types is needed on an ongoing basis to be able to define the problem sufficiently to inform on the ground response and underpin Article 5 extension requests.

Although non-technical survey is most often considered the first step in the land release process, it remains a valuable activity in itself when clearance operations are not possible. As well as informing plans for when access becomes permissible for clearance, sharing information on contaminated areas is essential to inform safe movement of populations, and ensure the safety of humanitarian actors and other first responders, and understand the impact on the population. Where full NTS is not possible, the most accurate available source of information is from displaced people. MAG's Remote Contamination Baseline Assessment methodology enables high level mapping by gathering data, alongside delivery of EORE, from people who may have come from villages and towns affected by mines and other explosive ordnance, or passed through contaminated areas. MAG liaises with other actors to access reception centres where IDPs are being registered. Key informants can include

community leaders, former combatants and land users such as farmers, as well as survivors of explosive ordnance. With support from donors including Sweden, the Netherlands, UNMAS and UNOCHA, MAG has conducted 372 Remote Contamination Baseline Assessments across Borno, Adamawa and Yobe states in north east Nigeria. Of these, 251 – approximately two thirds – revealed strong evidence of contamination. As Nigeria takes the next steps outlined in the 2020 article 5 extension request, data of this nature can provide important insights, and could also be generated for states facing similar challenges. Accuracy can be improved through triangulation of data with other sources that draw on the wealth of social media reports, such as ACLED, Action on Armed Violence, but to do so resource investment is needed.

Many donors are reluctant to fund standalone community liaison projects, preferring to include it as a component alongside clearance activities. Yet contexts where large scale clearance is not possible are often those in which people are the most vulnerable, and EORE is the only tool available to mitigate risk. Similarly, digital risk education provides an alternative way of reaching difficult-to-access communities, and could be strengthened as a means of generating contamination data by providing clear guidance on reporting pathways, alongside establishment of hotlines if necessary. While social media is one channel for DEORE, in contexts like Mali and Nigeria, local radio networks provide an accessible and effective means of transmitting these messages, as well as generating strong engagement from listeners who can call in and ask questions.

Working with local NGOs and community focal points are also highly effective methods of reaching difficult to access populations. In Mali, MAG has trained a network of “les griots”, traditional storytellers who are able to including EORE messaging at public events, weddings and so on. Also in Mali, MAG has worked in long term partnership with two local NGOs, AMSS and Tassaght under funding via UNOPS. I would like to note here that local partners should not be expected to take on safety and security risks that would not be accepted by international partners. However, it is also

important to recognize that their relationships and contextual knowledge enables them to safely access areas that are prohibitive for international actors. During five years of cooperation, the objective has been to establish sustainable capacities at the local, operational level. Both partners are now lead implementers of UN mine action contracts, undertaking NTS and EORE activities in northern Mali and participating as active members of the mine action working group, alongside expertise in a wider range of humanitarian activities, improving cross-sectoral integration of HMA. Such partnerships are also important opportunities to strengthen localisation, further develop themes such as gender and diversity, and work towards a more inclusive sector. Again, this highlights what can, and should, be achieved when clearance is not possible.

To conclude, the challenges for states affected by improvised anti-personnel mines are complex, but we as a community can rise to the challenging by innovating programmatically and expanding our thinking at the policy level. We must not turn our backs on contexts in which mines cannot yet be removed from the ground. Instead, we must act thoughtfully and with foresight, and redouble our efforts with communities to protect those most at risk.