



Landmine Monitor Report Myanmar/Burma 2013

Includes Cluster Munition Monitor Report 2013

About this report

Landmine & Cluster Munition Monitor provide research for the *International Campaign to Ban Landmines* and the *Cluster Munition Coalition*.

The International Campaign to Ban Landmines (ICBL) formed in 1992 to rid the world of the scourge of the anti-personnel landmine. The ICBL is a network of over 1,300 non-governmental organizations in 70 countries, and received the Nobel Peace Award in 1997. The Cluster Munition Coalition is an international civil society campaign working to eradicate cluster munitions, prevent further casualties from these weapons and put an end for all time to the suffering they cause.

Landmine Monitor documents the implementation of the 1997 Ottawa Convention, or the Mine Ban Treaty. **Cluster Munition Monitor** documents the implementation of the 2008 Convention on Cluster Munitions. Both Landmine Monitor and Cluster Munition Monitor assess the efforts of the international community to resolve the crisis caused by these weapons.

As of 1 October 2013, 161 countries, over 80% of the world's governments, have ratified or acceded to the Mine Ban Treaty. 113 countries have signed or ratified the Convention on Cluster Munitions. Myanmar/Burma has not joined either convention. In 2013 it was reported to continue use of anti-personnel landmines, and for the first time, cluster munitions.

This Landmine & Cluster Munition Monitor annual report on Myanmar/Burma is combined from the annual country reports contained within the Landmine Monitor Report 2013 and Cluster Munition Monitor Report 2013.

Landmine & Cluster Munition Monitor is not a technical treaty verifications system or a formal inspection regime. It is an effort by ordinary people to hold governments accountable to non-use of anti-personnel landmines and cluster munitions. It is meant to compliment the reporting requirements of countries which have ratified the treaty. Our reports also seek to make transparent the state of the landmine and cluster munition crisis, and government policies or practices, in non-signatory states.

Landmine & Cluster Munition Monitor aims to promote and facilitate discussion within human societies in order to reach the goal of a landmine and cluster munition free world.

Landmine & Cluster Munition Monitor works in good faith to provide factual information about the issue it is monitoring in order to benefit the world as a whole. It is critical, but constructive in its documentation and analysis.

Landmine & Cluster Munition Monitor Myanmar/Burma researcher for 2013 was Yeshua Moser-Puangsuwan. We are grateful to all the organizations and individuals who provide information for this report each year, and acknowledge their contribution within the report. We encourage contributions sent to assist in our documentation on these issues. Please contact us at: burma@icblcmc.org. If you have corrections regarding information as it is presented within this report please write: monitor@icblcmc.org

Cover photo taken during Monitor meeting with mine victims in Mwe Daw village in Taungoo Township. We were told atleast 100 landmine survivors reside in Mwe Daw, a special village built solely for war disabled former soldiers of the Tatmadaw. | Photo: Yeshua Moser-Puangsuwan

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LANDMINE & CLUSTER MUNITION
MONITOR

Mine ban policy overview

Mine Ban Treaty status	State not party
Pro-mine ban UNGA voting record	Abstained on Resolution 67/32 in December 2012, as in previous years.
Participation in Mine Ban Treaty meetings	Attended the Twelfth Meeting of States Parties in December 2012 and the intersessional meetings in May 2013, both in Geneva.
Key developments	Increased interest in Mine Ban Treaty expressed by the government, but ongoing use by government forces and non-state armed groups (NSAGs), albeit at lower levels than years past. Government accepts to receive a delegation from the ICBL for the first time.

Myanmar's Mine Ban Policy

The Republic of the Union of Myanmar has not acceded to the Mine Ban Treaty.¹ It has recently made conflicting statements regarding its efforts to accede to the Mine Ban Treaty.

In July 2012, Minister of Foreign Affairs U Wunna Maung Lwin stated that Myanmar was considering accession to the Mine Ban Treaty as part of its state reforms. It was also reported that the Minister said his government is no longer using landmines and is pursuing a peace pact with NSAGs, which would include banning the weapon.²

However, in November 2012, Myanmar's President Thein Sein stated at the Association of South-East Asian Nations (ASEAN) summit, "Myanmar has not signed Ottawa Convention yet. But, Myanmar always opposes the excessive use of land mines. Meanwhile, I believe that for defence purpose, we need to use landmines in order to safeguard the life and property of people and self-defence."³ In December 2012, a representative of Myanmar stated to States Parties that Myanmar is "reviewing its domestic laws that are not in line with international norms and practices. We are also reviewing our current status in connection with the Convention on the Prohibition of [the Use,] Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction."⁴

Myanmar attended the Twelfth Meeting of States Parties to the Mine Ban Treaty in Geneva in December 2012. Myanmar previously attended meetings of States Parties in 2003, 2006, and

¹ Formerly called the Union of Myanmar. The military junta ruling the country changed the name from Burma to Myanmar. Many ethnic groups in the country, and a number of states, still refer to the country as Burma. Internal state and division names are given in their common form, or with the ruling Union Solidarity Development Party (USDP) designation in parentheses, for example, Karenni (Kayah) state. Since 2009, the Monitor has used township names according to the UN Myanmar Information Management Unit (MIMU). See, www.themimu.info.

² U Wunna Maung Lwin made these statements to the President of the Eleventh Meeting of States Parties, Prak Sokhonn of Cambodia, on the margins of the Association of South-East Asian States (ASEAN) Foreign Ministers Meeting in Phnom Penh in July 2012. "Myanmar seriously considering landmine treaty as part of its state reforms," Press Release, Anti-Personnel Mine Ban Convention Implementation Support Unit, 12 July 2012, www.apminebanconvention.org/fileadmin/pdf/mbc/press-releases/PressRelease-Myanmar-12July-En.pdf.

³ The speech of the President was republished in the government newspaper. "Establishment of ASEAN Community is not ultimate goal of ASEAN but a milestone towards stable, peaceful and prosperous region," *New Light of Myanmar*, 19 November 2012, www.burmalibrary.org/docs14/NLM2012-11-19.pdf.

⁴ Statement of Myanmar, Mine Ban Treaty Twelfth Meeting of States Parties, Geneva, 6 December 2012, www.apminebanconvention.org/meetings-of-the-states-parties/12msp/what-happened-at-the-12msp/day-4-thursday-6-december/.

2011. Myanmar sent a representative to the intersessional meetings in May 2013, its first attendance at the intersessional meetings of the convention.

Myanmar was one of 19 countries that abstained from voting on UN General Assembly (UNGA) Resolution 67/32 on 3 December 2012, which called for universalization of the Mine Ban Treaty. It has abstained on similar annual resolutions since 1997.

In March 2013, an editorial in the government-owned newspaper *New Light of Myanmar* called for a ban on mine use. “From now on, a comprehensive plan should be laid down to end the use of landmines and to start the removal of landmines and rehabilitation of mine survivors in the affected areas. So an agreement is required for all active users to cease the use of mines in unison.”⁵

Also in March 2013, the UN Special Rapporteur on the situation of human rights in Myanmar again urged Myanmar to develop a comprehensive plan to end the use of landmines, establish accurate data on their location and use, ensure their systematic removal, and rehabilitate victims. He noted that he continues to receive allegations of landmine use in Kachin State.⁶ In April 2013, the UNHCR noted that more than 450,000 refugees and internally displaced people can't return home because of landmines in northern and southeastern states, and stated, “There will be no active promotion of return until land mines areas are identified, openly marked and cleared.”⁷

In May 2013, the UN Secretary-General released his third report on children and armed conflict in Myanmar, which documented child casualties from landmines, children involved in laying mines, and a school mined during the past three years. In one case, a 15 year old boy was captured and found guilty of “destroying public property by laying landmines,” allegedly for the Kachin Independence Army (KIA). The report states that the Tatmadaw (Myanmar Armed Forces) laid mines in a school in a village in Myitkyina Township in order to prevent its use as a military base by the KIA.⁸

In February 2013, the chair of the National Democratic Force (NDF), a political party with seats in parliament, informed the Monitor that the NDF had requested that the landmine issue be put on the agenda for discussion in parliament the previous year, but as of mid-2013, the item remained in the parliamentary secretariat and had not been placed on the agenda. NDF members speculated that the issue may be being kept off the parliamentary agenda.⁹

In May 2013, Member of Parliament and Nobel Peace Laureate Daw Aung San Suu Kyi, speaking to a disability organization in Myanmar, said: “Landmines are the hardcore of the peace and reconciliation process in our country. People with disabilities are constantly increasing in number due to the existence of landmines. To describe disability, or impairment, Myanmar has both people with physical or mental unfitness. It is reasonable to ask if the people who have planted landmines are disabled in their characters, or if it is us, who couldn't help landmines disappear from the land, who are disabled. Therefore, I truly

⁵“Safety of innocent civilians,” Editorial, *New Light of Myanmar*, 10 March 2013, p. 8.

⁶OHCHR, Report of the Special Rapporteur on the situation of human rights in Myanmar, Advanced Unedited Version, Paragraph 37, 6 March 2013, A/HRC/22/58, www.ohchr.org/Documents/Countries/MM/A-HRC-22-58.pdf.

⁷UNHCR protection office, Maja Latic quoted in UPI, “Myanmar polluted with land mines,” *UPI* (Geneva), 3 April 2013, www.upi.com/Top_News/Special/2013/04/03/Myanmar-polluted-with-land-mines/UPI-60071364996910/.

⁸“Report of the Secretary-General on children and armed conflict in Myanmar,” S/2013/258 (paragraphs 21, 31, and 37), 1 May 2013, www.un.org/en/ga/search/view_doc.asp?symbol=S/2013/258.

⁹ Monitor meeting with Dr. Than Nyein, Chairman, NDF, and other central committee members of the NDF, Yangon, 13 February 2013. The NDF obtained some seats in Myanmar's new parliament, elected in October 2010, and told the Monitor in March 2011 that a ban on landmines was their party policy.

desire the recovery of the people who are injured, by any means: those who are physically or mentally struggling in life.”¹⁰In January 2013, Daw Aung San Suu Kyi visited what is believed to be one of the most heavily mine-impacted communities in the country, Mone in Kyaukkyi Township, to learn about the situation for mine victims.¹¹

In May 2013, a high level delegation from the ICBL was accepted into the country for the first time. It met with President’s Minister U Aung Min, with officials from the Ministry of Foreign Affairs, and with the Myanmar Peace Centre. The delegation urged Myanmar to consider an immediate moratorium on new mine use and production and the commencement of mine action activities in areas of government control. It was clear to the delegation that the government of Myanmar was keenly aware of the need for mine clearance, but the delegation was informed by U Aung Min that clearance was unlikely to proceed until the peace process had reached an irreversible stage.

In November 2012, the Halt Mine Use in Burma/Myanmar campaign, for the first time, held a press conference in Yangon to disseminate the *Landmine Monitor 2012* country report in Myanmar. Over 60 members of the national press and broadcast media attended the event.¹²In the past, press censorship laws, abolished in August 2012, prohibited independent reporting on the mine issue in the country. Halt Mine Use in Burma/Myanmar also distributed 2,500 copies of the Burmese-language translation of the Myanmar country report for 2012. The Monitor cooperated with the UN Myanmar Information Management Unit (MIMU) in Yangon to produce an updated map of townships that have mine victims and that are identified to have mine contamination.¹³ In February 2013, the Monitor provided information for parliamentary action on the landmine ban at a meeting in Naypyitaw for parliamentarians from the ruling Union Solidarity Development Party, the Karen ethnic Plong Sawae Democratic Party, and the National League for Democracy. The meeting was organized by Daw Aung San Suu Kyi.

Use of antipersonnel mines

Since the publication of its first report in 1999, the Monitor has documented the extensive use of antipersonnel mines by government forces and by NSAGs in many areas of Burma/Myanmar through 2013. *Landmine Monitor 2012* could not verify a specific instance of new use of antipersonnel mines by government forces and observed a lowered level of new use by NSAGs.¹⁴During this reporting period (from mid-2012 to mid-2013), information available to the Monitor indicates a continued lower level of new mine use by rebel forces and a return to small amounts of new use by government forces. There were a few credible allegations of mine use by the Tatmadaw (the Myanmar Armed Forces) in Kachin and Rakhine States. There was also continued use of mines into mid-2013 by government-controlled Border Guard Forces (BGF), which consist of former opposition combatants. There were also credible reports of mine use by Nasaka, the Burmese Border Forces (BBF). Reports of mine use by opposition NSAGs have diminished in the reporting period, with the

¹⁰“Who is more disabled? Mine users or mine victims?,” 26 June 2013, burma.icbl.org/?p=514.

¹¹Thet Htoo, “Aung San Suu Kyi meets land mine victims in Kyaukkyi, Myanmar,” Photo essay, *Demotix*, 20 January 2013, www.demotix.com/news/1740271/aung-san-suu-kyi-meets-land-mine-victims-kyaukkyi-myanmar-media-1740107.

¹²“Landmine Monitor Report on Myanmar/Burma launched within the country,” 15 November 2012, burma.icbl.org/?p=452.

¹³www.themimu.info/docs/MIMU792v02_120615_ICBL_land_mine_incidents_in_2011_in_Myanmar_A4.pdf.

¹⁴ICBL-CMC, “Country Profile: Myanmar/Burma: Mine Ban Policy,” www.the-monitor.org/index.php/cp/display/region_profiles/theme/2870, 17 December 2012.

only incidents of new use emerging from Kachin and Karen states. There were no further reports of use of, or fabrication of, improvised mines by civilians (*see previous reports*).¹⁵

Government forces

There were credible allegations (from several sources requiring anonymity) of use of antipersonnel mines by the Tatmadaw in 2012 and 2013 in Kachin State, where Tatmadaw units were said to be laying mines in their armed conflict with the Kachin Independence Army KIA.¹⁶ The Free Burma Rangers, working in KIA areas, also alleged new use of antipersonnel mines by the Tatmadaw, in November 2012 in Pa Yeh village, which resulted in the injury of a KIA medic.¹⁷ In 2011, Human Rights Watch (HRW) reported that the KIA encountered mines laid by the Tatmadaw in Momauk Township in October 2011.¹⁸

There were also allegations of mine use by other state forces in Rakhine State in early 2013. In February 2013, cross-border traders informed the Monitor that Nasaka, the Burmese Border Forces (BBF), officers had warned them that an operation to lay landmines along the land border between Myanmar and Bangladesh would begin soon. A trader from Kha Maung Seik¹⁹ stated to the Monitor, "I cannot return to my village directly from here because the paths we have been using are now mined. When I arrived still there was no mine; army planted landmines within last two days and Nasaka officer, who gives me permission, told me this over phone; so that I don't return by using same path." On 12 February 2013, residents of Naikongchari, in Bangladesh, stated to the Monitor that a Bangladeshi national saw an object which he alleged looked like a landmine near a border pillar, specifically pillar 51. He immediately informed the local Border Guard of Bangladesh (BGB) outpost. Some BGB personnel went to pillar 51 and removed the object and reportedly sent it to their battalion office at Naikongchari.²⁰ Another news report noted that mines had been planted in the areas near border pillars 37 to 40. Later in February, the BGB issued a warning to locals to avoid the border area and increased their surveillance to prevent people from getting near the border.²¹

Border Guard Forces (BGF) are militias under the control of the regional Tatmadaw commander but comprised of various former insurgent organizations.²² BGF maintain the

¹⁵ ICBL-CMC, "Country Profile: Myanmar/Burma: Mine Ban Policy," www.the-monitor.org/index.php/cp/display/region_profiles/theme/1195, 30 October 2011.

¹⁶ Monitor interview with humanitarian organization working with conflict-displaced communities in Kachin State, Yangon, 14 November 2012. Informant requested anonymity.

¹⁷ Free Burma Rangers (FBR), "FBR Report: Burma Army Opens New Offensive in Pang Wa and Laiza Areas, Using Helicopters and Landmines in Attacks in Kachin State," Free Burma Rangers, 26 December 2012, www.freeburmarangers.org/2013/01/07/burma-army-opens-new-offensive-in-pang-wa-and-laiza-areas-using-helicopters-and-landmines-in-attacks-in-kachin-state/.

¹⁸ HRW Report, "Untold Miseries: Wartime Abuses and Forced Displacement in Kachin State," 20 March 2012, www.hrw.org/reports/2012/03/20/untold-miseries.

¹⁹ Kha Maung Seik is in north Maungdaw, under Nasaka Sector 2.

²⁰ Above information was provided to the Monitor by Bangladeshi nationals living near the border with Myanmar or who regularly cross it for business purposes. All requested anonymity, Naikongchari, February 2013.

²¹ Deepak Acharjee, "Myanmar army undermines border norms," *The Independent* (Bangladesh), 12 June 2013, www.theindependentbd.com/index.php?option=com_content&view=article&id=173474:myanmar-army-undermines-border-norms&catid=129:frontpage&Itemid=121.

²² Myanmar's 2008 Constitution requires that the many armed groups within the country's ethnic areas be placed under national military command. To fulfill this obligation, the former State Peace and Development Council (SPDC) regime demanded in April 2010 that all of the armed groups which had non-hostility pacts with the Tatmadaw be transformed into BGF or Home Guard Forces in areas where there was no border. The process of transformation required initial disarmament followed by the issuance of government weapons and

force structures and areas of operation they had previously as an armed group. It is not clear how often, or to what extent, BGF units are operating under Tatmadaw instructions or are acting independently. BGF have used antipersonnel mines sporadically since that time, but no specifically-attributed instance of use could be identified since mid-2012. However, a member of a BGF unit in Kachin State, which was fighting the KIA alongside government forces, stated to the Monitor that, if necessary, they could engage in mine warfare.²³

*Use by non-state armed groups*²⁴

No armed group has renounced antipersonnel mine use so far in the peace dialogues, which have taken place since late 2011. In the past, a few armed groups and former armed groups unilaterally renounced the use of antipersonnel mines by signing the Deed of Commitment administered by the Swiss NGO Geneva Call.²⁵

The government announced its intention to seek peace agreements with armed groups during 2011. Since that time, multiple meetings with almost every ethnic armed group in the country have been held. The need for mine clearance has been mentioned in some of these meetings. In July 2012, the Foreign Minister said that the government is pursuing peace agreements with all ethnic armed groups, which he stated would include banning mine use.²⁶ However, a halt on new mine use has not been formally adopted by any side as part of a ceasefire, as of 1 August 2013. An official in the Myanmar Peace Center, the government body responsible for negotiations with all groups, stated that some armed groups believed land mines provided them with protection from government forces. He said as long as both parties lack confidence in each other, mine clearance would be difficult to carry out.²⁷

Mine warfare by the Kachin Independence Organization/Army (KIO/KIA) and the use of mines in conflicts between different NSAGs in Karen State has continued in the reporting period, according to testimony collected by local groups and media reports. In March 2013, two Tatmadaw soldiers were killed and four injured when one reportedly stepped on a landmine while patrolling a pipeline in Namtu Township in northern Shan State. It is not known which group laid the mine.²⁸ In February 2013, four Tatmadaw soldiers were injured, reportedly by a mine laid by the Shan State Progress Party/Shan State Army-North in

organization of their troops to be subordinate to regional Tatmadaw military commanders. The requirement led to an increase in tensions across the country and armed conflict, particularly in Kachin State.

²³Interview with a member of a Kachin BGF, Yangon, February 2013.

²⁴At least 17 NSAGs have used antipersonnel mines since 1999, however, some of these groups have ceased to exist or no longer use mines.

²⁵The Chin National Front/Chin National Army renounced use in July 2006. The Arakan Rohingya National Organization and the National United Party of Arakan, both now militarily defunct, renounced use in October 2003. The Lahu Democratic Front (LDF), Palaung State Liberation Army, and PPLO/Pa'O Peoples Liberation Army (PPLA) renounced use in April 2007. In a June 2010 report, Geneva Call noted that LDF and the PPLA had disbanded.

²⁶U Wunna Maung Lwin made these statements to the President of the Eleventh Meeting of States Parties, Prak Sokhonn, on the margins of the ASEAN Foreign Ministers Meeting in Phnom Penh, in July 2012. "Myanmar seriously considering landmine treaty as part of its state reforms," Press Release, Anti-Personnel Mine Ban Convention Implementation Support Unit, 12 July 2012,

www.apminebanconvention.org/fileadmin/pdf/mbc/press-releases/PressRelease-Myanmar-12July-En.pdf.

²⁷"Politics and peace process obstacle to Myanmar land mine elimination procedure," *Eleven Magazine*, 23 March 2013, www.elevenmyanmar.com/national/2886-politics-and-peace-process-obstacle-to-myanmar-land-mine-elimination-procedure.

²⁸"Landmine kills Burma army soldiers, villagers threatened," *Shan Herald Agency for News*, 3 April 2013, www.bnionline.net/index.php/news/shan/15055-landmine-kills-burma-army-soldiers-villagers-threatened.html.

Tangyan Township in northern Shan state.²⁹ In January 2013, a villager reportedly stepped on a landmine in Kaukriek Township which was allegedly laid by the Democratic Karen Buddhist Army (DKBA).³⁰ In Mone Township, villagers stated that some incidents in their area were from newly laid mines, but they were unsure who was responsible.³¹ In November 2012, a villager in Mone Township stated that the Karen National Liberation Army (KNLA) was still using landmines, and they had to be careful whenever they walked near their bases.³²

In May 2012, state media reported that the army had recovered mines from a captured KIA outpost.³³ The KIA had previously issued a public warning that it was laying mine defenses at the start of the conflict.³⁴

Some incidents of landmine injuries since July 2012 were attributed to mines laid by BGF and KNLA, but the precise time period when the mines were laid could not be determined from available reports.³⁵

In October 2012, KNLA forces informed villagers in Thandaung Township that they could not remember precisely where landmines were laid, but stated that the KNLA had issued a verbal warning to villagers not to enter areas, and stated if they entered an area after being warned and were injured, it was the villagers' problem.³⁶

One antivehicle mine incident reportedly caused five civilian deaths in Papun Township in February 2013.³⁷ Another report said the KNLA stated that it was unable to remove an antivehicle mine it laid in Kyaukkyi Township due to an antihandling device, so it marked the location of the mine.³⁸

Production, stockpiling, and transfer

Myanmar Defense Products Industries (Ka Pa Sa), a state enterprise at Ngyaung Chay Dauk in western Pegu (Bago) division, has produced fragmentation and blast antipersonnel mines, including ones with low metal content.³⁹ Authorities in Myanmar have not provided any information on the types of mines it produces or the quantities of stockpiled

²⁹“Fresh tensions with Shan army have implications for Wa,” *Shan Herald Agency for News*, 15 February 2013, www.shanland.org/index.php?option=com_content&view=article&id=5254:fresh-tensions-with-shan-army-have-implications-for-wa&catid=86:war&Itemid=284.

³⁰ Karen Human Rights Group (KHRG), *Landmines Briefer*, Information Received: August 2012–March 2013, 8 April 2013, p. 8.

³¹ Villagers stated that the Karen National Liberation Army (KNLA) and Burma Army were active in the area. KHRG, “Landmine injuries in Mone Township, Nyaunglebin District since January 2013,” *News Bulletin*, KHRG #2013-B44, 8 July 2013, www.khrg.org/2013/07/13-61-d1/landmine-injuries-mone-township-nyaunglebin-district-january-2013.

³² KHRG, *Landmines Briefer*, Information Received: August 2012–March 2013, 8 April 2013, p. 9.

³³ “KIA (Kachin) armed group withdraws from battle with No. 1002 BGF (Headquarters) suffering heavy loss,” *New Light of Myanmar*, 4 May 2012.

³⁴ ICBL-CMC, “Country Profile: Myanmar/Burma: Mine Ban Policy,” www.the-monitor.org/index.php/cp/display/region_profiles/theme/1195, 30 October 2011.

³⁵ In September 2012, three casualties in Myawaddy were reported due to mines, attributed to both the BGF and the KNLA, however, the reports do not state when they believe the mines were placed there. See, for example, KHRG, *Landmines Briefer*, Information Received: August 2012–March 2013, 8 April 2013, p. 12.

³⁶ KHRG, “Landmines Briefer, Information Received: August 2012–March 2013,” Report, 8 April 2013, p. 14.

³⁷ KHRG, “Papun Situation Update: Bu Tho Township, January to March 2013,” *News Bulletin*, 18 June 2013, www.khrg.org/2013/07/13-37-s1/papun-situation-update-bu-tho-township-january-march-2013.

³⁸ KHRG, “Nyaunglebin Situation Update: Kyaukkyi Township, July to September 2012,” *News Bulletin*, 20 June 2013, www.khrg.org/2013/06/12-134-s1/nyaunglebin-situation-update-kyauk-kyi-township-july-september-2012.

³⁹ Myanmar produces the MM1, which is modeled on the Chinese Type-59 stake-mounted fragmentation mine; the MM2, which is similar to the Chinese Type-58 blast mine; a Claymore-type directional fragmentation mine; and a copy of the United States (US) M14 plastic mine.

antipersonnel mines it possesses. The Monitor has previously reported that, in addition to domestic production, Myanmar has obtained and used antipersonnel mines of Chinese, Indian, Italian, Soviet, and United States (US) manufacture, as well as some mines whose origin has not been identified.⁴⁰ Myanmar is not known to have exported antipersonnel mines.⁴¹

Non-state armed group production, transfer, and stockpiling

The KIO, KNLA, DKBA, Karenni Army, and the United Wa State Army have produced blast and fragmentation mines. Some also make Claymore-type directional fragmentation mines, mines with antihandling fuzes, and explosive booby-traps. All units of the KNLA are reportedly able to manufacture and deploy bounding mines after training by a foreign technician.⁴² Armed groups in Myanmar have also acquired mines by removing mines laid by others, seizing Tatmadaw stocks, and obtaining mines from the clandestine arms market.⁴³ Although some former combatants have non-hostility pacts with the ruling authorities, they have not disarmed and some still possess antipersonnel mines.⁴⁴ In October 2011, the authorities announced that they had recovered landmines, among other weapons, in operations against the KIA.⁴⁵

⁴⁰ See *Landmine Monitor Report 2004*, p. 938. The mines include: Chinese Types-58, -59, -69, -72A; Soviet POMZ-2, POMZ-2M, PMN, PMD-6; US M14, M16A1, M18; and Indian/British LTM-73, LTM-76.

⁴¹ In 1999 Myanmar's representative to the UN stated that the country was supportive of banning exports of antipersonnel mines, however, no formal moratorium or export ban has been proclaimed. See *Landmine Monitor Report 2000*, p. 469.

⁴² According to a US cable released by Wikileaks in August 2011, in December 2006 during an interview with US Embassy officials a Karen politician indicated that "in 2005 a foreign expert trained the KNLA on how to manufacture 'Bouncing Betty' anti-personnel mines, packed with ball bearings. The KNLA claims all of its brigades now know how to produce this 'new' landmine. KNLA officers claim they use them only in forward areas to slow the Burmese Army's advance into traditional KNU territory. The source said the new mines are much more lethal than earlier KNLA mines that tended to maim rather than kill." "06RANGOON1767, BURMA REGIME AND KAREN MISTRUST CONTINUES," US Department of State cable dated 4 December 2006, released by Wikileaks on 30 August 2011, wikileaks.org/cable/2006/12/06RANGOON1767.html.

⁴³ *Landmine Monitor Report 2009* identified the presence of US-made M26 bounding antipersonnel mines in Myanmar but could not identify the source or the user. In 2010, a confidential source indicated that the KNLA had received many M26 mines from the Royal Thai Army in the past, before Thailand joined the Mine Ban Treaty. See *Landmine Monitor Report 2009*, p. 1013.

⁴⁴ About a dozen armed organizations have agreed verbally to cease hostilities with the SPDC and the Tatmadaw. Although frequently referred to as "ceasefire groups," none have signed a formal ceasefire protocol leading to a negotiated settlement. All maintain their arms, including any stockpile of antipersonnel mines.

⁴⁵ "Military columns seize arms and ammunition, narcotic drugs, machinery for production of narcotic drugs in Muse District, Shan State," *New Light of Myanmar* (Nay Pyi Taw), 11 October 2011.

Contamination and Impact

Mines

Mines are believed to be concentrated along parts of the Republic of the Union of Myanmar's borders with Bangladesh, China, and Thailand, but are a particular threat in eastern parts of the country as a result of decades of post-independence struggles for autonomy by ethnic minorities. Some 50 townships in Kachin, Kayin (Karen), Kayah (Karenni), Mon, Rakhine, and Shan states, as well as in Bago (Pegu) and Tanintharyi (Tenasserim) regions, suffer from some degree of mine contamination, primarily from antipersonnel mines.⁴⁶ Karen (Kayin) state and Pegu (Bago) division are suspected to contain the heaviest mine contamination and have the highest number of recorded victims. The Monitor has also received reports of previously unknown suspected hazardous areas (SHAs) in townships on the Indian border of Chin state and in the Sagaing region.⁴⁷

No estimate exists of the extent of contamination, but the Monitor identified SHAs in the following divisions and townships:

- Kayah state: all seven townships;
- Kayin state: all seven townships;
- Kachin state: Chipwi, Mansi, Mogaung, Momauk, Myitkyina, Tsawlaw, and Waingmaw;
- Mon state: Bilin, Kyaikto, Mawlamyine, Thanbyuzayat, Thaton, and Ye;
- Bago region: Kyaukkyi, Shwekyin, Tantabin, and Taungoo;
- Rakhine state: Maungdaw;
- Shan state: Hopong, Hsihseng, Langkho, Loilen, Mawkmai, Mongpan, Mongton, Monghpyak, Namhsan Tachileik, Namtu, Nanhkan, Yaksawk, and Ywangan;
- Tanintharyi region: Bokpyin, Dawei, Tanintharyi, Thayetchaung, and Yebyu; and
- Chin state.

Explosive remnants of war

Myanmar is also affected by explosive remnants of war (ERW), including mortars, grenades, artillery, and ordnance dating back to World War II, but the location or full extent of such contamination is not known.⁴⁸

The Kachin Information Office reported in April 2013 that the Myanmar Air Force used cluster munitions of unknown manufacture in Kachin State between 14 December 2012 and 8 January 2013, but the report has not been verified.⁴⁹

⁴⁶ Myanmar/Burma is divided up into both states and regions. States are the "home area" of ethnic groups, and are always named after one; other areas, which are not seen as the home area of a specific ethnic group, are called divisions. The former military junta changed the name from Burma to Myanmar in 1989 and also changed the names of some states. Many ethnic groups within the country still prefer to use the name Burma. Internal state and division names are given in their common form or with the name adopted by the ruling State Peace and Development Council (SPDC) in parentheses.

⁴⁷ Research conducted by the Monitor. Data sources included casualty information, sightings of mine warnings, and reports by NGOs and other organizations of use, as well as interviews with field staff and armed forces personnel. The survey included casualty data from January 2007 through June 2010 and data from other informants from January 2008 through June 2010.

⁴⁸ See for example Nay Thwin, "[World War II ordnance kills three](#)," *Democratic Voice of Burma*, 20 March 2012; "[WWII bomb kills 7 in Arakan](#)," *Irrawaddy*, 1 September 2011; and Mann Thar Lay, "[Mandalay workers uncover WWII bomb](#)," *Myanmar Times*, Vol. 23, No. 455, 26 January–1 February 2009.

⁴⁹ Photographic evidence provided to the Monitor by the Kachin Information Office, 19 April 2013.

Mine Action Program

Myanmar has agreed in principle to the creation of a mine action center under the Myanmar Peace Center (MPC), led by President's Minister, U Aung Min, which is responsible for coordinating negotiation and implementation of peace agreements with Myanmar's ethnic minorities. As of early August 2013, however, the MPC had yet to present plans for the mine action center to the President for his approval.⁵⁰

The MPC worked with international humanitarian mine action operators in 2013 on preparing a national mine action strategy drafted initially by a UN-contracted consultant. It also drew up national standards in cooperation with the operators. As of the beginning of August 2013, the MPC had not presented the strategy or standards for government approval.

International demining organizations, including DanChurchAid (DCA), HALO Trust, and Norwegian People's Aid (NPA), opened offices in Yangon in 2012 and have discussed with the MPC the possibilities for conducting survey and clearance, but as of mid-2013 no agreement had been reached to start operations.⁵¹ Minister U Aung Min told the Monitor that mine clearance is a government priority, but says the peace negotiations and agreements between the government and ethnic minorities need to be firmly established before mine clearance can begin.

The State Minister for Border Affairs, responding to a parliamentary question submitted by a member of parliament from Kayin/Karen state on clearing mines from six villages in his constituency, said in February 2012 that since the six villages were in an area under the control of the Democratic Karen Buddhist Army (DKBA), the DKBA would remove the mines, but that the Army was available for assistance if requested.⁵²

Mine action in 2012

Sporadic mine removal has been reported in recent years by the Tatmadaw (Myanmar's army), villagers, and ethnic minority organizations. In February 2012, in eastern Hpa-an township in Kayin state, Karen National Liberation Army (KNLA) Battalion 101 and Border Guard Force (BGF) number three agreed to jointly remove mines in a district where they had both previously planted them but were under pressure by the local population to remove them. Some 30 mines were removed until a BGF soldier accidentally detonated, and was injured by, one of their own mines. Clearance efforts then halted and did not resume.⁵³ Child soldiers in the Tatmadaw, interviewed in 2012, said that all soldiers were trained to handle mines and that they had witnessed many mine casualties once deployed.⁵⁴

In May 2012, internally displaced persons (IDPs) who had fled their village in Kachin State reported being captured for forced labor as porters and required to walk in front of Myanmar Army soldiers in order to detonate any landmines.⁵⁵

The Free Burma Rangers (FBR) include a course on mine identification and emergency clearance procedures for their relief teams. Mines encountered on their missions have either

⁵⁰ Interview with Nay Myo Naing, Assistant Executive Director, Myanmar Peace Center (MPC), in Geneva, 12 April 2013; and Skype interview with Aksel Steen-Nilsen, Program Manager, Myanmar, Norwegian People's Aid (NPA), 3 July 2013.

⁵¹ Telephone interview with Bjarne Ussing, Program Manager for Myanmar, DCA, 6 April 2012; and interview with Andreas Indregard, Country Director Myanmar, NPA, in Bangkok, 12 April 2012.

⁵² Interview with Min Aung Lin, Kayin State MP, Hpa-an, Kayin State, 17 February 2012.

⁵³ Karen Human Rights Group, "[Pa'an Situation Update: T'Nay Hsah Township, September 2011 to April 2012](#)," 6 July 2012.

⁵⁴ Information provided to the Monitor on condition of anonymity, 11 February 2013.

⁵⁵ Information provided on condition of anonymity by humanitarian agency workers supporting the IDP community in Kachin State, Yangon, 16 November 2012.

been removed by FBR personnel, who turn them over to anti-government militias, or are removed by militia members.⁵⁶

NPA conducted a three-day assessment of Kuyakkyi in Bago region in May 2012 as part of a proposal by Norway, approved by Minister U Aung Min in April 2012, to support the resettlement of communities displaced by conflict.⁵⁷ The assessment confirmed that areas considered for resettlement were mine-affected but NPA did not receive subsequent authorization to conduct a more detailed survey of the area.⁵⁸

A national working group on mine risk education was established in 2012 under the Ministry of Social Welfare, with participation of different ministries and by UN agencies and NGOs, but activity was limited in scope and often non-existent in areas with reported casualties.

In 2012, one-day risk education (RE) programs reaching about 12,657 people were conducted in Kayah (Karenni) state by the Karenni Social Welfare and Development Centre and in Karen (Kayin) state by the Committee for Internally Displaced Karen People, the Karen Relief and Development Committee, and the Mae Tao Clinic.⁵⁹

DCA, on behalf of the Ministry of Social Welfare and UNICEF, conducted five RE workshops in 2012 to township medical and education officials and NGO staff to orient them to the concept of RE. The first two, in February, were in Yangon and in Mandalay.⁶⁰ DCA held two more workshops in late May and early June in Taunggyi for staff in southern Shan State and in Lashio for officials from northern Shan State. The second two workshops included officials from the Home Affairs Ministry and the police. The last orientation was in September in Kayah state.⁶¹ DCA provided training for trainers of RE for community-based organizations in Kachin State in October 2012.⁶²

⁵⁶ FBR, "[New Relief Teams Graduate, Go on Relief Missions in Kachin State](#)," Kachin State, Burma, 13 July 2012.

⁵⁷ Interview with Andreas Indregard, NPA, Bangkok, 12 April 2012.

⁵⁸ Telephone interview with Aksel Steen-Nilsen, NPA, 21 June 2012.

⁵⁹ Information provided by an international humanitarian agency on the basis of anonymity, 16 May 2012.

⁶⁰ Telephone interview with Bjarne Ussing, Program Manager for Myanmar, DCA, 6 April 2012; and email from Jeannette Wijnants, Chief, Child Protection Section, UNICEF, Myanmar, 14 June 2012.

⁶¹ Emails from Bjarne Ussing, DCA, 13 April 2013; and [from](#) Jeannette Wijnants, UNICEF, Myanmar, 14 June 2012.

⁶² Email from Bjarne Ussing, DCA, 13 April 2013.

Casualties

Overview

All known casualties by end 2012	3,349(319 killed; 2,829 injured; 201 unknown) since 1999
Casualties in 2012	106(2011: 381)
2012 casualties by outcome	16 killed; 90 injured (2011: 84 killed; 293 injured; 4 unknown)
2012 casualties by device type	75 antipersonnel mines/IEDs; 2 ERW; 29 unknown device

In 2012, there were at least 106 new mine/explosive remnants of war (ERW) casualties in the Republic of the Union of Myanmar, based on state and independent media reports as well as information provided by NGOs and other organizations.⁶³ Of the 2012 total, 91 casualties were civilians and 15 were military personnel. The majority of casualties were men, at least three casualties were boys, three were women, and one was a girl.

The 2012 total represented a significant decrease in casualties compared to the 381 from 2011, identified through similar reporting sources. The Monitor casualty data for Myanmar represents an aggregation of available sources.⁶⁴ However, due to the lack of systematic data collection and varying sources of annual data, reporting is believed not to reflect the full extent of mine/ERW incidents and casualties in the country. As in the past, the data contained insufficient details to distinguish trends or to ensure that the details for all casualties were correctly recorded. The actual number of casualties is likely to be much higher.⁶⁵

Past reporting by the Monitor has indicated that there are a significant number of military casualties recorded, but such records are not generally available to the public.⁶⁶

Most mines causing casualties were recorded as antipersonnel mines. It has been reported by local risk education providers that victim-activated improvised explosive devices (IEDs) or “craft” antipersonnel mines are among the mine types causing casualties. People involved in mine and IED incidents are often not able to distinguish between these types of victim-activated explosive items, so the type is not recorded.⁶⁷

The total number of casualties in Myanmar is unknown. The Monitor has identified 3,349 (319 killed; 2,829 injured; 201 unknown) between 1999 and the end of 2012.

In addition to human casualties, village livestock and elephants are also affected by landmines in Myanmar. Most elephants killed and injured by mines are those used in the

⁶³Unless noted otherwise, Monitor casualty data for 2012 is from published and unpublished sources. Published sources include media reports by *Irrawaddy*, *Mizzima*, *Democratic Voice of Burma*, *Bangkok Post*, *Kachin News Group*, *Burma News International*, *Independent Mon News Agency* and the *New Light of Myanmar* between 1 January and 31 December 2012. Unpublished information provided to the Monitor by Karen Human Rights Group (KHRG), “Landmine Information: January 2012 – December 2012,” email from Nuengruethai Plaenglakkhana, Field Officer, ICRC Chiang Mai, 13 June 2013; email from Back Pack Health Worker Teams (BPHWT), 5 April 2013; email from Eh Pwoh, Data Officer, Karen Department of Health and Welfare (KDHW); and email from Alice Proby, Assistant Protection Officer, UNHCR, 12 November 2012.

⁶⁴ It is possible that available data contains duplicate casualties, but this could not be verified given the limited amount of information provided.

⁶⁵ See, “Myanmar: Landmine survivor needs outstrip aid,” *IRIN*, 7 December 2011, www.irinnews.org/report/94417/myanmar-landmine-survivor-needs-outstrip-aid.

⁶⁶ See the 2009 edition of the Monitor report for Myanmar, www.the-monitor.org. Unprecedented levels of information on military casualties were received in 2008 from the State Peace and Development Council; 508 military casualties were identified. Information from this source has not been made available any other year.

⁶⁷ “Deadly Soil: Burma’s Enduring Landmine Tragedy,” *Burma News International*, 11 June 2011, www.bnionline.net. Non-state armed groups (NSAGs) reportedly also use captured factory-made mines. See, “The world’s longest ongoing war,” *Aljazeera*, 10 Aug 2011, www.aljazeera.com/programmes/101east/2011/08/201181073919760492.html.

illegal cross-border timber trade. In February 2013, an elephant was injured by a mine laid near the border with Bangladesh.⁶⁸

Victim Assistance

At least 2,829 survivors have been identified by the Monitor since 1999.

Victim Assistance in 2012

In 2012, there was an increase in rehabilitation and economic inclusion services available to survivors within Myanmar. The ICRC and the government of Myanmar reached an agreement which allowed the ICRC to restart support to government-run rehabilitation centers. The centers had been operating without external support since 2007.

More actors were involved in delivering, planning, and organizing all aspects of victim assistance.

Assessing victim assistance needs

In 2012, DanChurchAid (DCA) conducted research and an in-depth situational analysis, collected baseline data, and made recommendations for future programming to assist survivors and their families in the areas of health and rehabilitation, training, and other potential activities in victim assistance. DCA had previously carried out a casualty and victim assistance survey and a suspected mined area survey in localities that were recognized as the most contaminated in Myanmar.⁶⁹

The Ministry of Health does not disaggregate injuries due to mines/ERW incidents from other traumatic injuries.⁷⁰

Victim assistance coordination

There was no government victim assistance coordination mechanism in 2012.

There was greater awareness of the need for victim assistance. In January 2013, MP Aung San Suu Kyi, the head of the Myanmar parliamentary Rule of Law, Stability, and Peace Committee, was reported to have stated publically that she would work to ensure landmine survivors received vocational training and prosthetic devices, demonstrating an increasing awareness on the part of the government to address the issue of victim assistance.⁷¹

The Department of Social Welfare, within the Ministry of Social Welfare, Relief and Resettlement, was responsible for community-based rehabilitation and for carrying out social welfare services related to the rights of persons with disabilities.⁷² Several institutions were involved in physical rehabilitation; the Ministry of Health, the Ministry of Defense and the Myanmar Red Cross Society played an important role in the provision of mobility aids, especially prosthetics and orthotics. The Disability Working Group, assembled to coordinate and implement the National Plan of Action for Persons with Disabilities 2010–2012, stopped meeting after only a few meetings because the various organizations involved chose to run their programs independently.⁷³

⁶⁸ Monitor interview with Naikongchari witness in May 2013.

⁶⁹ DCA, “Consultant (6 weeks) Research on Landmine Victim Assistance, Myanmar,” Closing Date: Monday, 17 September 2012.

⁷⁰ UN Security Council, “Report of the Secretary-General on children and armed conflict in Myanmar,” S/2009/278, 1 June 2009, para. 38; and Ministry of Health, Annual Public Health Statistics Report, Naypyitaw, March 2011.

⁷¹ The ceremony was held in Mone in Bago Region’s Kyaukkyi township on January 20. “On Bago tour, NLD leader pledges to help mine victims,” *Myanmar Times*, 28 January 2013, www.mmmtimes.com/index.php/national-news/3912-on-bago-tour-nld-leader-pledges-to-help-mine-victims.html.

⁷² Ministry of Social Welfare, Relief and Resettlement, “Rehabilitation of the Persons with Disabilities,” www.dsw.gov.mm/en/rehabilitation/rehabilitation-persons-disabilities.

⁷³ ICRC Physical Rehabilitation Programme (PRP), “Annual Report 2012,” Geneva, September 2013, pp. 60.

The ICRC, in cooperation with the Ministry of Social Welfare, Relief and Resettlement, organized a two-day seminar on prosthetics and orthotics to improve services and to propose the creation of a national coordination mechanism.⁷⁴

No inclusion of survivors in victim assistance planning or activities was reported in 2012.

Service accessibility and effectiveness

Victim assistance activities⁷⁵

Name of organization	Type of organization	Type of activity	Changes in quality/coverage of service in 2012
Ministry of Health	Government	Prosthetic centers and two orthopedic hospitals	Increased the number of beneficiaries due to ICRC support
Ministry of Defense	Government	Prosthetics provided through three centers	Increased the number of beneficiaries due to ICRC support
Ministry of Social Welfare, Relief and Resettlement	Government	Socio-economic and rehabilitation services; vocational training school for adults with disabilities, including mine/ERW survivors	Unknown: statistics not publicly available
Shwe Min Tha Foundation	Local NGO	Covered incidental medical care costs, transportation to medical centers, and food distribution	Ongoing
The Back Pack Health Worker Teams (BPHWT)	Local NGO	Mobile emergency medical service in eastern Myanmar	Decrease in the number of services provided
The Free Burma Rangers (FBR)	Local NGO	Medical care; trained and supported mobile medical teams	Ongoing
Committee for Internally Displaced Karen People	Community-based organization	Prosthetic production at the Kho Kay Prosthetic Clinic, Mutraw, Karen (Kayin) state	Ongoing
Karen Health & Welfare Department (KDHW)	Community-based organization	Provided medical first aid assistance and amputative surgeries	Decrease in the number of services provided
Karenni Health Workers Organization	Community-based organization	Provided prosthetics in Loikaw, Kayah (Karenni)	Ongoing

⁷⁴ Ibid., pp. 47–48.

⁷⁵ The Back Pack Health Worker Teams (BPHWT), “Mid-Year Report 2012: Provision of Primary Healthcare among the Internally Displaced Persons and Vulnerable,” [www.backpackteam.org/wp-content/uploads/reports/2012 Mid Year Report final-0409122.pdf](http://www.backpackteam.org/wp-content/uploads/reports/2012%20Mid%20Year%20Report%20final-0409122.pdf); KHRG, “Landmines Briefer Information Received: August 2012 – March 2013,” 8 April 2013; BPHWT, “Not Free or Safe: Talks Bring Reduced Fighting and More Aid, but Thousands Remain Displaced,” 18 June 2013, www.freeburmarangers.org/2013/06/22/not-free-or-safe-talks-bring-reduced-fighting-and-more-aid-but-thousands-remain-displaced/ - sthash.dUqNE11K.dpuf; AAR Japan, “Community-Based Assistance for Persons with Disabilities,” 28 Sep 2012, reliefweb.int/report/myanmar/community-based-assistance-persons-disabilities; ICRC PRP, “Annual Report 2012,” Geneva, September 2013, pp. 60–61; and ICRC, “Annual Report 2012,” Geneva, May 2013, p. 252. Indirect sourcing are from Monitor notes taken at the UNHCR Protection Working Group meeting by Yeshua Moser-Puangsuwan, Researcher, Yangon, 24 February 2012; and Monitor notes taken at the South & South East Asia Regional Victim Assistance Workshop, Vientiane, 20–22 November 2012.

		state	
Association for Aid and Relief Japan (AAR Japan)	International NGO	Vocational training; community-based rehabilitation; referral system; survivor rights/advocacy	Ongoing
Leprosy Mission - Myanmar	International NGO	Rehabilitation	Increased victim assistance oriented services
ICRC/Myanmar Red Cross Society	International/national organization	Support to Hpa-an Orthopedic Rehabilitation Centre; prosthetic outreach for remote areas	Almost doubled capacity of available services to survivors in 2012
UNHCR	UN	Discretionary funds for financial assistance to cover medical costs of war victims/landmine survivors and rehabilitation including transport; economic inclusion through livelihood program	Provided services to some areas in Kayin and Mon states and Thannintharyi region

Emergency and continuing medical care

In rural Myanmar, most villages lack basic healthcare. Patients travel hours, and in some hilly regions nearly an entire day, to reach hospitals or clinics. Due to a lack of healthcare services, people in rural areas may rely on treatment from untrained health workers, or rely on local, traditional remedies.⁷⁶

The ICRC supported an amputation surgery seminar for thirty inexperienced surgeons working in remote stations of southeastern Myanmar in 2012. The training also emphasized appropriate surgical techniques allowing for optimal use of a prosthetic device.⁷⁷

During decades of conflict in Myanmar, ethnic communities and organizations developed their own health provision structures which continued to be the main providers of health care in the mine-affected and remote areas. In recognition that those networks needed to continue to function until the adequate convergence of state and national health systems, the Health Convergence Core Group (HCCG) was formed in May 2012. The HCCG aimed to prepare existing community-based health networks inside Myanmar for future work with government health agencies and other international, national, and local actors.⁷⁸

The HCCG is composed of four ethnic health organizations and four community-based health organizations: Burma Medical Association, Back Pack Health Worker Teams, Karen Department of Health and Welfare, Karenni Mobile Health Committee, Mae Tao Clinic, Mon National Health Committee, National Health and Education Committee, and the Shan Health Committee.⁷⁹

⁷⁶ “Myanmar: Rural healthcare ‘in crisis,’” *IRIN*, 28 January 2011, www.irinnews.org/report/91761/myanmar-rural-healthcare-in-crisis.

⁷⁷ ICRC PRP, “Annual Report 2012,” Geneva, September 2013, p. 60.

⁷⁸ “Building Trust and Peace by Working through Ethnic Health Networks Towards a Federal Union,” 11 March 2013, www.burmapartnership.org/2013/03/building-trust-and-peace-towards-a-federal-union/.

⁷⁹ Ibid.

Physical rehabilitation, including prosthetics

As most rehabilitation centers are located in major cities and travel costs are high, people with disabilities, especially those living in rural areas, often face significant difficulties in order to access services.⁸⁰

In 2012, the Ministry of Health agreed to an ICRC offer to resume support to three physical rehabilitation centers operated by the ministry. Support to the Ministry of Health centers started in late 2012.⁸¹ In 2007, ICRC support of Ministry of Health and Ministry of Defense rehabilitation centers was suspended due to restrictions imposed on its operations.⁸²

In 2012, the ICRC continued to support the Hpa-An Orthopaedic Rehabilitation Centre (HORC), jointly run by the Myanmar Red Cross Society and the ICRC. The ICRC increased support to the Myanmar Red Cross Society's Outreach Prosthetic Programme for areas covered by the HORC in upper and central Myanmar. This program enabled persons living in remote areas to have access to the closest service providers, including the Ministry of Health center at the Yenanthar Leprosy Hospital. Expansion of the outreach activities at the HORC, and an increase in the production of prostheses at the center, resulted in a 39% increase in the number of prostheses produced in 2012 over 2011. In 2012, 56% of prostheses were for mine/ERW survivors (914 of 1,618).⁸³

ICRC also increased the accommodation capacity of the center with the construction of an additional dormitory. ICRC prioritized admission for child amputees at the HORC during the school summer-holiday season through a program designed to facilitate access for children without disrupting their studies; the number of child admissions increased by 44% (49 in 2012 compared to 34 in 2011).⁸⁴

The Myanmar Disabled Person's Organization (MDPO) produces prosthetics at a small workshop in its office in Yangon. In 2012, it provided about 50 prosthetic devices. Recipients must pay for their prosthetic or find a donor; however MDPO provides a few prosthetics at no charge to the very poor.⁸⁵ DCA operates a mobile prosthetic limb clinic that assists landmine survivors who have little to no access to similar services offered elsewhere in the country.⁸⁶

No psychological or psychosocial services available to mine/ERW survivors were reported in 2012.

Economic and social inclusion

A lack of understanding about persons with disabilities and poor infrastructural accessibility make it difficult for persons with disabilities to attend school or find employment. The AAR Japan Vocational Training Center for Persons with Disabilities provides training in tailoring, hairstyling, and computers free of charge. Most trainees are persons with disabilities due to polio or they are landmine survivors. The center supports

⁸⁰ ICRC PRP, "Annual Report 2012," Geneva, September 2013, p. 60.

⁸¹ Ibid.

⁸² ICRC PRP, "Annual Report 2007," Geneva, May 2008, p. 37.

⁸³ ICRC PRP, "Annual Report 2012," Geneva, September 2013, p. 60; and ICRC, "Annual Report 2012," Geneva, May 2013, p. 252.

⁸⁴ ICRC PRP, "Annual Report 2012," Geneva, September 2013, p. 60; and Myanmar Red Cross Society, "Hpa-an Orthopedic Rehab," myanmarredcrosssociety.org/hpa-an-orthopedic-rehab-center/.

⁸⁵ Below-the-knee prosthetics cost 150,000 kyat (US\$177) and above-the-knee cost 900,000 kyat (\$1050). MDPO also manufactures its own replacement foot for prosthetics, which are sold to anyone at 5000 kyat (\$6). Monitor interview with Aye KoKo, Associate Secretary, MDPO, Yangon, 19 November 2013. MDPO is a member of the newly formed Myanmar Campaign to Ban Landmines.

⁸⁶ DCA, "The German Federal Foreign Office supports Landmine Victims in Myanmar through Donation to DanChurchAid," 18 September 2013, www.danchurchaid.org/news/news/the-german-federal-foreign-office-supports-landmine-victims-in-myanmar-through-donation-to-danchurchaid.

graduates to achieve economic independence, gain employment, open their own shops, or become teachers at the center.⁸⁷

Within a limited geographical scope, the First Myanmar Basic Disability Survey 2008–2009 found that 85% of persons with disabilities were unemployed and their level of education was far below the national average.⁸⁸

Disabled veterans can apply for housing in specially built settlements. A settlement of disabled former soldiers, visited by the Monitor in May 2013, was located on an all-weather road outside Taungoo and had water and electricity. Transport to schools for children was provided. From the settlement, former military personnel could contact a local military officer and request transport to the local hospital, if needed. Former soldiers also could obtain free intercity transport on public buses and were provided with replacement prosthetics as needed at no cost. Those disabled military personnel that did not apply for housing in the special settlement were eligible for a one-time grant of 500,000 kyat (US\$590). All disabled military personnel are eligible for a small pension.⁸⁹

Laws and policies

There are no laws specifically prohibiting discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services; the government does not provide ample protections for these persons. The government did not actively discriminate against persons with disabilities in employment, access to health care, education, or the provision of other state services or other areas, but there were few official resources to assist persons with disabilities. There are no laws mandating accessibility to buildings, public transportation, or government facilities.⁹⁰

A specific disability law remained in draft form as of September 2013.⁹¹ In September 2011, the upper house of parliament approved a proposal drafted following recommendations developed by Leprosy Mission International and the Ministry of Social Welfare in May 2011 for a disability rights law.⁹² By June 2013, following a meeting with chairpersons of parliamentary committees, the parliament committed to help to promulgate the disability rights law as soon as possible.⁹³

It was reported that the draft law gave preferential treatment to disabled military veterans over civilians with disabilities, including giving priority to providing jobs to military personnel.⁹⁴

⁸⁷ AAR Japan, “Activities in Myanmar (Burma),” www.aarjapan.gr.jp/english/activity/myanmar/; and AAR Japan, “Community-Based Assistance for Persons with Disabilities,” 28 Sep 2012, reliefweb.int/report/myanmar/community-based-assistance-persons-disabilities.

⁸⁸ ICRC PRP: “Annual Report 2011,” Geneva, June 2012, p. 53.

⁸⁹ Monitor field mission notes, May 2013.

⁹⁰ United States (US) Department of State, “[2012 Country Reports on Human Rights Practices: Burma](#),” Washington, DC, 17 May 2013.

⁹¹ ICRC PRP, “Annual Report 2012,” Geneva, September 2013, p. 60.

⁹² “Second regular session of First Amyotha Hluttaw continues for ninth day,” *New Light of Myanmar*, 2 September 2011, p. 10. It is unclear from the article whether a draft of this law has been written. It has apparently been referred to the Ministry of Social Welfare for action.

⁹³ A report quotes the Myanmar Independent Living Initiative, “Chairpersons of some Lower House Committees promise to help in promulgating the Disability Rights Law promptly,” *Mizzima*, 2 Aug 2013, www.bnionline.net/index.php/news/mizzima/15888-chairpersons-of-some-lower-house-committees-promise-to-help-in-promulgating-the-disability-rights-law-promptly.html; and see also, ActonAid, “Advocacy for Disability in Myanmar,” 1 August 2013, www.actionaid.org/2013/08/advocacy-disability-myanmar.

⁹⁴ Media statement by the Myanmar Physically Handicapped Association, “Draft Law for Disabled Favors Military: MPHA,” *The Irrawaddy*, 3 October 2012, www.irrawaddy.org/archives/15676.

Military veterans with disabilities received benefits on a priority basis, usually a civil service job at equivalent pay. Official assistance to non-military persons with disabilities in principle included two-thirds of pay for up to one year for a temporary disability and a tax-free stipend for permanent disability; however, the government did not provide job protection for private sector workers who became disabled. In March, the government enacted a law designed to assist the families of deceased and injured military personnel.⁹⁵

The government does not provide social protection for private sector workers who became disabled. There was inadequate state funding for services to assist persons with disabilities.⁹⁶

On 7 December 2011, Myanmar acceded to the Convention on the Rights of Persons with Disabilities (CRPD). The convention entered into force on 6 January 2012.

Landmine survivors from Myanmar who go to Thailand to seek asylum can receive medical care and rehabilitation in refugee camps as well as in public district hospitals in the Thai-Myanmar border provinces.⁹⁷

However, in the first half of 2013 the availability of this assistance in the Thai border camps was becoming increasingly uncertain. Political reforms in Myanmar resulted in the possibility of refugees being returned, leading to a reduction in financial assistance by some donors to NGOs in order to focus on activities within Myanmar.⁹⁸ This shift in funding was reported to be premature, and the UNHCR has said that the return of refugees will not be promoted until mined areas in Myanmar are identified and cleared.⁹⁹

In 2012, six donors contributed US\$8.5 million to the Republic of the Union of Myanmar for mine action, an increase from \$674,368 in 2011.¹⁰⁰ Of the \$8.5 million, almost \$2 million from Denmark, Norway, and the United States (US) was for victim assistance.

Despite the high level of funding, a variety of factors have delayed the start of survey and clearance operations. The government has not yet approved a landmine law, and non-state armed groups have restricted access to mined areas. Additionally, an overall lack of trust in the peace process amongst all groups has made agreements difficult to conclude.¹⁰¹ As an illustration of the situation, according to *The Economist*, “the mine-action centre is just a rather dilapidated building without staff or offices.”¹⁰²

⁹⁵ US Department of State, “[2012 Country Reports on Human Rights Practices: Burma](#),” Washington, DC, 17 May 2013.

⁹⁶ Ibid.

⁹⁷ For more information see ICBL-CMC, “[Country Profile: Thailand](#),” 9 October 2013.

⁹⁸ “Under pressure: refugees feel welcome has worn out,” *Bangkok Post*, 26 May 2013, www.bangkokpost.com/news/investigation/351848/under-pressure-refugees-feel-welcome-has-worn-out.

⁹⁹ “Myanmar’s landmines hinder return of displaced,” *IRIN*, 3 April 2013, www.irinnews.org/fr/report/97768/myanmar-s-landmines-hinder-return-of-displaced.

¹⁰⁰ US Department of State, “[To Walk the Earth in Safety 2013](#),” Washington DC, August 2013; email from Rob Horvath, Manager, Leahy War Victims Fund, USAID, 2 August 2013; response to Monitor questionnaire by Claudia Moser, Section for Multilateral Peace Policy, Federal Department of Foreign Affairs, Switzerland, 22 March 2013; response to Monitor questionnaire by Ingunn Vatne, Senior Advisor, Department for Human Rights, Democracy and Humanitarian Assistance, Norwegian Ministry of Foreign Affairs, 11 April 2013; and email from Carolin J. Thielking, European Union Mine Action Focal Point, Division for WMD, Conventional Weapons and Space, European External Action Service, 15 May 2013.

¹⁰¹ “[De-Mining Delayed in Karen, Karenni States](#),” *The Irrawaddy*, 12 July 2013.

¹⁰² Hpa-An and Yangon, “[Politically explosive: The failure to clear landmines casts doubt on Myanmar’s peace processes](#),” *The Economist*, 13 July 2013.

International contributions: 2012¹⁰³

Summary of contributions: 2008–2012¹⁰⁴

Donor	Sector	Amount (national currency)	Amount (\$)	Year	International contributions (\$)
European Union	Clearance	€3,500,000	4,500,650	2012	8,503,756
				2011	674,368
US	Survey, victim assistance	\$2,178,286	2,178,286	2010	36,393
Norway	Clearance, victim assistance	NOK5,050,000	867,981	2009	779,393
Denmark	Risk education, victim assistance	DKK2,500,000	431,615	2008	1,020,134
				Totals	11,014,044
Luxembourg	Clearance	€284,878	366,325		
Switzerland	Risk education	CHF149,000	158,899		
Total			8,503,756		

¹⁰³ Average exchange rate for 2012: €1=US\$1.2859; DKK5.7922=US\$1; NOK5.8181=US\$1; CHF0.9377=US\$1. US Federal Reserve, “List of Exchange Rates (Annual),” 3 January 2013.

¹⁰⁴ ICBL-CMC, “[Country Profile: Myanmar: Support for Mine Action.](#)” 10 September 2012.

Cluster Munitions Ban Policy

The Republic of the Union of Myanmar has not acceded to the Convention on Cluster Munitions.¹⁰⁵

Myanmar has never made a public statement detailing its position on joining the convention. In 2010, a government representative informed the Monitor that the Ministry of Foreign Affairs was reviewing the convention.¹⁰⁶

At the UN General Assembly (UNGA) First Committee on Disarmament and International Security in November 2012, Myanmar described cluster munitions and antipersonnel landmines as “the main causes of maiming, killing and terrorizing innocent civilian populations.” It stated, “Indiscriminate and excessive use of cluster munitions and anti-personnel mines not only cause damage to the societies but also hamper the development efforts of the government.”¹⁰⁷ In 2009, a government official informed a regional conference on cluster munitions that Myanmar “criticizes the use of such weapons with indiscriminate area effect and which can cause humanitarian consequences.”¹⁰⁸

Myanmar attended one regional meeting of the Oslo Process that created the Convention on Cluster Munitions (Xieng Khouang, Lao PDR in October 2008) and participated in a regional conference on cluster munitions in Bali, Indonesia in November 2009.

Myanmar participated as an observer in the convention’s First Meeting of States Parties in Vientiane, Lao PDR in November 2010 and the Third Meeting of States Parties in Oslo, Norway in September 2012. For the first time it attended the convention’s intersessional meetings in Geneva in April 2013. Myanmar did not make any statements at these meetings.

Cluster Munition Use, production, transfer, and stockpiling

In November 2009 Myanmar stated, “We do not use cluster munitions, develop, produce, otherwise acquire, retain or transfer to anyone, directly or indirectly, nor assist, encourage or induce anyone to engage in any activity prohibited under this Convention.”¹⁰⁹

There are indications that Myanmar government forces may have used weapons prohibited by the Convention on Cluster Munitions in the conflict with the Kachin Independence Army (KIA) in Kachin state in the north of the country in late 2012 and early 2013.

The KIA claimed that the Myanmar army units stationed at Gangdau Yang used cluster munitions against KIA forces in a 26 January 2013 attack at Hka Ya Bum, “a hill top of strategic significance” five miles west of the town of Laizain southern Kachin state.¹¹⁰ On 19 April 2013, the Deputy Secretary of the Kachin National Council provided photographs to the CMC showing an unknown type of air-dropped bomb that it said “confirmed that the World War-Two era 20 pound fragmentation bombs were used during the airstrikes in the KIA’s

¹⁰⁵ On 21 October 2010, the ruling military junta announced the change of the country’s name as well as its flag and national anthem. The military regime changed the name from Burma to Myanmar in 1989, but many ethnic groups in the country and a number of states still prefer to use the name Burma.

¹⁰⁶ Interview with Aye Thidar Myo, Assistant Director, International Organizations and Economic Department, Ministry of Foreign Affairs, in Vientiane, 10 November 2010.

¹⁰⁷ Statement of Myanmar, UNGA First Committee on Disarmament and International Security, New York, 1 November 2012, www.reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com12/statements/1Nov_Myanmar_conventional.pdf.

¹⁰⁸ Statement by Ye Minn Thein, Assistant Director, International Organizations and Economic Department, Ministry of Foreign Affairs, Regional Conference on the Promotion and Universalization of the Convention on Cluster Munitions, Bali, 16 November 2009.

¹⁰⁹ Ibid.

¹¹⁰ “Burma army uses cluster bombs to take key KIO position near Laiza,” *Kachin News Group*, 26 January 2013, www.kachinnews.com/index.php?option=com_content&view=article&id=2465:burma-army-uses-cluster-bombs-to-take-key-kio-position-near-laiza&catid=8:news&Itemid=24.

strategic outposts between 14 December 2012 and 08 January 2013 by the Myanmar Air Force.” According to the Kachin National Council “this type has never been used in Burma’s civil war before.”¹¹¹ Human Rights Watch (HRW) has received a separate set of photos showing what appears to be the same remnants being carried in a vehicle at a location not known to be the scene of the attack.¹¹²

HRW has confirmed airstrikes and shelling on Laiza by Myanmar forces in December 2012 and January 2013.¹¹³ It is not possible, however, to make a definitive determination that the “cluster adapter” and 20-pound fragmentation bombs shown in the photographs are cluster munitions as defined in the Convention on Cluster Munitions.¹¹⁴ Nor is it possible to independently confirm that those weapons were used by Myanmar forces at the times and locations alleged.

The government of Myanmar initially denied and then later admitted to shelling and bombing Laiza.¹¹⁵

¹¹¹The photographs were contained in an email sent to the CMC from Hkun Htoi, Deputy Secretary, Kachin National Council, 19 April 2013.

¹¹² Email from Bertil Linter, 25 March 2013.

¹¹³HRW also documented the attacks on Laiza on 14 January 2013, which killed three civilians. See HRW press statement, “Burma: Halt Indiscriminate Attacks in Kachin State,” 17 January 2013, www.hrw.org/news/2013/01/17/burma-halt-indiscriminate-attacks-kachin-state.

¹¹⁴ The photographs show a cluster munition canister or “rack” that appears to be a fabricated copy of the US-produced M1 cluster adapter. The small fragmentation bombs are of a more modern design and marking than World War II-era munitions, but a number of arms experts have not been able to define the type or origin.

¹¹⁵According to a January 2013 statement of HRW, “On January 14, government spokesman Ye Thut denied that government shells struck Laiza. The previous week, the Office of the President publicly denied that the army conducted any airstrikes against the KIA with helicopters and fighter jets, but then later backtracked when news reports showed video footage of the attacks.” HRW press statement, “Burma: Halt Indiscriminate Attacks in Kachin State,” 17 January 2013, www.hrw.org/news/2013/01/17/burma-halt-indiscriminate-attacks-kachin-state.