Landmine Monitor Myanmar/Burma 2014

includes Cluster Munition Monitor Report 2014

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 November 2014, 162 countries, over 80% of the world's governments, have ratified or acceded to the Mine Ban Treaty. 114 countries have signed or ratified the Convention on Cluster Munitions. Myanmar/Burma has not yet joined either convention. In 2014 there were reports of continued use of anti-personnel landmines within the country.

This Landmine & Cluster Munition Monitor annual report on Myanmar/Burma is compiled from the annual country profiles updated online on the Landmine & Cluster Munition Monitor website.

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 society 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 2014 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

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Cover Photo: Mu Che (27) was 11 years old when she stepped on a landmine while looking after her family cow in Hpa-an District of Karen/Kayah State. | *Photo courtesy of Giovanni Diffidenti/Di+ onlus*

Landmine & Cluster Munition Monitor Myanmar/Burma
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Mine ban policy overview

Mine Ban Treaty status	State not party
Pro-mine ban UN General Assembly (UNGA) voting record	Abstained on Resolution 68/30 in December 2013, as in previous years
Participation in Mine Ban Treaty meetings	Attended the Thirteenth Meeting of States Parties in December 2013 and the intersessional meetings in April 2014, both in Geneva, but not the Third Review Conference in June 2014
Key developments	Instances of landmine use by government forces and non-state armed groups (NSAGs)

Policy

The Republic of the Union of Myanmar has not acceded to the Mine Ban Treaty.[1]

In December 2013, Myanmar stated that its participation as an observer in the treaty's Meetings of States Parties "clearly reflects our keen interest in the present and future work of the convention."[2]

Previously, in July 2012, Minister of Foreign Affairs U Wunna Maung Lwin stated that Myanmar was considering accession to the Mine Ban Treaty and it was reported that the government was no longer using landmines.[3] But in November 2012 at the Association of South-East Asian Nations (ASEAN) summit President Thein Sein acknowledged that Myanmar is not a party to the treaty, stating, "I believe that for defence purpose, we need to use landmines in order to safeguard the life and property of people and self-defence."[4]

No parliamentary party has introduced legislation to ratify the Mine Ban Treaty, but disability rights legislation introduced in June 2014 references the rights of landmine victims.[5]

Despite not joining, Myanmar has participated in several Meetings of States Parties of the Mine Ban Treaty as an observer, including in 2013, 2012, 2011, 2006, and in 2003. It first participated in intersessional meetings of the treaty in Geneva in May 2013 and again in April 2014. Myanmar has not participated in any of the treaty's review conferences, including the Third Review Conference held in Maputo, Mozambique in June 2014.

Myanmar was one of 19 countries that abstained from voting on UNGA Resolution 68/30 on 5 December 2013, which called for universalization of the Mine Ban Treaty. Myanmar has consistently abstained on similar annual resolutions since 1997.

In April 2014, the UN Special Rapporteur on the situation of human rights in Myanmar again called on the government of Myanmar to accede to the Mine Ban Treaty and noted that the, "use of landmines has

[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). For more information see the MINU website.

[2] Statement of Myanmar, Mine Ban Treaty Thirteenth Meeting of States Parties, Geneva, 5 December 2013.

[3] 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.

[4] 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.

[5] *New Light of Myanmar*, "Rights of land mine victims should be included in bill on rights of disabled people: activists," 1p6 June 2014, p.1. 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. See *Landmine Monitor 2013*, Myanmar/Burma Ban Policy profile.

decreased significantly, although there has been limited progress in mine surveying and clearance, marking or fencing."[6] In April 2013, the Office of the UN High Commissioner for Refugees (UNHCR) noted that more than 450,000 refugees and internally displaced people can't return home in northern and southeastern states until landmines are 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.[8]

At the Third Review Conference, there were several calls for Myanmar to accede to the treaty, including by Belgium and France.[9]

In May 2013, the government for the first time accepted a high-level ICBL delegation that met with President's Minister U Aung Min, with officials from the Ministry of Foreign Affairs, and with the Myanmar Peace Centre. In November 2013, the Halt Mine Use in Burma/Myanmar campaign held a press conference in Yangon to launch the *Landmine Monitor 2013* country report on Myanmar.[10] The campaign distributed 2,000 copies of the Burmese-language translation of the 2013 Myanmar country report. Myanmar Campaign to Ban Landmines held two campaign-building and strategy workshops for its members in January and July 2014.[11] A delegation from the Taiwan Campaign to Ban Landmines/Eden International organized a week of capacity-building activities for Myanmar campaigners in August 2014.[12]

Use

Since the publication of its first report in 1999, Landmine Monitor has documented the use of antipersonnel mines by government forces and by NSAGs in many parts of the country. Information collected by the Monitor indicates that in the second half of 2013 and first half of 2014 there was a continued, but lower level of new mine use by rebel or government forces. There were a few credible allegations of mine use by the Tatmadaw (the Myanmar Armed Forces) in Kachin and Rakhine states. Reports of mine use by opposition NSAGs have diminished in the reporting period, with the only incidents of new use emerging from Kachin and Karen states.

Government forces

In Kachin state, Tatmadaw units were said to be laying mines in their armed conflict with the Kachin Independence Army (KIA).[13] In April 2014, the Free Burma Rangers (FBR), which works in KIA areas, stated that a landmine laid by the Tatmadaw sometime between November 2013 and February 2014 had killed a woman at Tan Tada, Mansi Township.[14]

In June 2013, a Bangladesh news outlet published a report that the Tatmadaw had planted landmines within 70 yards of the border, along pillars 39 and 40, and 100 yards of the border, along pillars 37 and 38. A Bangladeshi army representative accused Myanmar of violating its border agreement with Bangladesh, reportedly stating, "When we raise the issue [mine use] with the Myanmar authorities, they don't want to take any note of it."[15] Previously, the Monitor reported allegations of mine use in February 2013 on a

[6] Office of the High Commissioner for Human Rights (OHCHR), Report of the Special Rapporteur on the situation of human rights in Myanmar, Paragraph's 61 and 79, A/HRC/25/64, 2 April 2014.
[7] UN High Commissioner for Refuges (UNHCR) protection office, Maja Lazic quoted in *UPI*, "Myanmar polluted with land mines," *UPI* (Geneva), 3 April 2013.
[8] "Report of the Secretary-General on children and armed conflict in Myanmar," S/2013/258 (paragraphs 21, 31, and 37), 1 May 2013.
[9] Statement of Belgium, Mine Ban Treaty Third Review Conference, 23 June 2014; and statement of France, Mine Ban Treaty Third Review Conference, 23 June 2014. Notes by the Monitor.
[10] "Landmine Monitor Report on Myanmar/Burma launched within the country," 15 November 2012.
[11] Supported by ICBL/CMC Investing in Action campaign grants. Workshops occurred in January and July in Yangon with 25% of the attendees were landmine disabled.
[12] "International News: Eden Organized a One-Week Capacity Training Workshop for MCBL," *Eden International*, 27 August 2014.
[13] Monitor interview with humanitarian organization working with conflict-displaced communities in Kachin state, Yangon, 14 November 2012. Informant requested anonymity.
[14] FBR, "Civilian Killed by Landmine, Teenage Girl Raped and Over 3,600 New IDPs in Kachin State," 24 April 2014; and email from David Eubanks, Director, FBR, 1 August 2014. Previously FBR 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. See *Landmine Monitor 2013*, Myanmar/Burma Mine Ban Policy profile.
[15] Deepak Acharjee, "Myanmar army undermines border norms," *The Independent* (Bangladesh), 12 June 2013.

different section of Myanmar's shared border with Bangladesh.[16] The Monitor has not been able to verify these allegations.

Previously, Border Guard Forces (BGF) were reported to sporadically use antipersonnel mines in their areas of operations. BGF and People's Militia Force (PMF) are militias under the control of the Army and may be comprised of local conscripts or of various former insurgent organizations.[17] BGF maintain the 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. In May 2014, FBR encountered a PMF camp near Nar Yong Village in southern Shan state that it said had a mined perimeter.[18]

Use by non-state armed groups[19]

No armed group has renounced antipersonnel mine use during 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.[20]

Since 2011 when the government announced its intention to seek peace agreements with armed groups, it has held multiple meetings with almost every ethnic armed group in the country and the need to end landmine use and ensure clearance has been mentioned in several meetings.[21] However, a halt on new mine use has not been formally adopted by any side as part of a ceasefire, as of 1 October 2014. An official in the Myanmar Peace Center, the government body responsible for negotiations with all groups, stated that some armed groups believed landmines 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.[22]

At least four NSAGs were reported to have laid mines in Landmine Monitor's previous reporting period and none of those groups have publicly or privately renounced further use. But since mid-2013, there have been no specific allegations of new mine use by any NSAG within the country.

Previously, mine warfare by the Kachin Independence Organization/Army (KIO/KIA) and the use of mines in conflicts between different NSAGs in Karen state were reported. 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.[23] In February 2013, four Tatmadaw soldiers were injured, reportedly by a mine laid by the Shan State Progress Party/Shan State Army-North in Tangyan township in northern Shan state.[24] In January 2013, a villager reportedly stepped on a landmine in Kaukriek township which was allegedly laid by the Democratic Karen Buddhist Army (DKBA).[25]

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[16] See *Landmine Mine Monitor 2013*, Mine Ban Policy profile for Myanmar/Burma.

[17] Myanmar's 2008 Constitution requires that the many armed groups within the country's ethnic areas be placed under national military command. However, Article 340 of the constitution allows for the formation of PMF or BGF under the direction of the Defence Service. 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 PMF (sometimes called 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 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.

[18] Email correspondence with David Eubanks, FBR, 1 August 2014. It is not known when the PMF laid the mines.

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

[20] The 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.

[21] U 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.

[22] "Politics and peace process obstacle to Myanmar land mine elimination procedure," *Eleven Magazine*, 23 March 2013.

[23] "Landmine kills Burma army soldiers, villagers threatened," *Shan Herald Agency for News*, 3 April 2013.

[24] "Fresh tensions with Shan army have implications for Wa," *Shan Herald Agency for News*, 15 February 2013

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

The ongoing conflict in southern Kachin and northern Shan states have caused people to flee and landmine incidents and unexploded ordnance have been reported in Maing Khaung (Mansi township), Lwegel, and Namhkam from fighting in late 2013 and early 2014. Some internally displaced persons (IDPs) reported that paths to their villages are now believed to have been mined during or after clashes in April 2014 and/or late 2013.[26]

On 1 June 2013, a villager in Karen state stepped on a mine at Chauck Kway on a path between two Tatmadaw army camps, Ket Pe army camp and Pa Dah army camp. Due to regular use of the path, the mine was believed to have been recently laid, however since both the KNLA and Tatmadaw are active in the area it was not known who was responsible.[27] Landmine Monitor is not in a position to verify either report.

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.[28] Authorities in Myanmar have not provided any information on the types of mines it produces or the quantities of stockpiled 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 manufacture, as well as some mines whose origin has not been identified.[29] Myanmar is not known to have exported antipersonnel mines.[30]

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.[31] Armed groups in Myanmar have previously acquired mines by removing mines laid by others, seizing Tatmadaw stocks, and obtaining mines from the clandestine arms market.[32] The majority of armed organizations within the country are now involved in negotiations on a nationwide ceasefire. However, they have not disarmed and some still possess antipersonnel mines.[33]

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

[26] Email from UNHCR Protection Sector in Myanmar, 2 October 2014.
[27] KHRG, unpublished submission to the ICBL, 11 July 2014, received by email 14 July 2014.
[28] 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.
[29] 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.
[30] 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.
[31] 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.
[32] *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.
[33] 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.

(Tenasserim) regions, suffer from some degree of mine contamination, primarily from antipersonnel mines.[34] 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.[35]

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

- Karenni state: all seven townships;
- Karen state: all seven townships;
- Kachin state: Chipwi, Mansi, Mogaung,Momauk, Myitkyina, Tsawlaw, and Waingmaw;
- Mon state: Bilin, Kyaikto, Mawlamyine, Thanbyuzayat, Thaton, and Ye;
- Pegu division: 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;
- Tenasserim division: Bokpyin, Dawei, Tanintharyi, Thayetchaung, and Yebyu; and
- Chin state.

In May 2012, international mine clearance operator Norwegian People's Aid (NPA) conducted a three-day assessment of Kuyak Kyi in Bago Division to support the resettlement of communities displaced by conflict. 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.[36]

In 2013, humanitarian mine action teams[37] of the Committee for Internally Displaced Karen People (CIDKP) documented 67 dangerous areas in eastern Bago region and Kayin and Mon states, including 35 reports verifying earlier survey findings as well as 32 new surveys. Some 74% of the dangerous areas were contaminated by antipersonnel mines, 18% by unexploded ordnance (UXO), and the balance by antivehicle mines.[38]

During 2013, the Border Consortium with the assistance of 11 community-based organizations surveyed 209 villages in 22 townships in southern Shan, Mon, Kayin, and Kayah states, and the eastern Bago and Thanintharyi regions, receiving information about the presence of mines in 48% of the villages surveyed.[39]

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.[40]

[34] 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.

[35] 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.

[36] Interview with Andreas Indregard, NPA, Bangkok, 12 April 2012; and telephone interview with Aksel Steen-Nilsen, NPA, 21 June 2012.

[37] CIDKP humanitarian mine action teams conduct survey and mine risk education in affected communities.

[38] Meeting with Program Manager, DanChurchAid (DCA), Chiang Mai, 9 October 2014. DCA provides technical assistance and support to CIDKP humanitarian mine action teams.

[39] "Poverty, Displacement & Local Governance in Southeast Burma/Myanmar," Thai Border Consortium, 1 November 2013. Additional data provided to Landmine Monitor by Duncan McArthur, Partnership Director, The Border Consortium, 12 January 2014.

[40] 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.

Mine Action Program

In 2011, Myanmar agreed in principle to the creation of a Myanmar Mine Action Center under the Myanmar Peace Center (MPC) and agreed to hire five staff to work on mine action, however as of the start of 2014, no further action to establish it had been made. The MPC is led by the Minister of the Office of the President, U Aung Min, and is responsible for coordinating negotiation and implementing peace agreements with Myanmar's ethnic minorities. The MPC has since made clear that the mine action centre will not be functional prior to the signing of the National Ceasefire Agreement currently under negotiation between the Government and a coalition of ethnic armed groups.

In 2013, a technical working group comprised of government representatives from the MPC and humanitarian actors completed work on a draft national mine action strategy and on national mine action standards. As of October 2014, the strategy and standards had not received government approval and reportedly remained under consideration by the MPC.[41]

International demining organizations, including Anti-Persoonsmijnen Ontmijnende Product Ontwikkeling (APOPO), DanChurchAid (DCA), Danish Demining Group (DDG), Foundation Suisse Deminage (FSD), HALO Trust, Mines Advisory Group (MAG), and NPA, have opened offices in Yangon over the past two years. As of October 2014 none had received authorization to conduct humanitarian mine clearance.[42]

Minister U Aung Min told the Monitor in May 2012 that mine clearance is a government priority, but said the peace negotiations and agreements between the government and ethnic minorities need to be firmly established before mine clearance can begin.[43] As of October 2014 dialogue on a nationwide ceasefire continued.[44]

No decision has yet been taken on which authorities will oversee mine clearance in ethnic minority areas. A January draft of proposals by ethnic armed groups for the nationwide ceasefire agreement specified that the Tatmadaw and ethnic armed groups would remove mines jointly.[45]

Mine action in 2013–2014

No mine clearance by accredited humanitarian demining organizations has occurred in Myanmar. Sporadic and unregulated mine removal has been reported in recent years by the Tatmadaw (Myanmar's army), villagers, and ethnic minority organizations.

NPA, in agreement with the government and the New Mon State Party, conducted three non-technical surveys in Mon and Kayin states in 2014. The first two surveys covered eight villages in Ye township, Mon state (7 January–5 February); nine villages in Mudon and Thanbyuzayat townships, Mon state, and 10 villages in Kawkareit township, Kayin state (24 April–21 May). A third survey, started on 24 July and still under way in September 2014, focused on 43 villages in Ye township, Mon state. The surveys did not identify any mined areas. NPA was informed there were mined areas close to some of the surveyed villages, but was not allowed access to them. The survey team recorded seven landmine incidents that occurred at least 10 years earlier.[46]

No information on demining by the Tatmadaw was available. In June 2014 in Hlaingbwe township, villagers reported that a former Tatmadaw military base continued to be contaminated by blast and fragmentation mines although, before leaving, soldiers said the area had been cleared.[47] In northern Hpapun district of Kayin state, Tatmadaw units reportedly spread salt in fields near four villages in April 2013 in order to attract animals that would detonate mines in the area. Some 20 to 30 animals reportedly died as a result.[48]

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[41] Email from international mine action agency staff member, Yangon, 27 October 2014.
[42] Email from Aksel Steen-Nilsen, Mine Action Programme Manager, NPA, Yangon, 23 September 2014.
[43] Landmine Monitor interview with President's Minister Aung Min, Naypidaw, May 2013.
[44] "Poor prospects for Myanmar ceasefire agreement raise risks of fighting between army and ethnic insurgents," *Jane's Intelligence Review*, 13 October 2014.
[45] Law Kee Lar, Draft Proposal for a Nationwide Ceasefire, Chapter 4 Military Affairs, 4.1(j). Translation by the Monitor, 25 January 2014.
[46] Email from Aksel Steen-Nilsen, NPA, Yangon, 23 September 2014.
[47] Information provided to the Landmine Monitor by the Karen Human Rights Group, 16 September 2014.
[48] Information provided by the Karen Human Rights Group, 16 September 2013.

Among actions taken in ethnic minority areas, the United Committee of Karen Armed Groups—comprised of the local commands of the Democratic Karen Buddhist Army (DKBA) Karen National Union (KNU), and Karen Border Guard Force (BGF)—reportedly removed some mines in the Myaing Gyi Ngu area of Hlaingbwe Township, Kaying state in July and August 2013 but no details of the mines or clearance operation were available. One DKBA soldier was reportedly injured during mine removal.[49] The KNU announced in July 2013 that it had instructed its brigades and local authorities in areas it controls to conduct demining.

The Free Burma Rangers (FBR) include a course on mine identification and emergency clearance procedures in annual training programs for new relief teams.[50] Mines encountered on their missions have either been removed by FBR personnel, who turn them over to anti-government militias, or are removed by militia members.

A national working group on mine risk education was established in 2012 under the Ministry of Social Welfare, with the participation of different ministries and by UN agencies and NGOs. It meets quarterly with about 30 organizations and agencies taking part. As of April 2014, mine risk education was being provided by nine organizations in 16 townships and reaching 110 villages.[51] In addition, five community-based organizations (CBOs) in ethnic areas undertook MRE in Kayin and Kayah state.[52] In October 2013, national NGO Myanmar Aid Foundation provided mine risk education in four villages in Shwegyin, in eastern Bago under the auspices of the Ministry of Social Welfare.[53]

In February 2013, DCA conducted a Knowledge Attitude and Practice Survey on the Impact of Landmines and Explosive Remnants of War with technical advice from UNICEF in 30 randomly selected villages in Kayah, Kayin, and Mon states, and the Bago and Thanintharyi regions. As of October 2014, the survey final report had not been released. According to preliminary findings provided in June 2014, 53% of respondents knew of areas near their village or ward with explosive devices and 47% stated that these devices are a problem in everyday life.[54]

Casualties

Casualties Overview

All known casualties by end 2013	3,450 (348 killed; 2,898 injured; 204 unknown) since 1999
Casualties in 2013	101 (2012: 106)
2013 casualties by outcome	29 killed; 69 injured; 3 unknown (2012: 16 killed; 90 injured)
2013 casualties by device type	81 antipersonnel mines/improvised explosive devices (IEDs); 18 antivehicle mines; 1 explosive remnants of war (ERW); 1 unknown device

In 2013, there were at least 101 new mine/ERW casualties in the Republic of the Union of Myanmar, based on information provided by NGOs and other organizations, as well as by state and independent media reports.[55] Of the 2013 total, 64 casualties were civilians and 19 were military personnel.[56] The majority of casualties were men, but at least seven casualties were boys, eight were women, and three were girls.[57]

[49] Hinthani (Mon Myay), "Landmine clearance in Myaing Gyi Ngu nearing completion: Karen groups," *Mizzima*, 21 August 2013.
[50] "FBR Report: 13 New Ranger Teams Graduate, Go on Missions," Free Burma Rangers, Karen state, Myanmar, 17 December 2013.
[51] "MIMU 3W - April 2014, Countrywide Overview," UN Myanmar Information Management Unit, April 2014.
[52] The five CBOs were Committee for Internally Displaced Karen People, Karenni Social Welfare and Development Centre, Karen Relief and Development Committee, Karen Teachers Working Group, and Eastern Burma Community Schooling. Meeting with Program Manager, DCA, Chiang Mai, 9 October 2014. DCA provides technical assistance and support for mine risk education to CBOs.
[53] "Educative talks on landmines given," *New Light of Myanmar*, 31 October 2013, p. 2.
[54] "Knowledge Attitude & Practice Survey: Impact of landmines and other Explosive Remnants of War In South East Myanmar, First Findings, February 2013 – June 2014," provided by DCA Knowledge, Attitude and Practice (KAP) team, 4 July 2014.
[55] Unless noted otherwise, Monitor casualty data for 2013 is from published and unpublished sources. Unpublished information provided to the Monitor by Karen Human Rights Group (KHRG), "KHRG Submission to the Landmine Monitor Report, September 2013," and "KHRG Submission to the Landmine Monitor Report, September 2014;" email from Nuengruethai

For the second year in a row, the number of casualties recorded by the Monitor was lower than previous years. The 2013 total represents a significant continued decrease in total annual casualties compared to the 381 from 2011, and only slightly less than the 106 casualties identified in 2012 through similar reporting sources. The Monitor casualty data for Myanmar represents an aggregation of available sources.[58] However, due to the lack of official systematic data collection and the varying sources of annual data available to the Monitor, 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 by the source. The actual number of casualties is likely to be much higher.[59]

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.[60]

In 2013, mines/ERW remained a source of concern in an estimated 10 out of 14 regions/states.[61] Most mines causing casualties were recorded as antipersonnel mines. It has been reported by local risk education providers that victim-activated 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.[62]

The total number of casualties in Myanmar is unknown. The Monitor reported annual casualty data of 3,450 mine/ERW casualties (348 killed; 2,898 injured; 204 unknown) between 1999 and the end of 2013.

In addition to human casualties, village livestock, elephants, and wildlife are also affected by landmines in Myanmar. Most elephants killed and injured by mines are those used in the illegal cross-border timber trade. In February 2013, an elephant was injured by a mine laid near the border with Bangladesh.[63]

Victim Assistance

At least 2,898 survivors have been identified by the Monitor since 1999. However, this is a fraction of the actual figure, estimated to exceed 40,000.[64]

Victim Assistance in 2013

In 2013, there was an increase in rehabilitation and economic inclusion services available to survivors within Myanmar.

Under an agreement with the government of Myanmar, the ICRC supported 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

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Plaenglakkhana, Field Officer, ICRC Chiang Mai, 3 January 2014; and statistics supplied by UNHCR, Yangon, 24 January 2014. Published sources include, Back Pack Health Worker Teams, "Annual Report 2013," 30 June 2014, p. 13. Also media reports by *Irrawaddy*, *Mizzima*, *Karen News*, *Shan Herald*, *Burma News International*, and the *New Light of Myanmar* between 1 January and 31 December 2013.

[56] There were 18 casualties for which the civil status remained unknown.

[57] There were 33 casualties for which the sex remained unknown. However, all of those casualties were adults.

[58] It is possible that available data contains duplicate casualties, but this could not be verified in all cases given the limited amount of information provided.

[59] See, "Myanmar: Landmine survivor needs outstrip aid," *IRIN*, 7 December 2011.

[60] See the 2009 edition of the Monitor report for Myanmar available on the Monitor website. 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.

[61] ICRC, "Annual Report 2013," Geneva, May 2014, p. 291.

[62] "Deadly Soil: Burma's Enduring Landmine Tragedy," *Burma News International*, 11 June 2011. Non-state armed groups reportedly also use captured factory-made mines. See, "The world's longest ongoing war," *Aljazeera*, 10 August 2011.

[63] Monitor interview with Naikongchari witness in May 2013.

[64] Email from Yeshua Moser-Puangsuwan, Mine Free Burma, 26 September 2014.

recognized as the most contaminated in Myanmar.[65] In 2013, no new initiatives were implemented to assess the needs of mine/ERW victims in Myanmar.

The Ministry of Health does not disaggregate injuries due to mines/ERW incidents from other traumatic injuries.[66]

Victim assistance coordination

There was no government victim assistance coordination mechanism in 2013.

There was greater awareness of the need for victim assistance. In January 2013, member of parliament 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.[67]

The Department of Social Welfare, within the Ministry of Social Welfare, Relief and Resettlement, is responsible for community-based rehabilitation and for carrying out social welfare services through preventive, protective, and rehabilitative measures.[68] 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.[69] 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.[70]

To follow up the round-table seminar on prosthetics and orthotics organized in 2012 by the ICRC in cooperation with the Ministry of Social Welfare, Relief and Resettlement, the ICRC had bilateral meetings with the Department of Social Welfare in 2013 to discuss the creation of an official coordination body.[71]

No inclusion of survivors in victim assistance planning or activities was reported in 2013.

Service accessibility and effectiveness

Victim assistance activities[72]

Name of organization	Type of organization	Type of activity	Changes in quality/coverage of service in 2013
Ministry of Health	Government	Prosthetic centers and two orthopedic hospitals	Increased the number of beneficiaries due to ICRC and Exceed Worldwide support
Ministry of Defense	Government	Prosthetics provided through three centers	Increased the number of beneficiaries due

[65] DCA, "Consultant (6 weeks) Research on Landmine Victim Assistance, Myanmar," Closing Date: Monday, 17 September 2012.

[66] 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, Public Health Statistics 2012, Naypyitaw, May 2014.

[67] 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.

[68] ICRC Physical Rehabilitation Programme (PRP), "Annual Report 2013," Geneva, 2014, p. 52; and Ministry of Social Welfare, Relief and Resettlement, "Rehabilitation of the Persons with Disabilities," 2012.

[69] ICRC PRP, "Annual Report 2013," Geneva, 2014, p. 52.

[70] ICRC PRP, "Annual Report 2012," Geneva, September 2013, p. 60.

[71] ICRC PRP, "Annual Report 2013," Geneva, 2014, p. 52.

[72] The Back Pack Health Worker Teams (BPHWT), "Mid-Year Report 2012: Provision of Primary Healthcare among the Internally Displaced Persons and Vulnerable;" 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; AAR Japan, "Community-Based Assistance for Persons with Disabilities," 28 Sep 2012; ICRC PRP, "Annual Report 2012," Geneva, September 2013, pp. 60–61; and ICRC, "Annual Report 2012," Geneva, May 2013, p. 252. Indirect sourcing 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.

			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
Peace Myanmar Aid Foundation	Local NGO	Mobile Prosthetic delivery	Started providing services in 2013
Committee for Internally Displaced Karen People	Community-based organization	Prosthetic production at the Kho Kay Prosthetic Clinic, Mutraw, Karen (Kayin) state	Ongoing
Karen Health and 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) state	Ongoing
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
Exceed Worldwide	International NGO	Providing rehabilitation care and capacity building	Assumed responsibility for the National Rehabilitation Hospital (NRH) in Yangon; financially supported the Myanmar School of Prosthetics & Orthotics
ICRC/Myanmar Red Cross Society	International/national organization	Support to Hpa-an Orthopedic Rehabilitation Centre;	Increased capacity

		prosthetic outreach for remote areas	
UN High Commissioner for Refugees (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 Thanninthary division

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.[73]

In 2013, the ICRC supported the second amputation surgery seminar for twenty-five junior surgeons working in remote stations of southeastern Myanmar. The training also focused on the most appropriate surgical techniques allowing for optimal use of a prosthetic device.[74]

During decades of conflict in Myanmar, ethnic communities and organizations developed their own health provision structures, which continued to be the main providers of healthcare 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.[75]

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.[76]

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 tremendous difficulties in order to access services.[77]

In 2013, the ICRC offered the Ministry of Health assistance to develop two Physical Rehabilitation Centers in Myitkyina (Kachin State) and in Kyaing Tong (Eastern Shan State) to address the high demand of the services users in those regions affected by the conflicts. The Ministry of Health approved the construction of Myitkyina PRC in 2014 and then Kyaing Tong PRC in 2015.[78] In 2007, ICRC support of Ministry of Health and Ministry of Defense rehabilitation centers had been suspended due to restrictions imposed on its operations.[79]

In 2013, the ICRC continued to support the Hpa-an Orthopaedic Rehabilitation Centre (HORC), run jointly by the Myanmar Red Cross Society and the ICRC, and to support three centers managed by the Ministry of Health located in Yangon, Mandalay, and Yenanthar enabling people living in remote areas to have access to services. The ICRC increased support to the Myanmar Red Cross Society's Outreach Prosthetic Programme for areas covered by the HORC as well as for Upper and Central Myanmar. This program enabled persons living in remote areas to have access to services free of charge, including

[73] IRIN, "Myanmar: Rural healthcare 'in crisis,'" 28 January 2011; and Karen News, "Burma's Healthcare System in Critical Condition," 28 June 2013.
[74] ICRC PRP, "Annual Report 2013," Geneva, 2014, p. 11.
[75] Burma Partnership, "Building Trust and Peace by Working through Ethnic Health Networks Towards a Federal Union," 11 March 2013.
[76] Ibid.; and Burma Health Association, "The 5th Health Convergence Core Group Meeting," 21 August 2014.
[77] ICRC PRP, "Annual Report 2013," Geneva, 2014, p. 52.
[78] Ibid.
[79] ICRC PRP, "Annual Report 2007," Geneva, May 2008, p. 37.

prosthetic and orthopedic devices, lodging, transport, and medical assistance if necessary.[80] In 2013, the ICRC supported the construction and refurbishment the HORC's foot production units, which allowed them to create 3,842 prosthetic feet for their patients.[81] Expansion of the outreach activities at the HORC, and an increase in the production of prostheses at the center, resulted in a 25% increase in the number of prostheses produced in 2013 over 2012.[82] In 2013, 44% of prostheses were for mine/ERW survivors (761 of 1,741).[83]

In 2013, the ICRC also 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 20% (61 in 2012 compared to 49 in 2011).[84]

In December 2013, in agreement with the Ministry of Health the ICRC handed over the its role in supporting the National Rehabilitation Hospital (NRH) in Yangon to the NGO Exceed Worldwide. The organization also financially supported the Myanmar School of Prosthetics & Orthotics, which is being built on the campus of the University of Medical Technology in Yangon.

The Myanmar Disabled Person's Organization (MDPO) produces prosthetics at a small workshop in its office in Yangon. 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 or no access to similar services offered elsewhere in the country.[86] In July 2014, Peace Myanmar Aid Foundation ran a mobile prosthetics workshop which provided 53 prosthetics to mine victims from 22 villages in Shwegyin in eastern Bago Region.[87]

No psychological or psychosocial services available to mine/ERW survivors were reported in 2013.

Economic and social inclusion

A lack of understanding about persons with disabilities as well as poor infrastructural accessibility make it difficult for persons with disabilities to attend school or find employment. The Association for Aid and Relief (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 graduates to achieve economic independence, gain employment, open their own shops, or become teachers at the center.[88]

Within a limited geographical scope, the First Myanmar Basic Disability Survey 2008–2009, endorsed by the Ministry of Social Welfare, Relief and Resettlement, indicated that 1,276,000 people in Myanmar (2.32% of the population) live with some form of disability. The survey further found that 85% of persons with disabilities were unemployed and their level of education was considerably below the national average.[89]

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

[80] ICRC PRP, "Annual Report 2013," Geneva, 2014, p. 52; and "Hpa-an prosthetics centre gives landmine victims new start in life," *Mizzima*, 27 April 2014.
[81] ICRC, "Annual Report 2013," Geneva, May 2014, p. 293.
[82] Ibid., p. 294; ICRC PRP, "Annual Report 2013," Geneva, 2014, p. 52; and ICRC PRP, "Annual Report 2012," Geneva, September 2013, p. 60.
[83] ICRC, "Annual Report 2013," Geneva, May 2014, pp. 293–294; and ICRC PRP, "Annual Report 2013," Geneva, 2014, p. 52.
[84] ICRC PRP, "Annual Report 2013," Geneva, 2014, p. 52; and "Hpa-an prosthetics centre gives landmine victims new start in life," *Mizzima*, 27 April 2014.
[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 Ko Ko, 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; and DCA, "DCA Mine Action in Burma/Myanmar," undated.
[87] Email from Col. Thant Zin, Director, Peace Myanmar Aid Foundation, 25 September 2014.
[88] AAR Japan, "Activities in Myanmar (Burma)," undated; and AAR Japan, "Community-Based Assistance for Persons with Disabilities," 28 Sep 2012.
[89] ICRC PRP, "Annual Report 2013," Geneva, 2014, p. 52; and "In Burma, Children With Disabilities Struggle to Access Schools," *The Irrawaddy*, 5 November 2013.

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.[90]

Laws and policies

There are no laws specifically prohibiting discrimination against persons with disabilities in employment, education, access to healthcare, or in the provision of other state services; the government does not provide ample protections for these persons. In 2013, there were few official resources to assist persons with disabilities.[91] Furthermore, persons with disabilities reported societal stigma and discrimination,[92] as well as abuse from civilian and government officials.[93]

In June 2014, activists requested that landmine victims be included within the draft disability law being discussed in parliament.[94] The upper house of parliament approved a proposal for a disability rights law in September 2011. The proposal was drafted following recommendations developed by Leprosy Mission International and the Ministry of Social Welfare in May 2011.[95] 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.[96] As of September 2014, the law had not yet been approved.

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 2013, the government enacted a law designed to assist the families of deceased and injured military personnel.[97]

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.

Victim assistance for Myanmar citizens in Thailand

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.[98]

However, throughout 2013 and into 2014 the availability of this assistance in the Thai border camps was becoming increasingly uncertain. Political reforms in Myanmar resulted in discussions around 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.[99] Furthermore, in July 2014 Thailand's National Council for Peace and Order (NCPO) "reached an agreement with the commander-in-chief of Burma's military to repatriate the

[90] Monitor field mission notes, May 2013.
[91] United States (US) Department of State, "2013 Country Reports on Human Rights Practices: Burma," Washington, DC, 26 February 2014, pp. 38–39.
[92] ICRC PRP, "Annual Report 2013," Geneva, 2014, p. 52.
[93] US Department of State, "2013 Country Reports on Human Rights Practices: Burma," Washington, DC, 26 February 2014, pp. 38–39.
[94] Aye Min Soe, "Rights of land mine victims should be included in bill on rights of disabled people: activists," *New Light of Myanmar*, 16 June 2014, p. 1.
[95] "Second regular session of First Amyotha Hluttaw continues for ninth day," *New Light of Myanmar*, 2 September 2011, p. 10; and "In Burma, Children With Disabilities Struggle to Access Schools," *The Irrawaddy*, 5 November 2013.
[96] Media statement by the Myanmar Physically Handicapped Association, "Draft Law for Disabled Favors Military: MPHA," *The Irrawaddy*, 3 October 2012.
[97] US Department of State, "2013 Country Reports on Human Rights Practices: Burma," Washington, DC, 26 February 2014, pp. 38–39.
[98] For more information, see ICBL-CMC, "Country Profile: Thailand," 9 October 2013.
[99] "Under pressure: refugees feel welcome has worn out," *Bangkok Post*, 26 May 2013.

120,000 refugees accommodated in the nine refugee camps on the Thai Burma border."[100] This change of situation, including the shift in funding priorities, was reported to be premature, and the UNHCR has said conditions in south-eastern Myanmar where the refugees come from are not yet fully conducive to organized returns. This includes the absence of a permanent ceasefire, the presence of mine fields, and lack of critical infrastructure in some areas.[101]

Cluster Munition Ban Policy

The Republic of the Union of Myanmar has not acceded to the Convention on Cluster Munitions.[102]

Myanmar has never made a public statement detailing its position on joining the convention, but it has expressed concern at the humanitarian impact of the weapons on several occasions.[103] At the UN General Assembly (UNGA) First Committee on Disarmament and International Security in October 2013, Myanmar repeated its description made the previous year of cluster munitions and antipersonnel landmines as "the main causes of maiming, killing and terrorizing innocent civilian populations."[104] 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."[105]

Myanmar attended one regional meeting of the Oslo Process that created the Convention on Cluster Munitions (Xieng Khouang, Lao PDR in October 2008).

Myanmar has engaged in a few meetings related to the Convention on Cluster Munitions since 2008, including a regional conference on cluster munitions in Bali, Indonesia in November 2009. It 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. Myanmar attended the convention's intersessional meetings in Geneva once, in April 2013.

Myanmar is not party to the Mine Ban Treaty or the Convention on Conventional Weapons.

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."[106]

Myanmar has produced and reportedly used a cluster adaptor design similar to a modern cluster munition. There are indications that Myanmar government forces used a cluster adaptor mounted with six explosive bombs, which separate from the rack when dropped from the air, similar to a modern cluster munition 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

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[100] "Human Rights Watch, UNHCR and Refugees Raise Concerns Following Reports That Thai Military Will Return Refugees After Reaching Agreement with Burma's Military," *Karen News*, 15 July 2014; and "Conditions in Burma Not Right for Refugee Repatriation: UN," *The Irrawaddy*, 24 July 2014.

[101] "Human Rights Watch, UNHCR and Refugees Raise Concerns Following Reports That Thai Military Will Return Refugees After Reaching Agreement with Burma's Military," *Karen News*, 15 July 2014; "Conditions in Burma Not Right for Refugee Repatriation: UN," *The Irrawaddy*, 24 July 2014; and "Myanmar's landmines hinder return of displaced," *IRIN*, 3 April 2013.

[102] 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.

[103] In 2010, a government representative informed the Monitor that the Ministry of Foreign Affairs was reviewing the convention. Interview with Aye Thidar Myo, Assistant Director, International Organizations and Economic Department, Ministry of Foreign Affairs, in Vientiane, 10 November 2010.

[104] Statement of Myanmar, UNGA First Committee on Disarmament and International Security, New York, 30 October 2013; and statement of Myanmar, UNGA First Committee on Disarmament and International Security, New York, 1 November 2012.

[105] 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.

[106] Ibid.

of the town of Laiza in southern Kachin state.[107] 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 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."[108]

Human Rights Watch (HRW) has received a separate set of photos showing what appear to be the same remnants being carried in a vehicle at a location not known to be the scene of the attack.[109] HRW confirmed airstrikes and shelling on Laiza by Myanmar forces in December 2012 and January 2013.[110] The government of Myanmar later admitted to shelling and bombing Laiza.[111]

The "cluster adapter" and 20-pound fragmentation bombs shown in the photographs appear to meet the definition of a cluster munition as provided by the Convention on Cluster Munitions.[112]

[107] "Burma army uses cluster bombs to take key KIO position near Laiza," *Kachin News Group*, 26 January 2013.

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

[109] Email from Bertil Linter, 25 March 2013.

[110] HRW 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.

[111] According to a January 2013 statement by 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.

[112] The photographs show a cluster munition canister or "rack" that appears to be similar in design to the US-produced M1 cluster adapter. The small fragmentation bombs are of a more modern design and marking than World War II-era munitions. A military officer who requested anonymity confirmed that the weapon was manufactured in Myanmar; additionally, a former military ordinance officer confirmed that the markings on the weapons were those used by Myanmar's armed forces.