

# Landmine Monitor

Myanmar/Burma Country Report

December 2016



includes Cluster Munition Monitor

# LANDMINE & CLUSTER MUNITION MONITOR

## About this report

**Landmine & Cluster Muniton Monitor** provides research for the *International Campaign to Ban Landmines* and the *Cluster Muniton 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 Muniton 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 Muniton Monitor** documents the implementation of the 2008 Convention on Cluster Munitions. Both Landmine Monitor and Cluster Muniton Monitor assess the efforts of the international community to resolve the crisis caused by these weapons.

As of 1 December 2016, 162 countries, over 80% of the world's governments, have ratified, or acceded to, the Mine Ban Treaty. 119 countries have signed, ratified, or acceded to, the Convention on Cluster Munitions. Myanmar/Burma has not yet joined either convention.

Landmine & Cluster Muniton 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 antipersonnel landmines and cluster munitions. It is meant to compliment the reporting requirements of countries which have ratified the treaties. Our reports seek to make transparent the state of the landmine and cluster muniton crisis, and government policies or practices, in non-signatory states.

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

Landmine & Cluster Muniton 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 Muniton Monitor Myanmar/Burma researcher for 2016 was Yeshua Moser-Puangsuwan. The Monitor is 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 which provide accurate documentation on these issues. Please contact us at: [burma@icblcmc.org](mailto:burma@icblcmc.org). If you have corrections regarding the contents of this report please write: [monitor@icblcmc.org](mailto:monitor@icblcmc.org)

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*Cover Photo:* U Kyar Khin, landmine survivor at his home in Kyaukkyi, Bago Region. U Kyar Khin stepped on a landmine while collecting forest products in 2014. Collecting forest products is the primary cause for civilians to become mine victims in Myanmar. Photo courtesy of David Doyle, used with permission.

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1997 Nobel Peace Co-Laureate

## Mine Ban Policy

The Republic of the Union of Myanmar has not acceded to the Mine Ban Treaty.<sup>1</sup>

Myanmar has expressed support for the Mine Ban Treaty, but has not taken steps to accede to it.

In September 2016, Deputy Minister of Defense Major General Myint Nwe informed the Myanmar parliament that the army continues to use landmines in internal armed conflict.<sup>2</sup> At the same session, a Member of Parliament from Shan State stated that “it can’t be denied that non-state armed groups are also using landmines...particularly since 2012.”<sup>3</sup>

Previously, in July 2012, former 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.<sup>4</sup> But in November 2012, at the Association of South-East Asian Nations (ASEAN) summit then President Thein Sein stated, “I believe that for defence purpose, we need to use landmines in order to safeguard the life and property of people and self-defence.”<sup>5</sup>

In June 2016, a senior leader of the National League for Democracy, the party in the civil government, told the Monitor that the party’s policy supports a ban on landmines. He noted that they had previously committed to this policy and that they intend to keep that promise.<sup>6</sup>

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. However, Myanmar did not participate in the convention’s Third Review Conference in June 2014 or its Fourteenth Meeting of States Parties held in Geneva in November-December 2015. Myanmar attended intersessional meetings in Geneva in May

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<sup>1</sup> 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](#).

<sup>2</sup> Htoo Thant, “[Tatmadaw insists landmine use kept within reasonable minimum](#),” *Myanmar Times*, 13 September 2016.

<sup>3</sup> *Ibid.*

<sup>4</sup> 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. Press Release, “[Myanmar seriously considering landmine treaty as part of its state reforms](#),” Mine Ban Treaty Implementation Support Unit, 12 July 2012.

<sup>5</sup> 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.

<sup>6</sup> Monitor interview with National League for Democracy Party Patron Thura U Tin Oo, NLD HQ, Yangon, 6 June 2016.

2016 as an observer and its representative addressed an ICBL briefing on landmines in Myanmar.

A National Ceasefire Agreement (NCA) signed by eight ethnic armed groups in October 2015 states that the parties to the agreement will “end planting of mines” and “cooperate on the process of clearing all landmines.”<sup>7</sup> (*See Use by non-state armed groups, below.*) A new civil government was elected in November 2015 that has continued peace talks but no further agreements have been concluded as of October 2016.

Myanmar was one of 17 countries that abstained from voting on UN General Assembly (UNGA) Resolution 70/55 on 7 December 2015, which called for universalization of the Mine Ban Treaty, as it has on all similar annual resolutions since 1997.

No parliamentary party has introduced legislation to ratify the Mine Ban Treaty, but disability rights legislation was passed in June 2015.<sup>8</sup>

In April 2016, UNICEF, the Humanitarian Mine Action Initiative, and other organizations participated in International Day of Mine Awareness and Assistance in Mine Action in Yangon. Representatives from UNICEF, and from the National League for Democracy party called for the government to accede to the Mine Ban Treaty at the event.<sup>9</sup> The government-owned media for the first time published the UN Secretary General’s message for Mine Action Day.<sup>10</sup>

In November 2015, the Halt Mine Use in Burma/Myanmar campaign held a press conference in Yangon to launch the *Landmine Monitor 2015* country report on Myanmar.<sup>11</sup> The campaign distributed 2,000 copies of the Burmese-language translation of the 2015 Myanmar country report.

Popular calls for a halt in mine use and mine clearance have been occurring more frequently in Myanmar. In February 2016, residents of the town of Kutkai in northern Shan State reportedly sent an official letter to the Tatmadaw, Kachin Independence Army (KIA), and the Ta’ang National Liberation Army (TNLA) demanding removal of landmines planted

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<sup>7</sup> According to the draft NCA, agreed by a drafting team from both sides in March 2015, under Chapter 3: Ceasefire related matters, point 5 (a) it states that, “Both parties agree to end the following activities:... planting of landmines...” Section 5 (e) states, “In line with progress on the peace process, both parties agree to cooperate on the process of clearing all landmines planted by both sides’ armies. Joint efforts on landmine clearing projects shall be carried out in close consultation with different levels of the government.” For more analysis see, Mine Free Myanmar, “[The Mine Ban and the National ceasefire process](#),” 11 August 2015.

<sup>8</sup> [Law on the Rights of Persons with Disabilities - Pyidaungsu Hluttaw Law No. 30/2015](#). See also, “[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. 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 ICBL, “[Country Profile: Myanmar/Burma: Mine Ban Policy](#),” 30 October 2014.

<sup>9</sup> Moe Myint, “[New Government Urged to Act on Landmines in Burma](#),” *Irrawaddy*, 5 April 2016.

<sup>10</sup> “[UN Secretary General’s message on the International Day For Mine Awareness and Assistance in Mine Action](#),” *Global New Light of Myanmar*, 4 April 2016.

<sup>11</sup> “[Press Conference and release of Landmine Monitor 2014 Myanmar/Burma Country Report](#),” 29 December, Yangon. Audio recording of the press conference and questions available with the link.

in the township during armed conflict in January 2016. They received no replies. In March 2016, in Yangon, a forum of civil society organizations of Shan State called for mine clearance in the state and a halt to armed conflict.<sup>12</sup> In September 2016, more than 1,000 residents of the town of Sinbo reportedly took to the streets to protest deaths from landmines in the area.<sup>13</sup>

## Mine Use

Since the publication of its first annual report in 1999, Landmine Monitor has consistently documented the use of antipersonnel mines by government forces and non-state armed groups (NSAGs) in Myanmar/Burma. During this reporting period, information available to the Monitor indicates a continuation of the trend of a significantly lower level of new mine use.

In March 2016, the UN Special Rapporteur on the situation of human rights in Myanmar “was particularly concerned at reports of the continuing use of landmines, resulting in casualties and injuries.”<sup>14</sup> In April 2016, the UN Secretary-General released its annual report on Children and Armed Conflict, which attributed half of the child casualties of war in Myanmar to landmines and explosive remnants of war (ERW).<sup>15</sup>

### *Government forces*

In September 2016, deputy Minister of Defense Major General Myint Nwe informed the Myanmar parliament that the army continues to use landmines in internal armed conflict.<sup>16</sup> At the same session, a Member of Parliament from Shan State stated that “it can’t be denied that non-state armed groups are also using landmines...particularly since 2012.”<sup>17</sup>

Local people alleged that government troops laid landmines near their military camp in Shan State in October 2015, which resulted in civilian casualties. Villagers stated the mines were laid after armed clashes with Shan insurgents.<sup>18</sup> In September 2015, Myanmar Army soldiers took villagers to a front line location in Momauk township at which point they laid mines and warned the villagers not to come back to the area.<sup>19</sup> In August 2016, a pastor in Mogaung township stated that the Myanmar Army had issued warnings that it had planted landmines in the area in 2015.<sup>20</sup> In January 2016, China protested after a Chinese official

<sup>12</sup> “[Local residents call for removal of landmines in Kutkai](#),” *Global New Light of Myanmar*, 3 March 2016; and Nyein Nyein, “[Ethnic Civilians Demand End to Army Abuses in Shan State](#),” *Irrawaddy*, 2 March 2016.

<sup>13</sup> “[Sinbo residents protest landmines as death toll rises](#),” *Eleven Myanmar*, 27 September 2016.

<sup>14</sup> UNGA, “[Situation of human rights in Myanmar](#),” A/31/71, 18 March 2016, p. 13, para. 57.

<sup>15</sup> “[Report of the Secretary-General on children and armed conflict in Myanmar](#),” A/70/836–S/2016/360, 20 April 2016, p. 18, para. 103.

<sup>16</sup> Htoo Thant, “[Tatmadaw insists landmine use kept within reasonable minimum](#),” *Myanmar Times*, 13 September 2016.

<sup>17</sup> *Ibid.*

<sup>18</sup> “[Killing, disappearance, land-mine death during Burma Army offensive in central Shan State](#),” *Shan Herald Agency for News*, 28 December 2015.

<sup>19</sup> Monitor interview with humanitarian organizations working with conflict-displaced communities in Kachin state, Yangon, 9 & 13 October 2015. Informants requested anonymity.

<sup>20</sup> “[Villagers Killed By Landmine](#),” *Burma News International*, 8 August 2016.

was injured on the China-Myanmar border by a landmine that was apparently laid during fighting between the military and an armed group, but who laid the landmine is unknown.<sup>21</sup> In September 2016, mines were laid during armed conflict in Hlaingbwe township between Myanmar Army Border Guard Forces and an ethnic armed group. It is unclear which side laid mines.<sup>22</sup>

### *Use by non-state armed groups*<sup>23</sup>

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. The need to end landmine use and ensure clearance has been mentioned in several meetings.<sup>24</sup>

The text of the National Ceasefire Agreement states that the parties to the agreement will “end planting of mines” and “cooperate on the process of clearing all landmines.”<sup>25</sup> On 15 October 2015, eight ethnic armed groups signed the National Ceasefire Agreement. All had previously engaged in mine warfare, including two factions of the Karen National Union, the Restoration Council for Shan State, the Arakan Liberation Party, the Pao National Liberation Organization, the All Burma Students Democratic Front, the Chin National Front, and the Democratic Karen Benevolent Army.<sup>26</sup> Several major armed groups remain outside the agreement.

No armed group offered to unilaterally renounce antipersonnel mine use during the ongoing peace talks in 2015 and the first half of 2016.<sup>27</sup>

<sup>21</sup> Guy Dinmore and Wa Lone, “[China protests after landmine injures official](#),” *Myanmar Times*, 6 January 2016.

<sup>22</sup> “[Landmine kills Kayin village head](#),” *Eleven Myanmar*, 17 September 2016.

<sup>23</sup> At least 17 NSAGs have used antipersonnel mines since 1999, however, some of these groups have ceased to exist or no longer use mines.

<sup>24</sup> 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. Press Release, “[Myanmar seriously considering landmine treaty as part of its state reforms](#),” Mine Ban Treaty Implementation Support Unit, 12 July 2012.

<sup>25</sup> [The Nationwide Ceasefire Agreement between the government of the Republic of the Union of Myanmar and Ethnic Armed Organizations](#) (NCA) The NCA, signed by some armed groups on October 2015, states under Chapter 3: Ceasefire related matters, point 5 (a) it states that, “Both parties agree to end the following activities:...planting of landmines...” Section 5 (e) states, “In line with progress on the peace process, both parties agree to cooperate on the process of clearing all landmines planted by both sides’ armies. Joint efforts on landmine clearing projects shall be carried out in close consultation with different levels of the government.” For more analysis see: Mine Free Myanmar, “[The Mine Ban and the National ceasefire process](#),” 11 August 2015.

<sup>26</sup> “[Peace Deal Signed](#),” *Global New Light of Myanmar*, 16 October 2015, p. 1. Each of the political organizations that signed the ceasefire agreement has an armed wing. The armed wing of the KNU factions is the Karen National Liberation Army (KNLA), the RCSS is the political organization of the Shan State Army South, the ALP has its Arakan Liberation Army, the PNLO has its Pao National Liberation Army, and the CNF has the Chin National Army. The other two groups have the same name for their armed organizations.

<sup>27</sup> 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. 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

Local residents of Kutkai township in Shan State accused the KIA and the TNLA of planting landmines in the town in January 2016.<sup>28</sup> The TNLA had previously stated it would refrain from mine use.<sup>29</sup> In November 2015, a government newspaper alleged that the Myanmar National Democratic Alliance Army (MNDAA) used mines in Laukkaing town in Shan State.<sup>30</sup> A local activist living in a village tract on the border of Kachin State and Sagaing said that mine use by the KIA has caused civilian casualties and displaced more than 100 farmers.<sup>31</sup>

In February 2016, residents of the town of Namkham in Shan State who were fleeing fighting alleged that the Shan State Army-South (SSA, or RCSS) was laying landmines in their village.<sup>32</sup> In July 2016, civilian porters for the RCSS/SSA alleged that TNLA laid mines that killed and injured members of their group.<sup>33</sup> Several news reports noted that mines were discovered after armed conflict in 2016 between the TNLA, RCSS/SSA, Shan State Progress Party/Shan State Army (SSPP/SSA), and government forces but could not state who was responsible for the mine use.<sup>34</sup> In August 2016, a pastor in Mogaung town stated that the KIA issued warnings that it had planted landmines in the area in 2015.<sup>35</sup> In September 2016, mines were laid during armed conflict in Hlaingbwe town between a faction of the Democratic Karen Benevolence Army (DKBA) and government forces. It is unclear which side(s) laid mines.<sup>36</sup>

In April 2016, a villager in Mone town in Bago region alleged that the KNLA laid mines around a logging concession.<sup>37</sup> In January 2016, a resident of Mone town stated he had received verbal warnings and seen signs erected by the KNLA warning against entering an

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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.

<sup>28</sup> [“Local residents call for removal of landmines in Kutkai,”](#) *Global New Light of Myanmar*, 3 March 2016; and Nyein Nyein, [“Ethnic Civilians Demand End to Army Abuses in Shan State,”](#) *Irrawaddy*, 2 March 2016.

<sup>29</sup> The TNLA is the armed wing of the Palaung State Liberation Front (PSLF) which signed the Geneva Call Deed of Commitment banning anti-personnel landmines in 2007. Since 2014, Geneva Call has been pursuing inquiries about allegations of mine use made against the TNLA. See, Geneva Call, [“Burma/Myanmar: Geneva Call urges an end to mine use in northern Shan State,”](#) 14 July 2016.

<sup>30</sup> [“Rebel group launches attacks at Laukkai,”](#) *Global New Light of Myanmar*, 29 November 2015.

<sup>31</sup> [“Kachin landmines kill 11 last year,”](#) *Eleven Myanmar*, 31 January 2016.

<sup>32</sup> Maung Zaw, [“RCSS faces landmine claims,”](#) *Myanmar Times*, 18 February 2016.

<sup>33</sup> Thu Thu Aung, [“One dead, seven hurt in Shan State landmine blast,”](#) *Myanmar Times*, 7 July 2016.

<sup>34</sup> See for example, [“Villager and daughter injured by landmine in Hsipaw,”](#) *Burma News International*, 22 July 2016.

<sup>35</sup> [“Villagers Killed By Landmine,”](#) *Burma News International*, 8 August 2016.

<sup>36</sup> [“Landmine kills Kayin village head,”](#) *Eleven Myanmar*, 17 September 2016.

<sup>37</sup> Karen Human Rights Group, [“Nyaunglebin Situation Update: Mone Township, April to May 2016,”](#) August 2016.

area near a KNLA gold mining concession.<sup>38</sup> In April 2016, the Myanmar Army suffered a casualty to a mine allegedly laid by the KIA on an unknown date.<sup>39</sup>

## **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.<sup>40</sup> Authorities in Myanmar have not provided any information on the types of mines it produces or the quantities of stockpiled antipersonnel mines it possesses, however in September 2016 confirmed limited ongoing production.<sup>41</sup> 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.<sup>42</sup> Myanmar is not known to have exported antipersonnel mines.<sup>43</sup>

### ***Non-state armed group production, transfer, and stockpiling***

The KIA, Karen National Liberation Army (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 anti-handling 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.<sup>44</sup> 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.<sup>45</sup>

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<sup>38</sup> Unpublished information provided to the Landmine Monitor by the Karen Human Rights Group, 5 September 2016.

<sup>39</sup> "[Burma Army Launches Attacks Across Kachin State](#)," Free Burma Rangers Report, 29 April 2016.

<sup>40</sup> 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 US M14 plastic mine.

<sup>41</sup> Htoo Thant, "[Tatmadaw insists landmine use kept within reasonable minimum](#)," *Myanmar Times*, 13 September 2016.

<sup>42</sup> 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.

<sup>43</sup> 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.

<sup>44</sup> According to a United States (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.

<sup>45</sup> [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.



In February 2016, government forces seized eight POMZ antipersonnel landmines, among other weapons, from armed groups in the Kokang Region.<sup>46</sup> On 15 November 2015, government forces claim to have seized 90 landmines, among other weapons, from a camp belonging to the KIA.<sup>47</sup> Previously in July 2015, government and border guard forces claim to have recovered 50 landmines in two incidents, among other weapons, from the Karen Klo-Htoo-Baw Organization, formerly DKBA Brigade 5.<sup>48</sup> Also in July 2015, authorities claim to have recovered 3 landmines, among other weapons, turned in during a surrender by Klo Htoo Baw Battalion/DKBA combatants.<sup>49</sup>

## Casualties

### Casualties Overview

<b>All known casualties by end 2015</b>	3,693 (419 killed; 3,156 injured; 118 unknown) since 1999
<b>Casualties in 2015</b>	159 (2014: 251)
<b>2015 casualties by outcome</b>	31 killed; 128 injured (2014: 45 killed; 206 injured)
<b>2015 casualties by device type</b>	66 antipersonnel mines/improvised mines/improvised explosive devices (IEDs); 33 explosive remnants of war (ERW); 60 unknown devices

In 2015, there were at least 159 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.<sup>50</sup> The majority of casualties known age were children (54), including at least 38 boys and 16 girls; among the adult casualties 36 were men and 13 were women.<sup>51</sup>

The actual total number of casualties is expected to be incomparably higher. Although the presence of a number of mine action actors and coverage of victim assistance programs increased, no national systematic collection of casualty data occurred. Due to the lack of an official data collection mechanism, the absence of any basic reporting format or means of sharing data, 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.<sup>52</sup> In 2014, there were at least 251 new mine/ERW casualties.

<sup>46</sup> “Drugs, weapons and ammunition seized from Kokang renegade groups,” *Global New Light of Myanmar*, 27 February 2016.

<sup>47</sup> “[Tatmadaw seizes KIA camp](#),” *Global New Light of Myanmar*, 21 November 2015.

<sup>48</sup> “Tatmadaw, BGF combs KKO of Kawkariek area,” *Global New Light of Myanmar*, 20 July 2015, p. 9.

<sup>49</sup> “Fifty-eight members of Kyaw Thet-Saw San Aung group return to legal fold,” *Global New Light of Myanmar*, 29 July 2015, p. 2.

<sup>50</sup> Unless noted otherwise, Monitor casualty data for 2015 is from a combined dataset of published and unpublished sources.

<sup>51</sup> There were 56 casualties for which the sex remained unknown.

<sup>52</sup> See also, Roger Fasth and Pascal Simon (Danish Demining Group), “[Mine Action in Myanmar](#),” *The Journal of Mine and ERW Action*, Issue 19.2, July 2015.

For the first time, in August 2016, the Ministry of Health and Sports released data on landmine fatalities. The ministry reported that that 101 people had died as a result of antipersonnel landmine incidents in Myanmar during the 18-month period from January 2015 to June 2016. Of the total reported, 74 deaths due to landmines occurred in Kachin state, 14 in Shan state, 11 in Chin state, and one each in Kayah and Rakhine states. It appears that this number includes only civilian fatalities and not military and other combatants killed. The Ministry of Health and Sports did not provide data on the number of people injured.<sup>53</sup> During the past half-decade, casualties recorded by the Landmine Monitor were three times as many people injured compared to killed. Kachin state police also recorded landmine incidents and reported that in the year 2015, 11 people were killed and 79 injured by landmines.<sup>54</sup> The figure is not believed to include military casualties.

As in all past years, the available 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.

The 159 casualties recorded by the Monitor in 2015 was lower than the 251 reported in 2014 and 381 in 2011, but higher than the 145 reported in 2013<sup>55</sup> and the 106 in 2012. Monitor casualty data for Myanmar represents an aggregation of available sources.<sup>56</sup> Regarding the original low total casualties reported for 2013, Danish Demining Group (DDG) noted that “it is perceived that the number of landmine victims far exceed the figure of 101 landmine victims in 2013.”<sup>57</sup> By September 2015, an additional 44 (three killed; 41 injured) casualties for 2013 had been reported, bringing the total of known casualties for that year to 145. This is still believed to be far fewer than actually occurred.

Danish Demining Group/Danish Refugee Council (DDG/DRC) has noted that in Kachin state, where increases in casualties have been recorded in recent years, fighting was more intense in 2011–2012 than in 2013–2014, however, more landmine incidents were recorded during this later period. The reason for the increase was not certain. However, data was collected by DDG/DRC from a small and unstable area that indicated that half of all casualties were internally displaced persons (IDPs), who may have returned to contaminated land.<sup>58</sup>

Past reporting by the Monitor has indicated that there are a significant number of military casualties, but such records remain unavailable to the public.<sup>59</sup>

In 2014, mines/ERW remained a source of concern in an estimated 10 out of 14 regions/states.<sup>60</sup> 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 victim-activated IED incidents are often not able to distinguish between these types of victim-activated explosive items, so the type is not recorded.<sup>61</sup>

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<sup>53</sup> “[Over 100 landmine fatalities since January 2015](#),” *Global New Light of Myanmar*, 19 August 2016.

<sup>54</sup> “[Kachin landmines kill 11 last year](#),” *Eleven Media*, 31 January 2016.

<sup>55</sup> Revised total from 101 originally reported in the Monitor profile for Myanmar in 2014.

<sup>56</sup> 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.

The total number of casualties in Myanmar is unknown. The Monitor reported annual casualty data of 3,745 (396 killed; 3,145 injured; 204 unknown) between 1999 and the end of 2014.

It was reported that, according to the Myanmar Physically Handicapped Association (MPHA), a significant number of military personnel, armed-group members, and civilians had a disability because of conflict, including landmine incidents. There were approximately 12,000 amputees in the country, with two-thirds believed to be landmine survivors.<sup>62</sup>

## Victim Assistance

At least 3,156 survivors have been identified by the Monitor since 1999. However, this is believed to be only a small fraction of the actual figure, which was estimated by the group Mine Free Myanmar to exceed 40,000.<sup>63</sup>

### Victim assistance in 2015

In 2015, there was a continued increase in rehabilitation and economic inclusion services available to survivors within Myanmar. However, it has been estimated that Myanmar requires approximately 300 prosthetic technicians to meet the needs of amputees, but has less than 30.<sup>64</sup>

The Ministry of Health and Sport and the ICRC agreed to build two new physical rehabilitation centers in Kyaing Tong, in Shan state, and Myitkyina, in Kachin state.<sup>65</sup>

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

### Assessing victim assistance needs

The Handicap International (HI) and Myanmar Physically Handicapped Association (MPHA) Victim Assistance Center in the Kyaukkyi township of the Bago region identified

<sup>57</sup> DDG, "[Where We Work: Myanmar](#)," undated.

<sup>58</sup> See also, Roger Fasth and Pascal Simon (DDG), "[Mine Action in Myanmar](#)," *The Journal of Mine and ERW Action*, Issue 19.2, July 2015.

<sup>59</sup> 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.

<sup>60</sup> ICRC, "Annual Report 2013," Geneva, May 2014, p. 291.

<sup>61</sup> "[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.

<sup>62</sup> US Department of State, "[2015 Country Reports on Human Rights Practices: Burma](#)," Washington, DC, 13 April 2016.

<sup>63</sup> Email from Yeshua Moser-Puangsuwan, Mine Free Myanmar, 26 September 2014.

<sup>64</sup> Interview with Didier Reck, Physiotherapist, Physical Rehabilitation Programme Manager, ICRC, Yangon, 7 June 2016; and "[Estimate based on Guidelines for Training Personnel in Developing Countries for Prosthetics and Orthotics Services](#)," International Society for Prosthetics and Orthotics/World Health Organization, 2005, pp. 17–18.

<sup>65</sup> ICRC, "[Annual Report 2014](#)," Geneva, 2015, p. 288.

1,259 mine survivors and other persons with disabilities within the township by March 2016. Survey results were to be used for interventions and evidence-based strategy. During needs assessments, referrals were made to appropriate and accessible services for mine survivors and other persons with disabilities.<sup>66</sup> HI also developed directories of services in Mandalay, Ayeryawerdy, and East Bago (Kyaukkyi township).<sup>67</sup>

World Education worked to improve data collection and information sharing about persons with disabilities in Kayah state.<sup>68</sup>

In January and February 2015, DDG/DRC conducted a “Landmine and Explosive Remnants of War Victims Survey” in Kachin and Kayah states that incorporated needs assessment and evaluation of opportunities for possible future activities. The DDG/DRC found through survey interviews with survivors and victim assistance organizations that the greatest needs included psychosocial support, livelihood assistance, and socio-economic reintegration. They also found that victim assistance needed to be integrated into the larger disability and rehabilitation sector, which also needed to be made sustainable. Recommendations from DDG included the following:<sup>69</sup>

- Create a simple and *ad hoc* victim information system for sharing and planning purposes;
- Provide emergency victim assistance;
- Facilitate access to physical rehabilitation services;
- Increase psychosocial support initiatives via self-help groups, peer-to-peer services, and disability resource centers;
- Work with these networks to support socio-economic reintegration activities;
- Implement and integrate sustainable socio-economic reintegration support to landmine survivors and persons with disabilities in the community through community and disability organizations’ networks;
- Provide vocational training and longer-term socio-economic assistance;

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<sup>66</sup> Response to Monitor questionnaire by Marie Mabrut, Operations Coordinator, HI-Myanmar, 13 October 2016; HI, “Victim Assistance in Disability Program in Kyaukkyi Township of Eastern Bago Region, Lessons Learnt Paper,” April 2016; and interview with Yann Faivre, Country Director, HI - Myanmar, Yangon, 9 June 2016.

<sup>67</sup> Response to Monitor questionnaire by Marie Mabrut, HI-Myanmar, 13 October 2016.

<sup>68</sup> World Education, “[Victim Assistance and Disability Program in Kayah State](#),” undated.

<sup>69</sup> Roger Fasth and Pascal Simon (DDG), “[Mine Action in Myanmar](#),” *The Journal of Mine and ERW Action*, Issue 19.2, July 2015.

- Provide systematic business service assistance and support for the educational needs of the children of survivors.

The first statewide disability survey conducted by World Education between March and November 2015, in Kayah state, determined that almost 9% of persons with physical disabilities had acquired impairments due to landmine injuries. The survey recommended that there was a need to engage communities to shift attitudes toward the disabled, and noted that the disabled felt uninvolved and not included in community groups. World Education recommended that Myanmar increase the accessibility and inclusivity of in existing services and recommended that NGOs facilitate the building of networks among persons with disabilities.<sup>70</sup>

### **Victim assistance coordination**

A Technical Group on Victim Assistance, facilitated by HI was established in September 2014. The 17-member group held meetings in Yangon. In 2015, the group met, under the coordination of HI, five times. Four meetings were held in 2016 through to October.<sup>71</sup>

The Technical Group on Victim Assistance is a sub-working group of the national Mine Risk Education Working Group, and was tasked to define the victim assistance component of the 2015–2016 Mine Risk Strategic National Plan. Since its establishment, it also monitors implementation of victim assistance and shares information on victim assistance issues. It also creates a bridge between the Mine Risk Education Working Group and disability-rights actors. Members of the Technical Group on Victim Assistance include international NGOs, national NGOs, the UN, the ICRC, and the Myanmar Red Cross Society (MRCS), as well as international cooperation agencies.<sup>72</sup>

There was no government victim assistance coordination mechanism in 2015. However, in February 2015, a representative of the Ministry of Social Welfare, Relief, and Resettlement reported that Myanmar was taking an integrated approach towards victim assistance, based on the Convention on the Rights of Persons with Disabilities (CRPD), in its national disability law and national social protection strategy.<sup>73</sup>

Discussions between the Ministry of Social Welfare, Relief, and Resettlement and the ICRC, on the creation of a national coordinating body for prosthetic and orthotic services, continued.<sup>74</sup>

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<sup>70</sup> World Education, “Victim Assistance and Disability Project in Kayah State Disability Survey: Summary of Main Findings,” undated; and emails from Ms. Khim Mar Aung, Director, World Education, 12 June 2016; and from Ms. Mar Lar Soe, World Education, 12 June 2016. The survey covered 36% of the villages in the seven townships of Kayah state. Landmine-caused disability was 4% when measured against all causes of disability.

<sup>71</sup> Response to Monitor questionnaire by Marie Mabrut, HI - Myanmar, 13 October 2016.

<sup>72</sup> Ibid.; and email from Yann Faivre, HI, 27 October 2015; and “HI Victim Assistance Initiative in Myanmar,” presentation by Yann Faivre, HI, in Bangkok, 15 June 2015.

<sup>73</sup> [Presentation](#) by Dr San San Aye, Deputy Director General of the Department of Social Welfare, Ministry of Social Welfare, Relief, and Resettlement, Meeting of National Mine Action Programme Directors, Geneva, 17 February 2015.

<sup>74</sup> ICRC, “[Annual Report 2015](#),” Geneva, 2016, p. 346.

The Myanmar Council for Persons with Disabilities (MCPD). was formed in December 2014. A council member stated that the group would “work to adopt a law to protect disabled people and to implement the CRPD.”<sup>75</sup> World Learning provided technical support from local disability activists to organize the first Myanmar National Disability Conference, in order to elect representatives to a new 21-member MCPD. It continued to develop organizational and technical capacity in the MCPD with international disability law experts from the United States International Council on Disabilities and support from USAID.<sup>76</sup>

The Myanmar National Strategy for the Development of Persons with Disabilities (2016–2025) includes the following aims:

- Develop disability inclusive infrastructures, practices, systems, and policies;
- Ensure full participation of persons with disabilities in social, political, culture, economic, and public sectors;
- Improve the quality of life of persons with disabilities;
- Prioritize areas for disability-focused government organizations, non-governmental international, and local organizations;
- Fully protect the rights of the persons with disabilities in accordance with the Law on the Rights of Persons with Disabilities (2015).<sup>77</sup>

A consultation Workshop on the National Strategic Disability Plan sponsored by the MCPD was held from 29 August to 2 September 2016. The Department of Social Welfare along with disability self-advocates participated in the development of implementation activities for 2017–2022 based on the objectives of the Myanmar National Strategy for Development of Persons with Disability (2016–2025), including a budget for the Myanmar fiscal year 2017–2018.<sup>78</sup>

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 for persons with disabilities.<sup>79</sup>

Several institutions were involved in the coordination of physical rehabilitation; the Ministry of Health, the Ministry of Defense, and the MRCS played roles in the provision of mobility aids, especially prosthetics and orthotics.<sup>80</sup>

Although there is no direct representation of mine/ERW victims, survivors belong to broader disabled peoples’ organizations (DPOs) that participate in various coordination roles.

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<sup>75</sup> “[Disabled Rights Council to be formed in Myanmar](#),” *Myanmar Matters*, 14 December 2014.

<sup>76</sup> World Learning, “[World Learning’s Commitment to Disability Inclusion, Highlighted programming and resources as of May 2016](#),” 2016.

<sup>77</sup> “Myanmar National Strategy for the Development of Persons with Disabilities 2016–2025,” Unofficial translation.

<sup>78</sup> “[Equal Rights: Advice Sought For Strategy For Dev’t Of PWDs](#),” *MiTV News*, 29 August 2016.

<sup>79</sup> “Myanmar National Strategy for the Development of Persons with Disabilities 2016–2025,” Unofficial translation; 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.

<sup>80</sup> ICRC PRP, “Annual Report 2014,” Geneva, 2015, p. 58.

**Service accessibility and effectiveness****Victim assistance activities**

<b>Name of organization</b>	<b>Type of organization</b>	<b>Type of activity</b>
<b>Ministry of Health</b>	Government	Prosthetic centers and two orthopedic hospitals
<b>Ministry of Defense</b>	Government	Prosthetics provided through three centers
<b>Ministry of Social Welfare, Relief, and Resettlement</b>	Government	Socio-economic and rehabilitation services; vocational training school for adults with disabilities, including mine/ERW survivors
<b>Shwe Min Tha Foundation</b>	Local NGO	Covered incidental medical care costs, transportation to medical centers, and food distribution
<b>The Back Pack Health Worker Teams (BPHWT)</b>	Local NGO	Mobile emergency medical service in eastern Myanmar
<b>Peace Myanmar Aid Foundation</b>	Local NGO	Mobile prosthetic delivery
<b>Committee for Internally Displaced Karen People</b>	Community-based organization	Prosthetic production at the Kho Kay Prosthetic Clinic, Mutraw, Karen (Kayin) state
<b>Karen Health and Welfare Department (KDHW)</b>	Community-based organization	Provided medical first-aid assistance and amputative surgeries
<b>Karenni Health Workers Organization</b>	Community-based organization	Provided prosthetics in Loikaw, Kayah (Karenni) state
<b>Myanmar Physically Handicapped Association (MPHA)</b>	National DPO	Disability rights advocacy, production of assistive devices; encouraging economic inclusion through employment
<b>Association for Aid and Relief Japan (AAR Japan)</b>	International NGO	Vocational training; community-based rehabilitation; referral system; survivor rights/advocacy

<b>Exceed Worldwide</b>	International NGO	Operating the prosthetic workshop at the National Rehabilitation Hospital (NRH) in Yangon; financially supports Myanmar School of Prosthetics & Orthotics constructing new prosthetic workshop in Mandalay
<b>Leprosy Mission – Myanmar</b>	International NGO	Rehabilitation and prosthetics
<b>DDG/DRC</b>	International NGO	Direct assistance in the form of medical and rehabilitative care and referrals for mine/ERW survivors in Kachin state
<b>HI</b>	International NGO	Community-level data collection, mapping of services and barriers, assessment, referral, psychosocial support, socio-economic inclusion, repairs of mobility devices; coordination of assistance and advocacy on survivors/victims' needs; capacity-building of the Myanmar Physically Handicapped Association (MPHA), developing Victim Assistance Centers
<b>World Education</b>	International organization	Physical rehabilitation; economic inclusion; access to medical and vocational funds; coordination of assistance and advocacy on survivors/victims' needs
<b>ICRC/Myanmar Red Cross Society</b>	International/national organization	Support to Hpa-an Orthopedic Rehabilitation Centre; prosthetic outreach for remote areas
<b>UN High Commissioner for Refugees (UNHCR)</b>	UN	Discretionary funds for financial assistance to cover medical costs of war victims/landmine survivors and rehabilitation, including transport; economic



		inclusion through livelihood program
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### ***Emergency and continuing medical care***

Health in Myanmar has been effected by decades of ethnic conflict, centralized decision making, and the exodus of qualified health professionals, including qualified physicians, nurses, and community health workers. The availability of medicines, medical equipment, and hospital/clinic beds are inadequate. Hospital facilities are dilapidated and require renovation. The reliability of electricity in health facilities is an ongoing challenge. Those people living in areas of armed conflict and other remote areas often cannot access to healthcare “within a few days’ walk.” Most health workers employed by ethnic and community-based health organizations attend initial training and periodic professional development seminars, with additional clinical supervision at the Mae Tao Clinic or other ethnic health clinics. Medics working in areas with landmines receive more intensive training in trauma management.<sup>81</sup>

There were parallel health systems in Myanmar, particularly in conflict-affected areas: centralized state services and local ethnic and community-based health providers. Health Convergence Core Group (HCCG) continued to work to improve health systems. It 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.<sup>82</sup>

In March 2016, more than 90 delegates from ethnic health organizations, community health organizations near the Thai-Burma border, medical professionals, academics, lawyers and other organizations attended a seminar on Health Reform, Towards a Devolved Health System in Burma. The Seminar developed a set of health policy and health system recommendations for the new government of Myanmar and ethnic health organizations. The attendees also discussed humanitarian work related to the peace processes between the government and ethnic armed groups.<sup>83</sup>

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<sup>81</sup> BPHWT, “[Provision of Primary Healthcare among Internally Displaced Persons and Vulnerable Populations of Burma](#),” January 2016; and “[Burma’s Healthcare System in Critical Condition](#),” *Karen News*, 28 June 2013.

<sup>82</sup> Health Convergence Core Group, “[Community health: We care for our own](#),” *Myanmar Times*, 29 March 2016; Bill Davis and Kim Jolliffe, “[Achieving Health Equity in Contested Areas of Southeast Myanmar](#),” The Asia Foundation and Myanmar Development Research Institute – Centre for Economic and Social Development, Policy Dialogue Brief Series No. 12, June 2016; HISGW, “[About Us: Health Convergence Core Group](#),” undated; Burma Health Association, “The 5th Health Convergence Core Group Meeting,” 21 August 2014; Bill Davies, Tara Russell, and Saw Win Kyaw, “Ceasefires and health: challenges and opportunities for health equity in eastern Burma/Myanmar,” 25 July 2015; and presentation of a paper at the International Conference on Burma/Myanmar Studies Burma/Myanmar in Transition: Connectivity, Changes, and Challenges, Chiang Mai, 24–26 July 2015.

<sup>83</sup> HCCG “[Statement of Burma Health System Reform Seminar](#),” *Burma Partnership*, 30 March 2016.

***Physical rehabilitation, including prosthetics***

As most rehabilitation centers are located in major cities and travel costs are high, persons with disabilities, especially those living in rural areas, often face tremendous difficulties in order to access services.<sup>84</sup>

In 2015, 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 Mandalay and Yenanthar, enabling people living in remote areas to have access to services. The ICRC covered transportation and treatment costs for the most vulnerable patients. In 2015, 44% (351 of 802) of prostheses delivered in ICRC-supported workshops were for mine/ERW survivors; this was decrease in real and percentage terms from previous years (49%, or 502 of 1,027 in 2014). The ICRC mobile repair program outreach service increased the viability of prosthetics with over 1,300 repairs in 2015. The ICRC also trained and equipped an increasing number of volunteer village prosthetic repair-makers.<sup>85</sup>

The Ministry of Health approved the construction of two new physical rehabilitation centers proposed by the ICRC, one for Myitkyina (Kachin state) in 2015 and another for Kyaing (Tong Eastern Shan state) in 2016. The centers were needed to address the high demand for services in those conflict-affected regions.<sup>86</sup>

DanChurchAid (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.<sup>87</sup> The leprosy mission also provided rehabilitation services.<sup>88</sup>

Exceed Worldwide (Formerly Cambodia Trust), in cooperation with the Ministry of Health, operated the prosthetic and orthotics clinic at the National Rehabilitation Hospital in Yangon. Exceed Worldwide also financially supported the Myanmar School of Prosthetics and Orthotics at the University of Medical Technology in Yangon. The first student intake occurred in January 2015. Exceed Worldwide is constructing a new prosthetic clinic at the Mandalay Orthopaedic Hospital, which was scheduled to open in late 2016.<sup>89</sup> No data was available on how many of the prosthesis delivered by the National Rehabilitation Hospital were for mine/ERW survivors.

The MPHA produced prosthetics at a small workshop in its office in Yangon.<sup>90</sup>

<sup>84</sup> ICRC PRP, "Annual Report 2013," Geneva, 2014, p. 52.

<sup>85</sup> The ICRC's mobile repair workshop provided repairs in four townships in Kayin state, three townships in Kayah state, 11 townships in Eastern Bago region, seven townships in Tanintharyi region, and five townships in Mon state. Village volunteer repairmen provided repairs in four townships in Tanintharyi and Eastern Bago regions in 2015. Email from Didier Reck, Physical Rehabilitation Programme Manager, 7 June 2016; and ICRC, "[Annual Report 2015](#)," Geneva, 2016, p. 346; and ICRC, "Annual Report 2014," Geneva, 2015, p. 293.

<sup>86</sup> ICRC PRP, "Annual Report 2014," Geneva, 2015, p. 58.

<sup>87</sup> 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.

<sup>88</sup> Thi Ri Han, "[Suddenly, there was an explosion](#)," *Frontier Myanmar*, 10 August 2016.

<sup>89</sup> Exceed Worldwide, "[The Myanmar School of prosthetics And Orthotics: MSPPO](#)," undated; and Exceed Worldwide, "[Annual Report 2014-2015](#)," undated, pp. 16–17.

<sup>90</sup> MPHA, "[MPHA Activities](#)," 2015.

HI and the MPHA jointly created a Victim Assistance Disability Program in the Kyaukkyi township of Bago region. The program established a local Victim Assistance Center, which provided the following activities:

- Information to mine survivors and other persons with disabilities on their rights as promoted by the CRPD and Myanmar's law on the Rights of Persons with Disabilities;
- Organization of social gatherings to promote the social participation of survivors and other persons with disabilities;
- Created a service directory to assist in this;
- Provided home based peer-to-peer psychosocial support through nine trained volunteers;
- Community-based repair of assistive devices, orthosis, and prosthesis through four ICRC- trained volunteers.

The program was evaluated in mid-2016. A new Victim Assistance Center was launched in December 2015 in Kawkareik, Kayin state. The Kawkareik project targets 1,500 persons with disabilities, including landmines/ERW survivors still to be identified.<sup>91</sup>

HI organized several workshops with the Victim Assistance Center team and MPHA management staff on planning overall strategy and project activities. A refresher training on community mobilization for the Victim Assistance Center management team, held in September 2015, focused on implementing activities in villages with respect and a monitoring and reporting system.<sup>92</sup>

World Education supported a prosthetics workshop providing mine/ERW survivors in Kayin state. In 2015, it also launched the Victim Assistance and Disability Program. Support for mine survivors and persons with disabilities and their family members includes:

- capacity for local organizations assisting people with disabilities and landmine survivors, and advocacy among service providers for increased inclusion;
- access to medical and vocational support funds economic inclusion, networking, and coordination with disability actors, including the Department of Social Welfare community-based organizations, DPOs, and other service providers.<sup>93</sup>

Peace Myanmar Aid Foundation ran a mobile prosthetics workshop in eastern Bago region.<sup>94</sup>

### *Psychosocial support*

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<sup>91</sup> HI, "Victim Assistance in Disability Program in Kyaukkyi Township of Eastern Bago Region, Lessons Learnt Paper," April 2016; and interview with Yann Faivre, Handicap International Federation, Yangon, 9 June 2016; and response to Monitor questionnaire by Marie Mabrut, HI - Myanmar, 13 October 2016.

<sup>92</sup> Response to Monitor questionnaire by Marie Mabrut, HI - Myanmar, 13 October 2016.

<sup>93</sup> World Education, "[Victim Assistance and Disability Program in Kayah State](#)," undated.

<sup>94</sup> James Nickerson, "[The tragedy of landmine warfare in Myanmar](#)," *Al Jazeera*, 30 October 2016; and email from Col. Thant Zin, Director, Peace Myanmar Aid Foundation, 25 September 2014.

In March 2015, a psychosocial program combined with a community-based prosthetics service was launched by HI, MPHA, and the ICRC for survivors. This joint activity created the first Victim Assistance Centre in Myanmar, in Kyaukkyi township, eastern Bago region. This provided 203 peer support sessions to 83 mine survivors and other persons with disabilities.<sup>95</sup>

### *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. During 2015, World Education provided livelihood training and small business start-up kits to landmine survivors and other persons with disabilities in Kayin state.<sup>96</sup>

AAR Japan Vocational Training Center for Persons with Disabilities provides training in tailoring, hairstyling, and computers free-of-charge in Yangon. The center supports graduates to achieve economic independence, gain employment, open their own shops, or become teachers at the center.<sup>97</sup>

Students with disabilities have few educational opportunities and therefore have poor prospects in Myanmar. Awareness raising and accessibility, as well as increased participation and teacher capacity, are needed.<sup>98</sup>

### *Laws and policies*

Until recently, there were 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. There were few official resources to assist persons with disabilities. Persons with disabilities reported societal stigma and discrimination, as well as abuse from civilian and government officials.<sup>99</sup>

The National Assembly passed the Law on the Rights of Persons with Disabilities on 5 June 2015. The process of drafting by-laws for the Law on the Rights of Persons with Disabilities also started on that date.<sup>100</sup> In October 2015, the first meeting for the creation of by-laws took place, with the participation of the Myanmar Council of Persons with Disabilities, ensuring that persons with disabilities participate in the process, in accordance with the CRPD.<sup>101</sup>

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

<sup>95</sup> Email from Yann Faivre, HI, 29 October 2015.

<sup>96</sup> Email from Khim Mar Aung, Director, World Education, 12 June 2016; and World Education, "[Victim Assistance and Disability Program in Kayah State](#)," undated.

<sup>97</sup> AAR Japan, "[Activities in Myanmar \(Burma\)](#)," undated.

<sup>98</sup> Myanmar Education Consortium, "[Inclusive education](#)," undated.

<sup>99</sup> United States (US) Department of State, "[2014 Country Reports on Human Rights Practices: Burma](#)," Washington, DC, 25 June 2015.

<sup>100</sup> The Law on the Rights of Persons with Disabilities 2015, Pyidaungsu Hluttaw (National Assembly) Law N.30, 4th Waning Day of Nayon 1377 ME, 5 June 2015.

<sup>101</sup> Email from Yann Faivre, HI, 29 October 2015.

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 that became disabled. In March 2013, the government enacted a law designed to assist the families of deceased and injured military personnel.<sup>102</sup> Myanmar adopted and launched a National Social Protection Strategic Plan in December 2014. Beginning in 2016, the program will provide a disability allowance to all persons certified with a disability. The disability allowance will be 16,000 kyat (US\$13) per child per month, and 30,000 kyat (US\$25) per month per adult until the age of 64. The program will be implemented nationwide by the Ministry of Social Welfare, Relief, and Resettlement.<sup>103</sup>

Myanmar acceded to the CRPD on 7 December 2011. The convention entered into force for the country on 6 January 2012. The MPHA received a second year of funding to build the capacity of DPOs to monitor and report on CRPD implementation in Myanmar as well as to prepare an alternative (shadow) report for submitting to the CRPD Committee.<sup>104</sup>

#### *Victim assistance for Myanmar citizens in Thailand*

Landmine survivors from Myanmar may cross the border to Thailand to receive medical care and rehabilitation at Mae Tao Clinic in Mae Sot, or through ICRC referrals to Thai hospitals in public district hospitals in the Thai-Myanmar border provinces.<sup>105</sup>

## **Mine Action**

*Contaminated by:* mines, primarily antipersonnel mines (heavy, but extent unknown), and explosive remnants of war (ERW).

#### *Recommendation for action*

- Myanmar should activate a mine action center to provide an official focal point for mine action, take the lead in gathering data on contamination and victims, and coordinate with stakeholders in developing a response.

## **Contamination**

Myanmar is heavily mine-affected as a result of conflicts between the Tatmadaw (Myanmar's army) and numerous non-state armed groups (NSAGs) affiliated with ethnic minorities, which started after independence in 1948. Mined areas are located in areas of Myanmar adjacent to borders with Bangladesh, China, and Thailand, but are a particular threat in northern and eastern parts of the country.

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<sup>102</sup> US Department of State, "[2015 Country Reports on Human Rights Practices: Burma](#)," Washington, DC, 13 April 2016.

<sup>103</sup> Government of the Republic of the Union of Myanmar, "[Myanmar National Social Protection Strategic Plan](#)," December 2014, p. 53. The allowance will not be available until the rights of the persons with disabilities law is enacted and a certification process is established by the government.

<sup>104</sup> Disability Rights Fund, "[Myanmar: Archives](#)" undated; and Disability Rights Fund, "[Our Grantees: Myanmar Physically Handicapped Association](#)," 2016.

<sup>105</sup> For more information, see ICBL-CMC Country Profiles on Thailand.

Some 60 townships (of a total of 325) in 10 states and regions are believed to suffer from some degree of mine contamination, primarily from antipersonnel mines.<sup>106</sup> Karen (Kayin) state and Pegu (Bago) division are among those with the heaviest mine contamination and the highest number of recorded victims. Townships on the Indian border of Chin state and in the Sagaing region also reportedly have suspected hazardous areas (SHAs).<sup>107</sup>

No estimate exists of the extent of contamination but SHAs have been reported in the following states and townships:

- Kayah state: all seven townships.
- Kayin state: all seven townships.
- Kachin state: Chipwi, Hpakant, Mansi, Mogaung, Mohnyin, Momauk, Myitkyina, Sinbo, 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, Hsenwi, Hsihseng, Konkyan, Kyaukme, Langkho, Loilen, Mawkmai, Monghsu, Mongpan, Mongton, Monghpyak, Namhsan, Tachileik, Namtu, Nanhkan, Yaksawk, and Ywangan.
- Tanintharyi region: Bokpyin, Dawei, Tanintharyi, Thayetchaung, and Yebyu.
- Chin state: Paletwa.
- Sagaing region: Indaw.

An ERW victim survey conducted for Danish Demining Group (DDG) in two states in 2015 concluded that most casualties in Kayah state had occurred many years ago and that the number of casualties in recent years was low. Researchers were informed of four accidents in 2014 and two in 2015. In Kachin state, where conflict resumed in 2011, the study found most accidents (90%) had taken place in the last four years with 60% occurring in the last two years, particularly in 2014. It found the heaviest concentration of incidents in Mansi and Momauk townships. Most of the mines found in those areas were handmade and activated by tripwires.<sup>108</sup>

A situation analysis for humanitarian response in Myanmar released in September 2016 noted that, “Landmine contamination is a significant barrier to refugee return. It also continues to pose barriers to livelihoods, economic development, land ownership, and access

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<sup>106</sup> Myanmar is divided into states and regions. States are the “home area” of ethnic groups. Other areas, which are not identified with a specific ethnic group, are administrative regions. 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.

<sup>107</sup> Research conducted by Landmine 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 September 2015 and data from other informants from January 2008 through September 2015.

<sup>108</sup> Pascal Simon, “Landmine and Explosive Remnants of War Victims Survey in Kachin State and Kayah State, Myanmar,” Danish Refugee Council/Danish Demining Group, 6 March 2015, pp. 7, 14, & 18.

to health and education services, all of which have gendered dimensions and implications.”<sup>109</sup>

### **Explosive remnants of war**

Myanmar is also affected by ERW, including mortars, grenades, artillery, and ordnance dating back to World War II, but the location or extent of contamination is not known.<sup>110</sup> New ERW contamination has been reported related to armed conflict in late 2015 and early 2016 in Kachin state.<sup>111</sup>

### **Program Management**

The government agreed to set up a Myanmar Mine Action Center (MMAC) under the Myanmar Peace Center (MPC) in 2013, but the center was never fully staffed and the government said concluding a National Ceasefire Agreement with non-state actors was a precondition for proceeding to survey and clearance.<sup>112</sup>

The MPC was dissolved at the end of March 2016 and replaced by a National Reconciliation and Peace Center (NRPC), which reports to the state counsellor who said negotiations over the National Ceasefire Agreement would be her administration’s priority. The new NRPC has not stated when the MMAC would begin operations. At its first meeting, several participants emphasized the threat of mines and the need for mine clearance.<sup>113</sup> UN Secretary General Ban Ki Moon also discussed the issue of mine clearance when he met with the head of the military, Senior General Min Aung Hlaing, in August 2016.<sup>114</sup> A national youth conference held in the capital Naypyitaw in May 2016 called for the army and ethnic armed groups to remove landmines.<sup>115</sup> Several civil society groups also called for mine clearance during the year (*see Mine Ban Policy profile*).

### **Strategic planning and standards**

A technical working group comprising MPC officials and international humanitarian operators completed work on a draft national mine action strategy in 2013. As of October

<sup>109</sup> [“Situation Analysis of Southeastern Myanmar,”](#) Myanmar Information Management Unit (MIMU), Peace Support Fund, September 2016. MIMU is a service to the UN Country Team and Humanitarian Country Team, under the management of the UN Resident and Humanitarian Coordinator.

<sup>110</sup> See, for example, N. 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 M. Thar Lay, [“Mandalay workers uncover WWII bomb,”](#) *Myanmar Times*, Vol. 23, No. 455, 26 January–1 February 2009.

<sup>111</sup> See, for example, unexploded aerial bomb allegedly from armed conflict in Kachin State in Waingmaw Township in October 2016. [“UPDATE REPORT: Gidon Post Bombarded by Burma Airforce,”](#) Free Burma Rangers, 7 October 2016.

<sup>112</sup> Roger Fasth and Pascal Simon, “Mine Action in Myanmar,” *Journal of Mine Action*, Issue 19.2, July 2015.

<sup>113</sup> See, for example: At the Union Peace Conference 21st Century Panglong, Daw Wint Wah Tun of the National League for Democracy said of her Shardaw township, Kayah state, “local people do not feel secure as landmine fields pose a threat to their way of life.” [“Union Peace Conference—21st Century Panglong continues,”](#) *Global New Light of Myanmar*, 2 September 2016.

<sup>114</sup> [“C-in-C Senior-General Min Aung Hlaing holds talks with UN Chief, diplomat,”](#) *Global New Light of Myanmar*, 1 September 2016.

<sup>115</sup> “Youth Empowerment: Myanmar’s young people want an active role in the running of their country,” *Mizzima Weekly*, 9 June 2016, p. 22.

2016, the strategy and standards had not received government approval and their status is unknown.<sup>116</sup>

## Operators

International demining organizations, including APOPO, DanChurchAid (DCA), DDG, the Swiss Foundation for Mine Action (FSD), HALO Trust, Mines Advisory Group (MAG), Handicap International (HI), and Norwegian People's Aid (NPA), have offices in Yangon. However, operators have not received authorization to conduct marking or clearance from either the government or non-state actors.<sup>117</sup>

## Land Release

NPA conducted non-technical survey (NTS) at the Karen National Union (KNU)'s request in four villages in April 2015, following on from three surveys undertaken in Kayin and Mon state in early 2014 that did not identify any mined area. The 2015 surveys, one in Kyaukkyi township, Bago region, and three in Thandaunggi township, Kayin state, did not identify any mined areas, though it recorded 24 mine accidents during the previous two years.<sup>118</sup>

After conducting risk education, MAG supported community mapping in Bago region, which it said produced significant amounts of information enabling it to identify probable areas of contamination and prioritize areas for NTS.<sup>119</sup>

No mine clearance by government-accredited humanitarian demining organizations has occurred in Myanmar.

Sporadic and unregulated mine removal has been reported in recent years by the Tatmadaw, villagers, and ethnic minority organizations.

## Progress in 2016

The military has stated that it is undertaking mine clearance in Kayin state. In September 2016, Deputy Minister of Defence Maj-Gen Myint Nwe stated in the Myanmar parliament that "At the moment, the Tatmadaw is working together with local people to conduct humanitarian landmine clearance activities in the confluence of Thumwehta, Hpapun, Khaw Pote, Nat Taung and Dar Gwin in Kayin state."<sup>120</sup> Clearance of the road from Hpa-an to

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<sup>116</sup> "[Situation Analysis of Southeastern Myanmar](#)," Myanmar Information Management Unit, Peace Support Fund, September 2016.

<sup>117</sup> Email from Aksel Steen-Nilsen, NPA, Yangon, 23 September 2014.

<sup>118</sup> Interview with Aksel Steen-Nilsen, NPA, Yangon, 3 April 2015; and email, 25 May 2015; and email from Melissa Andersson, NPA, 2016.

<sup>119</sup> Email from Greg Crowther, Regional Director South and South East Asia, MAG; and Kelly Tsanova, Country Director, Myanmar, MAG, 6 October 2016.

<sup>120</sup> Responding to a parliamentary question, Deputy Minister of Defense Maj-Gen Myint New stated on 25 August 2016 that mine clearance was underway in some parts of Kayin state. "[Amyotha Hluttaw passes maritime territory and sea boundaries law](#)," *Global New Light of Myanmar*, 26 August 2016. See also, Htoo Thant, "[Tatmadaw insists landmine use kept within reasonable minimum](#)," *Myanmar Times*, 13 September 2016.



Hpapun in Kayin state for use by the military reportedly occurred by military personnel trained in China.<sup>121</sup>

In July 2016, MAG began a NTS pilot in Kayah state.<sup>122</sup>

### **Risk education**

The Department of Social Work has regularly convened a technical working group that focuses on risk education and victim assistance.<sup>123</sup> It is coordinated by UNICEF. Approximately 30 ministries, UN agencies, and NGOs attend the quarterly meetings.

In 2015, UNICEF developed a two-year national risk education strategy based on findings from a Knowledge, Attitude, and Practice (KAP) survey conducted by DCA in February 2013, with technical advice from UNICEF. The survey was conducted in 30 randomly selected villages in Kayah, Kayin, and Mon states, and the Bago and Thanintharyi regions. According to preliminary findings provided in June 2014, the survey found that 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.<sup>124</sup>

As of September 2016, at least six organizations implemented risk education projects, primarily in Kachin, Kayah, Kayin, and Shan states, and eastern Bago region, and to a lesser extent in Mon state, and Ayeyarwady, Tanintharyi, and Yangon regions. The six organizations were Association for Aid and Relief (AAR), Catholic Relief Services, DCA, MAG, HALO, and the UN High Commissioner for Refugees (UNHCR). Many other organizations were listed as implementing partners.<sup>125</sup> ICRC-trained National Society also conducted risk education.<sup>126</sup>

Almost all operators combined risk education with victim assistance and other services.<sup>127</sup> There is no accreditation process for risk education.<sup>128</sup> During risk education activities, local community members sometimes report hazardous items that need to be cleared. However, as there are no clearance operators in Myanmar, this need cannot be met.<sup>129</sup>

<sup>121</sup> Landmine Monitor interview with former military officer, 12 October 2016, Yangon. The precise date of the clearance is uncertain.

<sup>122</sup> Email from Josephine Dresner, Project Manager, MAG Myanmar, 22 August 2016.

<sup>123</sup> Email from Melissa Andersson, NPA, Yangon, 17 August 2016.

<sup>124</sup> “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.

<sup>125</sup> “[3W Countrywide Mine Action Organizations](#),” UN Myanmar Information Management Unit (MIMU), September 2016. The six organizations were AAR, Catholic Relief Services, DCA, MAG, HALO, and UNHCR. Many other organizations were listed as implementing partners.

<sup>126</sup> ICRC, “[Annual Report 2015](#),” p. 344.

<sup>127</sup> Responses to a Monitor 2015 Risk Education Questionnaire by Roger Fasth, Operations Manager, DRC/DDG, 14 August 2015; by Nay Myo Linn, Project Officer, CRS, 16 August 2015; by Kelly Tsanova, Project Manager, MAG, 22 August 2015; and by Bjarne Ussing, Country Director, DCA, 12 October 2015.

<sup>128</sup> Accreditation standards exist within the Myanmar Mine Action Standards, but have not been approved by the authorities. UNICEF has developed a standardized set of risk education messages.

<sup>129</sup> Some risk education providers noted when responding to the 2015 Monitor Risk Education Questionnaire that they received clearance requests from some communities while delivering risk education.

DCA has the largest risk education program covering 55 townships in Kachin, Kayah, Kayin, Mon, and Shan states and Ayeyarwady, Eastern Bago, Sagaing, Tanintharyi, and Yangon regions.

HALO implemented risk education in nine townships in Shan state and three townships in Kayah state. Catholic Relief Services implemented risk education in four townships in Kachin state and three townships in Kayin state.<sup>130</sup>

MAG has conducted risk education in all seven townships in Kayah, and began initial data collection and mapping of contaminated areas as part of this process. From a sample of 87 communities surveyed by MAG during 2015–2016, 75% presented evidence of contamination in the community itself or in areas regularly used for livelihood activities such as agriculture, hunting, or traveling to adjacent villages. Based on 2015 census data, this sample represents just under 15% of communities in Kayah state. In August 2015, MAG began risk education in Kyaukkyi township in East Bago region.<sup>131</sup>

UNHCR implemented risk education in three townships in Kayah state.

AAR implemented risk education in one township in Kayin state.<sup>132</sup>

ICRC-trained National Society volunteers conducted sessions for 700 people living in areas affected by mines/ERW of Kachin state on methods of self-protection. In 2016, ICRC held discussions with the army on ways to address weapon contamination through support for humanitarian demining.<sup>133</sup>

In September 2016, Deputy Minister of Defense Maj Gen Myint Nwe stated that the Tatmadaw is working to educate people about the danger of landmines.<sup>134</sup>

In 2015, seven donors contributed US\$7.8 million to the Republic of the Union of Myanmar for mine action, a 36% increase from 2014.<sup>135</sup>

Switzerland and the United States (US) provided the largest contributions, with a combined total of \$4.8 million, representing more than 60% of all support.

All international contributions in 2015 went to risk education or victim assistance activities through the ICRC and other NGOs.

**International contributions: 2015<sup>136</sup>**

Donor	Sector	Amount	Amount
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<sup>130</sup> “[3W Countrywide Mine Action Organizations](#),” UN MIMU, September 2016.

<sup>131</sup> Email from Josephine Dresner, MAG Myanmar, 22 August 2016.

<sup>132</sup> “[3W Countrywide Mine Action Organizations](#),” UN MIMU, September 2016.

<sup>133</sup> ICRC, “[Annual Report 2015](#),” p. 344.

<sup>134</sup> Htoo Thant, “[Tatmadaw insists landmine use kept within reasonable minimum](#),” *Myanmar Times*, 13 September 2016.

<sup>135</sup> Germany, Mine Ban Treaty Article 7 Report, Form J, 4 April 2016; Ireland, Convention on Conventional Weapons Amended Protocol II Annual Report, Form E and Annex 1, 31 March 2016; Switzerland, Convention on Cluster Munitions Article 7 Report, Form I, 28 April 2016; response to Monitor questionnaire by Niels Peter Berg, Head of Section, Denmark Ministry of Foreign Affairs, 2 June 2016; and emails from Frank Meeussen, Disarmament, Non-Proliferation and Arms Export Control, European External Action Service, 30 September 2016; from Ingrid Schoyen, Senior Adviser, Section for Humanitarian Affairs, Norwegian Ministry of Foreign Affairs, 24 May 2016; and from Katherine Baker, Foreign Affairs Officer, Weapons Removal and Abatement, US Department of State, 12 September 2016.

		(national currency)	(\$)
<b>Switzerland</b>	Risk education and victim assistance	CHF2,697,312	2,801,529
<b>US</b>	Risk education and victim assistance	US\$2,350,000	2,000,000
<b>European Union</b>	Risk education and victim assistance	€1,400,000	1,553,440
<b>Germany</b>	Victim assistance	€858,139	952,192
<b>Denmark</b>	Risk education	DKK1,500,000	223,005
<b>Norway</b>	Risk education	NOK1,500,000	185,917
<b>Ireland</b>	Risk education	€70,000	77,672
<b>Total</b>			<b>7,793,755</b>

Since 2011, international assistance to Myanmar has considerably increased, jumping from less than \$700,000 in 2011 to \$7.8 million in 2015.

### Summary of international contributions: 2011–2015<sup>137</sup>

Year	International contributions (\$)
<b>2015</b>	7,793,755
<b>2014</b>	5,723,910
<b>2013</b>	7,892,326
<b>2012</b>	8,503,756
<b>2011</b>	674,368
<b>Total</b>	<b>30,588,115</b>

## Cluster Munition Ban Policy

*Summary:* Non-signatory Myanmar acknowledges the humanitarian impact of cluster munitions, but said in October 2015 that it cannot consider accession until a nation-wide peace agreement is concluded. Myanmar abstained from voting on a UN resolution on the convention in December 2015. It last participated in a meeting of the convention in 2013.

Myanmar states that it has never used and does not produce or transfer cluster munitions. It allegedly used a weapon similar in design to a modern cluster munition in Kachin state in 2012–2013.

### Policy

The Republic of the Union of Myanmar has not acceded to the Convention on Cluster Munitions.<sup>138</sup>

<sup>136</sup> Average exchange rate for 2015: DKK6.7263=US\$1; €1=US\$1.1096; NOK8.0681=US\$1; CHF0.9628=US\$1. US Federal Reserve, “[List of Exchange Rates \(Annual\)](#),” 4 January 2016.

<sup>137</sup> See previous Monitor reports.

<sup>138</sup> 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.

Myanmar expressed concern at the humanitarian impact of cluster munitions in the past, but has not articulated its position on accession.<sup>139</sup> However in October 2015, a representative of Myanmar affirmed that its armed forces have never used cluster munitions and informed the UN General Assembly (UNGA) First Committee on Disarmament and International Security:

My country's ratification of the [Convention on Cluster Munitions] would possibly be considered taking into consideration the political, economic and social circumstances in the aftermath of a nation-wide peace agreement.<sup>140</sup>

On 7 December 2015, Myanmar abstained from the vote on a UNGA resolution on the Convention on Cluster Munitions, which urges states outside the convention to "join as soon as possible."<sup>141</sup> Myanmar did not explain why it abstained on the non-binding resolution, which 139 states voted in favor of, including many non-signatories.

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

Myanmar participated as an observer in the convention's annual Meetings of States Parties in 2010 and 2012, as well as intersessional meetings in Geneva in 2013. It was invited to, but did not attend the convention's First Review Conference in Dubrovnik, Croatia in September 2015.

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

### **Cluster Munition Use, production, transfer, and stockpiling**

In November 2009, Myanmar informed a regional meeting that, "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."<sup>142</sup> It criticized cluster munitions as "weapons with indiscriminate area effect...which can cause humanitarian consequences."<sup>143</sup>

In October 2015, Myanmar informed states that it follows the basic principles of the law of armed conflict and stated, "Our Armed Forces exercises restraint in its military operations. Cluster Munitions were never used in these operations."<sup>144</sup>

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<sup>139</sup> [Statement of Myanmar](#), UN General Assembly (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.

<sup>140</sup> [Statement of Myanmar](#), UNGA First Committee on Disarmament and International Security, New York, 15 October 2015.

<sup>141</sup> "[Implementation of the Convention on Cluster Munitions](#)," UNGA Resolution 70/54, 7 December 2015.

<sup>142</sup> Statement by Ye Minn Thein, Ministry of Foreign Affairs, Regional Conference on the Promotion and Universalization of the Convention on Cluster Munitions, Bali, 16 November 2009.

<sup>143</sup> Ibid.

<sup>144</sup> [Statement of Myanmar](#), UNGA First Committee on Disarmament and International Security, New York, 15 October 2015.

*Previous allegation of use*

Myanmar acquired a “cluster adapter” that it reportedly used in late 2012 and early 2013 during the conflict between government forces and the Kachin Independence Army (KIA) in Kachin state in the north of the country.<sup>145</sup> The weapon is similar in design to a modern cluster munition.

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 Laiza in southern Kachin state.<sup>146</sup> 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 8 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.”<sup>147</sup>

Human Rights Watch (HRW) received a separate set of photos that showed what appear to be the same remnants being carried in a vehicle at a location not known to be the scene of the attack.<sup>148</sup> HRW confirmed airstrikes and shelling on Laiza by Myanmar forces in December 2012 and January 2013.<sup>149</sup> The government of Myanmar later admitted to shelling and bombing Laiza.<sup>150</sup>

The “cluster adapter” and 20-pound fragmentation bombs shown in the photographs appear to meet the definition of a cluster munition in the Convention on Cluster Munitions.<sup>151</sup>

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<sup>145</sup> There is evidence that Myanmar government forces mounted six fragmentation bombs to the adaptor, which then separated from the rack when dropped from the air.

<sup>146</sup> “[Burma army uses cluster bombs to take key KIO position near Laiza](#),” *Kachin News Group*, 26 January 2013.

<sup>147</sup> The photographs were contained in an email sent to the CMC by Hkun Htoi, Deputy Secretary, Kachin National Council, 19 April 2013.

<sup>148</sup> Email from Bertil Linter, 25 March 2013.

<sup>149</sup> HRW also documented the attacks on Laiza on 14 January 2013, which killed three civilians. See HRW, “[Burma: Halt Indiscriminate Attacks in Kachin State](#),” 17 January 2013.

<sup>150</sup> 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.

<sup>151</sup> The photographs show a metal tubular 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 ordnance officer confirmed that the markings on the weapons were those used by Myanmar’s armed forces.

Myanmar possesses 122mm Type-81 and Type-90B and 240mm surface-to-surface rocket launchers, but it is not known if the ammunition for these weapons includes versions with submunition payloads.<sup>152</sup>

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<sup>152</sup> “[Myanmar Defense Weapons](#),” 20 March 2014. English translation from Hla Oo’s Blog “[Burma Army’s MRLS or Multi Rocket Launcher Systems](#),” 23 March 2014.