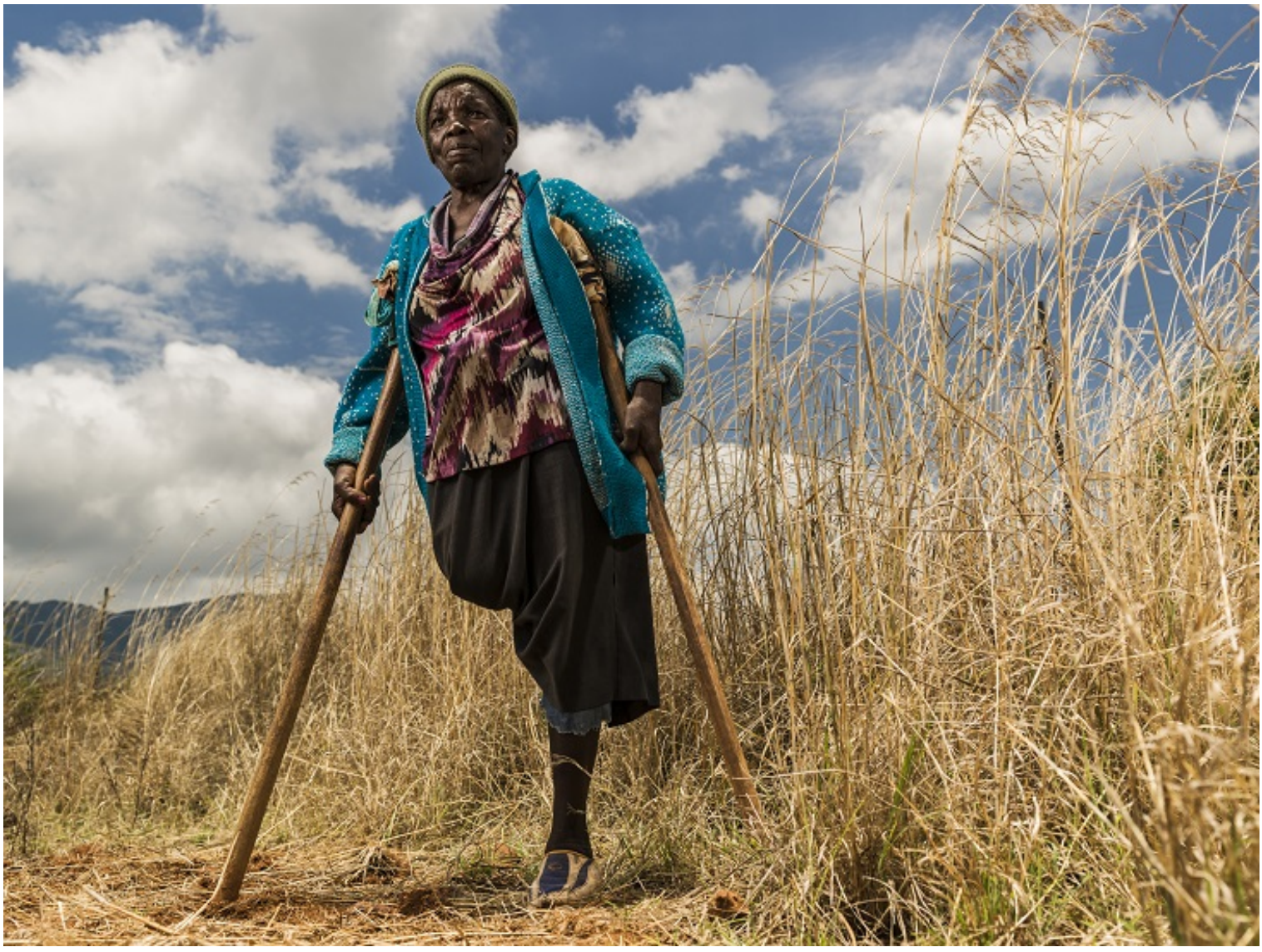
HUMANITARIAN
LAW & POLICY

From the Middle East to West Africa: responding to the humanitarian impacts of improvised anti-personnel mines

February 8, 2024, Analysis / Armed Groups / Landmines and the Law / Weapons

13 mins read

Josephine Dresner
Director, Policy and Partnerships, Mines Advisory Group



Though remarkable progress has been made towards the eradication of anti-personnel landmines (APM) since the adoption of the Anti-Personnel Mine Ban Convention (APMBC) in 1997, casualties from APM are, alarmingly, on the rise, including due to the increased use of improvised APM, mostly associated with non-state actors. Whereas efforts to counter the threat of improvised explosive devices (IEDs) tend to centre on military and security approaches, improvised APM are a type of IED whose devastating humanitarian impacts can and must be addressed through humanitarian mine action and within the framework of the APMBC.

In this post, Josephine Dresner, Director of Policy and Strategic Partnerships with the humanitarian mine action organisation Mine Advisory Group (MAG), points to the challenges facing states contaminated with improvised landmines in the Sahel and West Africa. Drawing on lessons learned from MAG's work in the Middle East since 2016, she presents elements of a humanitarian mine action response to addressing improvised mines and explains how the APMBC can be used to support affected states in their efforts to fulfil their obligations under the Convention.

ICRC Humanitarian Law & Policy Blog · Responding to the humanitarian impacts of improvised anti-personnel mines

As we approach the *Fifth Review Conference of the Anti-Personnel Mine Ban Convention* (APMBC), to be held in Cambodia in November 2024, the deadly threat posed by improvised mines is one of the most pressing humanitarian challenges facing affected states and communities, particularly in the Sahel and West Africa region. Humanitarian mine action operators have an important role to play in addressing this concern, and the APMBC provides a framework for mobilizing support.

Improvised landmines are frequently referred to as improvised explosive devices (IEDs) – a broad category that encompasses a wide array of devices *placed or fabricated in an improvised manner and incorporating explosive material*. Referring to improvised devices that are "designed to be placed under, on or near the ground or other surface area and to be exploded by the presence, proximity or contact of a person" simply as "IEDs", however, obscures that these devices are APM falling *within the scope of the APMBC*.

This definitional position, *set out by the ICRC among others*, is accepted by States Parties to the Convention: With a view to protecting people and putting an end to the suffering and casualties caused by APM through the faithful implementation of the Convention, they have expressed the commitment that States Parties affected by APM of an improvised nature must "ensure that they apply all provisions and obligations under the Convention to such contamination as they do for all other types of anti-personnel mines, including during survey and clearance in fulfilment of Article 5 and disaggregate by types of mines when reporting in fulfilment of Article 7 obligations." (*Action 21, Oslo Action Plan*, 2019).

The practical implementation of this commitment is, however, challenging: owing to their improvised nature, it is typically difficult to differentiate improvised APM from other improvised mines.

Challenges of improvised landmine contamination: lessons from the Middle East

What it means to address improvised APM within the framework of the APMBC and from the perspective of humanitarian mine action is a question *explored by MAG already during our humanitarian response in the Middle East* in 2016. Since then, MAG has continued to take up the threat from improvised APM – alongside conventional contamination – in Iraq and northeast Syria as well as in Lebanon, *which was declared free of IEDs in September last year*.

Transfer of technology and tactics among non-state actors has led to growing use of IEDs in other regions, with notable impact in the Sahel and West Africa. Today, MAG is working with the Economic Community of West African States (ECOWAS), its Member States, and neighbouring countries, to provide support to the humanitarian assessment of and response to this humanitarian concern, including with the aim of *encouraging reporting under the APMBC*, both to promote compliance with the Convention and its use as a *framework for international cooperation and assistance*.

There are lessons to be learned from the Middle East and other contexts dealing with IEDs on using the APMBC as a humanitarian disarmament framework. It is also essential to acknowledge that the nature of contamination presents specific challenges for affected states:

- Many countries in the region have not previously dealt with mine contamination, meaning they have not had survey and clearance obligations under Article 5 of the APMBC. Others, like Niger, have previous experience with conventional mine contamination but now need to expand the scope of their work to include APM of an improvised nature. In other regions, countries may already have declared completion of their Article 5 obligations but are now facing new contamination due to improvised APM.
- In several affected states, ongoing conflict prevents access to affected areas. Also, the dynamic contamination profile and operating environment makes it difficult to clearly establish the precise extent, nature and location of explosive ordnance contamination, including IEDs, among them, improvised APM. In contrast, Iraq is now in a phase of post-conflict recovery and reconstruction, while in Colombia, intensive clearance and risk reduction efforts have been ongoing since the 2016 peace agreement.
- Meanwhile, states newly affected by improvised APM may not have well-established mine action capacities, including national mine action authorities and implementing partners.
- Relatedly, and due to a lack of systematic collection of data together with limited information management capacities, states in West Africa and the Sahel do not yet have baseline contamination and victim data in relation to improvised APM.

Responding to improvised APM from the perspective of humanitarian mine action

One lesson learned from other affected contexts is that disaggregation of IED contamination and victim data is key to understanding and effectively responding to the humanitarian impact and fulfilling obligations under the APMBC. *A recent Small Arms Survey report* gives important insights into the range and quantity of IEDs used in several countries in West Africa, underlining the importance of understanding different devices, their use, and their impact. Although the deaths and injuries caused by devices that are, for example, command-operated or vehicle-borne, are no less devastating in terms of recorded deaths and injuries, it is the indiscriminate effects of victim activated IEDs, notably, improvised landmines, that makes them a particular humanitarian concern. As with conventional landmines, victim activated devices continue to pose a hazard until they are either detonated or safely

removed, meaning that they continue to endanger lives and livelihoods, prevent safe access to essential infrastructure and agricultural land, and pose a particular threat to displaced populations – a major issue with *over four million people displaced within the Sahel* alone.

The Small Arms Survey report documents the substantial efforts being made to collect and analyse IED information, primarily by security forces, who in the context of an armed conflict are usually the primary responders to incidents involving IEDs, as well as the key actors engaged in proactive clearance. Risk mitigation and analysis of IED data therefore is approached primarily through a *counter-IED* (C-IED) lens, with the priority being to disrupt networks that construct and deploy IEDs, in addition to their detection and disposal. Often, this means that analysis of devices and incidents does not systematically disaggregate IEDs by type, focusing instead on extraction of data from recovered material for C-IED intelligence purposes. Additionally, the data that is collected is highly sensitive, with governments and security forces understandably limited in their ability to share this information. This means that the humanitarian mine action community, including operators like MAG, must consider what action can be taken to support states in assessing and responding to IEDs through a humanitarian lens.

In situations of ongoing and dynamic conflict, it is not feasible or appropriate for MAG to engage in clearance in line with humanitarian principles, not least due to security concerns and the risk of being perceived to take a part in hostilities.*[1]* Instead, MAG and other operators can find ways of providing support through other pillars of humanitarian mine action, including through data collection efforts, capacity development, and mine/explosive ordnance risk education (EORE), and victim assistance (VA).

- Given the protracted nature of conflicts in the region and likely extent of contamination, localization and training of sustainable local capacities is important to ensuring that humanitarian mine action support is available to communities in the long term. Local NGOs also have expertise in a wider range of humanitarian activities, improving cross-sectoral integration of humanitarian mine action. For example, EORE messages can be delivered alongside humanitarian assistance. Partnerships are an essential part of this approach, including with local NGOs, whose contextual expertise, community acceptance and existing networks facilitates access not available to international actors (Though, of course, MAG maintains a duty of care and does not ask or except partners to accept levels of risk above those that we would deem acceptable to our own staff.)
- In countries such as *Burkina Faso*, *Mali*, and *Nigeria* and, MAG has worked with local partners to train teams in EORE and data collection, ensuring that safety messaging can reach communities as a frontline risk reduction measure where clearance is not yet possible. Digital risk education provides a way of reaching even difficult-to-access communities. It could also be strengthened as a means of generating contamination data by providing clear guidance on reporting pathways, alongside establishment of hotlines if necessary. While social media is one channel for digital EORE, in contexts like Mali and Nigeria, local radio networks provide an accessible and effective means of transmitting these messages, as well as generating strong engagement from listeners who can call in and ask questions.
- Usually in humanitarian mine action, *non-technical survey* is a key tool for establishing a contamination baseline. This involves collecting data from communities, combatants and local authorities, analysing available information relating to the conflict history, and physically mapping the parameters of areas known or suspected to be contaminated using GPS. However, due to lack of direct access, insecurity, and population movements, non-technical survey is often not possible in the West Africa context. In response, MAG has developed a Remote Contamination Baseline Assessment methodology (*piloted in Nigeria*), enabling high level mapping by gathering data, alongside delivery of EORE, from people who may have come from villages and towns affected by mines and other explosive ordnance, or passed through contaminated areas. MAG liaises with other actors to access reception centres where IDPs are being registered. Key informants can include community leaders, former combatants and land users such as farmers and shepherds/herders, as well as survivors of mine or explosive ordnance accidents. The accuracy of this data can be improved through triangulation with other sources that draw on the wealth of social media reports, but to do so resource investment is needed.
- MAG is also working as part of *the Mine Action Trauma Care Collaborative*, together with researchers at the University of Washington and the United Nations Mine Action Service, which creates partnerships between the humanitarian mine action sector and emergency health responders in conflict settings. This approach focuses on building sustainable local capacity to provide victim assistance immediately after an incident to reduce preventable civilian death and disability. In partnership with local health actors in Burkina Faso, MAG is piloting co-delivery of Layperson First Responder Training of Trainers to strengthen trauma care in areas where formal emergency care systems are resource-constrained and weakened by conflict.

For data collected to have true humanitarian value, it must be systematically and sustainably managed and analyzed at the national level. As noted above, most states newly affected by improvised mines do not have established national mine action authorities to undertake this function. Having clear focal points and investment in national capacities is needed to provide a central location to collate the data generated by actors like MAG. It also has the potential to address the sensitivities around confidentiality of IED data collected by security forces. If such information can be shared with the mine action centre as a government institution, it could inform assessment and planning without the involvement of external actors.

Using the APMBC to mobilize support for reporting, clearance and other mine action activities

A coordinating body and information management systems and processes are also essential prerequisites enabling States Parties to report under the APMBC. For States Parties, reporting, including on APM contamination, is *a legal obligation* that can substantially facilitate international cooperation and assistance and other support under the treaty framework. The expectation that States Parties newly affected by improvised mines promptly fulfil their reporting obligation under Article 7 of the APMBC must be tempered by a recognition of the steps needed to gain a proper understanding of the problem. Likewise, it is important to recognise that, although clearance, as soon as possible, of improvised and other APM is a humanitarian imperative and an obligation under *Article 5 of the APMBC*, establishing a deadline for completion may not be a realistic aim today given, firstly, the absence of a baseline for contamination by IEDs falling within the scope of the convention (improvised APM), and, secondly, new contamination being generated by active hostilities.

International support should therefore focus on enabling EORE, VA, data collection, information management, and the establishment of sustainable national capacities. While donor appetite for non-clearance activities is often low, this is a much-needed and feasible humanitarian response to IED contamination.

The *Regional Conference on Addressing Improvised Anti-Personnel Mines in West Africa and Sahel States Parties* to be held in Accra next week, provides an important opportunity for further reflection on how to effectively address the humanitarian impacts of IEDs within the scope of the APMBC. New contamination with IEDs, including improvised mines, is, however, also a reminder of the urgent need to fully address contamination from landmines and unexploded ordnance left over from previous conflicts, given the *potential for harvesting of explosives and other parts and components in legacy minefields*, and of the long-term support and investment needed to sustainably address APM contamination and its humanitarian consequences in the region.

[1] For more information, see forthcoming article in the *International Review of the Red Cross*.

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