

Karen Human Rights Group

News Bulletin December 15th 2021 / KHRG Log # 20-3-NB1

An Ongoing Danger: Death and injury due to landmine and UXO explosions in Southeast Myanmar form January 2020 through January 2021



This photo was taken on June 22nd 2020 in the school compound of D--- village, Buh Ah Der village tract, Bu Tho Township, Mu Traw District. It shows Saw C---, who was injured due to landmine explosion, walking in the school compound. He is a villager from D--- village. [Photo: KHRG]

Introduction

Landmine and unexploded ordnance (UXO) contamination remains widespread all across Southeast Myanmar. It continues to pose a threat to villagers and to disrupt their ability to travel and secure their livelihoods; and remains one of the major obstacles to the return of refugees and internally displaced persons (IDPs).

According to the United Nations' Myanmar Information Management Unit, almost all government-defined townships in the region have been contaminated by landmines or explosive remnants of war over the past decades. Yet, no landmines have so far been removed under humanitarian clearance programmes.¹ KHRG's documentation shows that at least five civilians were killed and 36 people injured in landmine incidents from August 2015 through January 2021.

Myanmar is not party to the Mine Ban Treaty, nor to the Convention on Cluster Munitions. It is listed as one of the 12 remaining landmine producers by the International Campaign to Ban Landmines (ICBL); and as the only state whose security forces still actively use landmines. The ICBL has reported the use of antipersonnel landmines by the Tatmadaw² and various armed groups every year since 1999.³ KHRG's documentation also shows that both the Karen National Liberation Army (KNLA)⁴ and the Tatmadaw continue to plant new landmines despite being prohibited from doing so under sections 5(a) of the Nationwide Ceasefire Agreement (NCA)⁵ and 8(A) of its corresponding Code of Conduct.

From January 2020 through January 2021, the Karen Human Rights Group (KHRG) documented at least seven landmine and UXO incidents involving civilians in Southeast Myanmar, resulting in one death.

A. Landmine incidents

KHRG documented five landmine incidents involving civilians in Mu Traw (Hpapun), Hpa-an, Doo Tha Htoo (Thaton) and Kler Lwee Htoo (Nyaunglebin) districts between January 2020 through the end of January 2021. As a result, one person was killed and four others sustained injuries. All the victims stepped on landmines while engaging in livelihood activities.

In four of these cases, the landmine that caused the incident was planted by KNLA soldiers, mostly in reaction to an increase in Tatmadaw activities and sometimes with the excuse of protecting civilians and their livelihoods. Although local villagers were reportedly told about the presence of landmines, it did not prevent incidents from happening as victims had no choice but to risk passing through contaminated areas to carry out essential livelihood activities. Due to the asymmetry of firepower and resources between the Tatmadaw and the KNLA, it is likely that the latter will continue to plant landmines to defend its territory,

¹ Myanmar Information Management Unit, <u>Townships with suspected Landmine/ERW Contamination (1999-</u>2020) and Landmine/ERW Casualties in Myanmar (2019), 2020.

 $[\]overline{^2}$ Tatmadaw refers to the Myanmar military.

³ International Campaign to Ban Landmines, <u>Landmine Monitor 2020</u>, November 2020.

⁴ The Karen National Liberation Army is the armed wing of the Karen National Union.

⁵ On October 15th 2015, after a negotiation process marred with controversy over the notable non-inclusion of several ethnic armed groups, a Nationwide Ceasefire Agreement (NCA) was signed between the Burma/ Myanmar government and eight of the fifteen ethnic armed groups originally invited to the negotiation table, including the Karen National Union. It was followed by the adoption of a Code of Conduct by the signatories in November 2015. In February 2018, two additional armed ethnic groups signed the NCA under pressure from the Burma/Myanmar government.

especially in a context of increasing conflict since the February 2021 military coup.⁶ As it will presumably not mark these landmines or disclose information about their exact location for obvious strategic reasons, they will continue to put civilians at risk due to their indiscriminate nature.

The lack of adequate long-term support is another prominent feature of these cases. Although all the victims and their families received some kind of support from various stakeholders after the incident, notably to cover the medical costs, they did not benefit from assistance programmes that would help them overcome the consequences of the incident on their ability to secure their livelihoods. Families who lost their main breadwinner were therefore left particularly vulnerable to hardship. In one case, a 14-year-old son of a landmine victim even had to drop out of school to work and provide for his family. The same goes for most of the survivors, as they usually sustain serious injuries, including imputations that prevent them from working the way they used to. Although more than a dozen organisations, including government departments, the United Nations and NGOs have been active in providing assistance to landmine victims since 2014, such services remain scarce, especially in rural areas of Myanmar.⁷

i. First incident

On January 12th 2020, Saw A---, a 45-year-old man from B--- village sustained injuries after stepping on a landmine in a forest in Htee Th'Daw Hta village tract, Bu Tho Township, Mu Traw District. This particular landmine was reportedly planted by a splinter faction of the Democratic Karen Benevolent Army.⁸

Saw A--- and his family live in the Myaing Gyi Ngu IDP camp,⁹ but he routinely goes back to B--- village to work and secure his family's livelihood. The incident happened while he was cutting bamboo and hunting in the forest. The big toe on his left foot was blown off and his left ankle was broken by the blast. He also sustained burn injuries on his legs. He was ultimately sent to the Hpa-an general hospital for treatment. A Buddhist monk from Myaing Gyi Ngu and Tatmadaw officials provided him with food and covered the medical costs.

Although Saw A--- and his family are now facing livelihood difficulties, he did not receive any other kind of financial support.

ii. Second incident

On February 19th 2020, Saw C--- stepped on a landmine in Lu Pleh [Hlaing Bwe] Township, Hpa-an District while he was hunting. The victim is from D--- village, Buh Ah Der village

⁶ On February 1st 2021, the Burma Army deposed the democratically elected government led by the National League for Democracy (NLD). The military proclaimed a year-long state of emergency and transferred power to Min Aung Hlaing, the Commander-in-Chief of Myanmar's Armed Forces. Based on unproven fraud allegations, the Tatmadaw invalidated the landslide victory of the NLD in the November 2020 General Election and stated it would hold new elections at the end of the state of emergency. The coup d'état occurred the day before the Parliament of Myanmar was due to swear in the members elected during the 2020 election. Elected President Win Myint and State Counsellor Aung San Suu Kyi were detained, along with ministers, their deputies and members of Parliament.

⁷ International Campaign to Ban Landmines, <u>Landmine & Cluster Munition Monitor: Myanmar Burma</u>, December 2020.

⁸ In 1994, the Democratic Karen Buddhist Army (DKBA) split from the KNLA over religious considerations. In 2010, the majority of DKBA troops transformed into BGFs, but one faction refused and changed its name to Democratic Karen Benevolent Army in 2012. In 2015, the DKBA Splinter Group split from this faction. It is active in Hpapun and Hpa-an districts, and it has not signed the NCA.

⁹ For more information, see KHRG (May 2019), "<u>Dreaming of Home, Hoping for Peace: Protracted</u> <u>Displacement in Southeast Myanmar</u>".

tract, Bu Tho Township, Mu Traw District. The landmine was planted in 2019 by the KNLA for defensive purposes and to prevent the construction of a dam by the government. A KNLA representative told KHRG that they informed the villagers before planting these landmines.

Saw C--- knew about the presence of landmines in the area. He went there once, but did not reach the place where this landmine was planted. On February 19th, he ventured further into the area. After stepping on the landmine, he was sent to a hospital in Chiang Mai, Thailand. He sustained injuries on his right foot, and several of his toes had to be amputated.

Saw C--- could not afford to pay the medical fees – over 100,000 baht [USD 2,989.54].¹⁰ However, KNLA Commander Kay Lay paid for all the transportation fees and part of the medical fees. The remaining part was paid by someone else, but the victim does not know that person's identity or the organisation. While he was at the hospital, Commander Kay Lay gave some food and 1,000 baht [USD 29.90] to his family.



This photo was taken on June 22nd 2020 in the school compound of D--- village, Buh Ah Der village tract, Bu Tho Township, Mu Traw District. It shows Saw C---, who was injured due to landmine explosion, walking in the school compound. He is a villager from D--- village. *[Photo: KHRG]*

No further compensation was provided by the KNLA. Saw C--- told a KHRG researcher that the injuries he sustained prevented him from working as much as he used to. This resulted in challenges to secure his family's livelihood.

iii. Third incident

On May 24th 2020 at around 2:00 pm, Saw D---, a 57-year-old villager from E--- village stepped on a landmine in the Twit Thee Aer forest, Htee Th'Bluh Hta village tract, Dwe Lo Township, Mu Traw District.¹¹ This landmine was planted by the KNLA in March or April 2020, in violation of the NCA.

Local villagers were informed about these landmines. However, the victim thought that there were no landmines in this particular area as he had collected thatch there the day before the incident. Although the son of Saw D--- urged him not to go, he needed to because he did not have enough thatch to build his roof.

Saw D--- stepped on the landmine on his way back to the village and sustained injuries on his left leg. He was eventually taken to the Wah Ka Der Karen Department of Health and Welfare (KDHW)¹² clinic. Due to the gravity of his injuries, his leg had to be amputated.

The victim and his family are now facing livelihood difficulties because he cannot travel and work due to his amputated leg. This incident is therefore likely to have a long-term impact on

¹⁰ All conversion estimates for the kyat and the baht in this report are based on the August 7th 2021 official market rate.

¹¹ This information is taken from an unpublished report received in May 2020.

¹² The Karen Department of Health and Welfare (KDHW) is the health department of the Karen National Union. It was established in 1956 to address the lack of public healthcare resources in rural Southeast Myanmar. It currently operates a network of community-based clinics in the region, but its capabilities remain limited due to funding constraints.

their ability to secure their livelihoods. The victim did not have to pay for his treatment, but he did not receive further compensation or support.

The KNLA later removed some of the landmines they planted near the local villages, but left others for defensive purposes. Some landmines were too difficult to remove, so they marked the contaminated areas and informed the villagers about their location.

iv. Fourth incident

On June 22nd 2020, Saw F---, a 48-year-old villager from G--- village, Lu Thaw Township, Mu Traw District stepped on a landmine in a place called Maw Poo Per Hkoh while he was on his way back to the village after he had gone fishing with his 14-year-old son. One of his feet was blown off in the explosion. The villagers took him to the clinic in Day Boo Noh village for treatment. He ultimately passed away at around 10:00 pm due to severe haemorrhaging.

Saw F--- is survived by a 30-year-old wife and eight children, including a new-born baby. The victim's wife has been facing health issues since her last delivery and needs to tend to her children. As she cannot work, her oldest child, the 14-year-old who was with his father when the incident happened, had to abandon his studies to provide for the family.

The KNLA Special Force planted several landmines in the area for defensive purposes due to an increase in Tatmadaw activity. They were also meant to protect local civilians and their livelihoods. The KNLA informed the local villagers about the presence of landmines in the area, and Saw F--- reportedly knew about it as well. However, it did not prevent the incident from happening, which indicated that the KNLA did not disclose their exact location.

v. Fifth incident

On January 8th 2021 at around 8:00 am, Saw H---, a 12-year-old boy from I--- village, Ta Maw Daw village tract, Thaton Township, Doo Tha Htoo District stepped on a landmine while collecting tree bark in a forest near his village with a group of older villagers. His left foot was blown off in the explosion. He also sustained injuries to his right thigh.

Saw H--- was sent to the KDHW clinic in the Karen National Union (KNU)¹³ Doo Tha Htoo District office for treatment. He was discharged after three weeks and sent back to his village. The victim did not need to pay any medical fees. He also received 350,000 kyats [USD 212.67] from local villagers, township leaders and the Karen Women's Organization (KWO). He eventually fully recovered without further complications.

The landmine that caused the incident was planted by either KNLA Brigade 1, Battalion #2 or the Karen National Defence Organisation (KNDO).¹⁴ On January 1st 2021, the KNLA informed local villagers that they would plant landmines in the forest in reaction to an increase in Tatmadaw activity in the area. KNLA soldiers warned the villagers again on the evening of January 7th and the morning of January 8th 2021.

¹³ The Karen National Union (KNU) is the main Karen political organisation. It was established in 1947 and has been in conflict with the Burma/Myanmar government since 1949. The KNU wields power across large areas of Southeast Myanmar and has been calling for the creation of a democratic federal system since 1976. Although it signed the Nationwide Ceasefire Agreement in 2015, relations with the government remain tense.

¹⁴ The Karen National Defence Organisation (KNDO) was formed in 1947 by the Karen National Union and is the precursor to the Karen National Liberation Army (KNLA). Today the KNDO refers to a militia force of local volunteers trained and equipped by the KNLA and incorporated into its battalion and command structure; its members wear uniforms and typically commit to two-year terms of service.

B. UXO incidents

KHRG documented at least two UXO incidents involving civilians in Hpa-an and Mu Traw districts between September and July 2020. The first case highlights how children, and notably those who might not have benefited from Mine Risk Education training initiatives because they have dropped out of school, remain particularly vulnerable to explosive remnants of war. According to UNICEF, children represented 36% of casualties from landmine/UXO explosions in 2020.¹⁵ The second case shows that skirmishes between the Tatmadaw and armed groups continue to result in UXO contamination, putting civilian lives at risk and preventing entire communities from working for their livelihoods.

i. First Incident

On July 21st 2020, four children were injured in a UXO explosion in Thee Wah Poo village, Thee Wah Poo village tract, T'Nay Hsah Township, Hpa-an District.

On that day, Saw N---, a local schoolchild, joined three other children who had taken their cows out to graze and were playing in the fields. One of them picked up an UXO laying around and gave it to Saw N--- who ultimately hit it with a stone, causing it to explode. All of the children sustained injuries, mostly to their heads, legs, hands and chests. Saw N--- was the most seriously injured. His right hand was blown off by the blast.

All of them were sent to Ra M'Tee (Myawaddy) Town hospital. Saw N--- was ultimately transferred to Mae Sot General Hospital in Thailand due to the gravity of his injuries. Part of his forearm had to be amputated. The International Committee of the Red Cross (ICRC) covered the cost of the medical expenses for all four victims.

Adult villagers from Thee Wah Poo have attended Mine Risk Education (MRE) trainings in the past, and there are awareness posters on the school's walls. However, the injured children told local villagers that they had never seen a similar UXO before [for instance, on posters or in the hands of soldiers], adding that it just looked like the handle of an umbrella.



This photo was taken on July 24th 2020 at Mae Sot General Hospital, Thailand. It shows Saw N--- lying on his hospital bed. He lost his right hand in the blast and sustained serious injuries to his head, face and legs. *[Photo: KHRG]*

¹⁵ UNICEF, <u>Myanmar Landmine/ERW Incidents Information Factsheet (January-December 2020)</u>, 2021

ii. Second incident

On September 9th 2020 at 1:30 pm, Saw O---, a 40-year-old villager from P--- village, Meh Klaw village tract, Bu Tho Township, Mu Traw District triggered a grenade explosion while he was clearing his hill field next to Q--- village with a rototiller. This particular grenade was fired by Tatmadaw soldiers during a skirmish with the KNLA on May 7th 2020. The explosion

caused him to lose two fingers from his right hand. He also sustained injuries to his hands, legs and side. He was admitted to Hpapun Hospital later that day.

He had to pay for the medical expenses, but some villagers [from P--- village] helped him financially. The Social Relief Society [a Myanmar NGO] and the Union Solidarity Development Party (USDP) each gave him 50,000 kyats [USD 30.38] as well. Saw O--was discharged from the hospital on September 19th 2020. However, he had not fully recovered and had to undergo followup medical checks once a week after his discharge.



This photo was taken on September 11th 2020 at 8:29 pm at the Hpapun hospital in Mu Traw District. It shows the injuries sustained by Saw O--- after the UXO explosion. *[Photo: KHRG]*

Saw O--- never attended a Mine Risk

Awareness training. After he was injured by the grenade explosion, he said that several peanut fields had not been planted in 2020 because of the unexploded grenades, Villagers are too scared to work on their fields.

Conclusion

It stems from the above that landmine and UXO contamination continues to pose an unacceptable threat to civilians and to restrict their ability to travel and secure their livelihoods. Although NCA signatories committed to undertake de-mining activities "in accordance with the progress of the peace process" (section 5 of the NCA), the fact that no tangible progress was ever made during peace talks prevented the adoption of an agreement on mine clearance.

In parallel, sporadic skirmishes between the Tatmadaw and the KNLA have continued to occur since 2015, resulting in more UXO and landmine contamination. The situation is set to deteriorate even further, as the February 2021 military coup has led to an dramatic increase in fighting between junta forces and the KNLA in Southeast Myanmar. In this context, more lands will be contaminated with explosive remnants of war as the Tatmadaw continues to shell civilian areas indiscriminately; while the asymmetry of power between both belligerents will most likely result in an increased use of landmines by the KNLA.

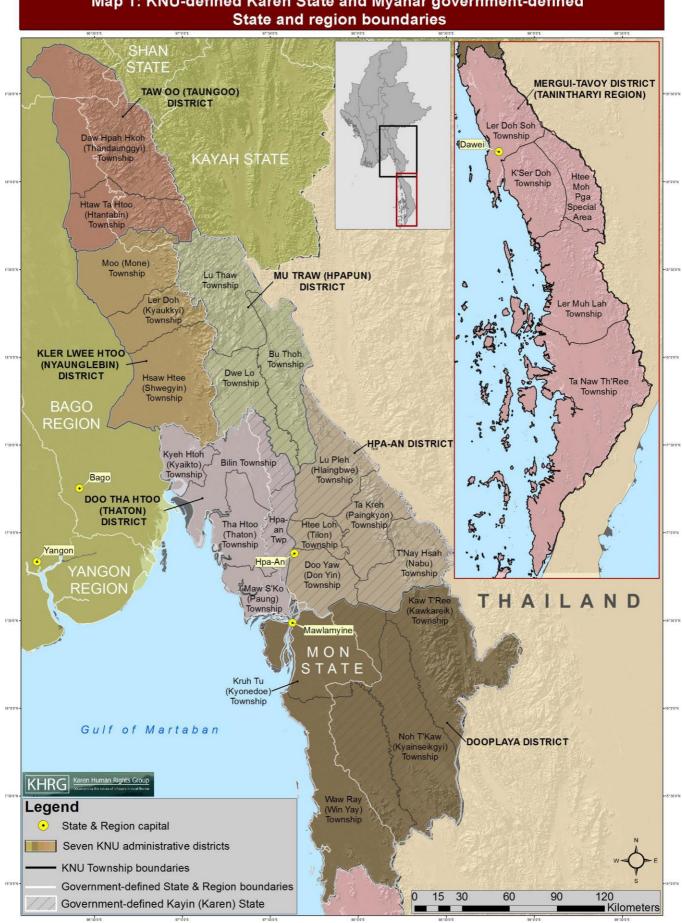
Thus, it is necessary for donors to support local organisations active in providing Mine Risk Education services in rural areas to make sure that they can reach and raise awareness about the risk posed by landmines and UXO among remote communities, with a particular emphasis on children. Initiatives aiming at mapping contaminated areas in coordination with local organisations should also be promoted and supported. In parallel, international aid agencies should work with local service providers to establish and implement long-term assistance programmes for landmine/UXO victims and their families, as well as communities whose livelihoods were affected by landmine/UXO contamination.

Further background reading on the issue of landmine and UXO contamination in Southeast Myanmar can be found in the following KHRG reports:

- "Foundation of Fear: 25 years of villagers' voices from southeast Myanmar", October 2017.
- "Uncertain Ground: Landmines in eastern Burma", May 2012.

About KHRG

Founded in 1992, the Karen Human Rights Group is an independent local organisation committed to improving the human rights situation in Southeast Myanmar. KHRG trains local people to document and gather evidence of human rights abuses, and publishes this information to project the voices, experiences and perspectives of local communities. More examples of our work can be seen online at <u>www.khrg.org</u>.



Map 1: KNU-defined Karen State and Myanar government-defined