

GENEVA CALL NEWSLETTER

SECURING RESPECT FOR THE ANTIPERSONNEL MINE BAN NORM REQUIRES ONGOING DIALOGUE

Armed groups from Burma, North East India and Burundi recently committed to ban antipersonnel (AP) mines. These are important advances on the NSA front. However, as our work in Sudan and Colombia has shown, engaging armed groups in the mine ban norm is often complex and challenging.

An essential part of the engagement process with armed groups, as well as with governments, requires that we listen to each side's arguments and constraints, assessing what can be done, what cannot be done and why. In the dialogue process, there is always a need to analyse, to evaluate and to re-evaluate the steps necessary to reach our goals. It does not follow that we must accept the positions given or justifications for violations of humanitarian principles.

By way of example, we can look at the challenges we face in Colombia and in Sudan.

According to the leaders and spokespersons of Colombia's Ejército Liberacion Nacional (ELN), AP mines are an indispensable weapon that form a large part of ELN's arsenal and are a cheap and accessible alternative for other weapons that are otherwise not available to them. Consequently, they argue that an immediate and total prohibition on use would represent significant military losses and endanger the very survival of the ELN.

In Sudan, the SPLM/A has never denied allegations that some of its fighters were involved in cases of continued use of AP mines after the Geneva Call Deed of Commitment was signed. The SPLM/A has pointed out the challenge it faces in changing the behavior of its military personnel and allied factions, not to mention the practical difficulties associated with communicating over the vast and remote areas they control. For this reason they have identified the need for a major mine ban education campaign in SPLM/A areas and requested Geneva Call to assist them in this endeavor.

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Bringing humanitarian norms to new frontiers...



[Photo credit: K. Kramer, Geneva Call, 2003]
SPLM/A soldiers during the Mine Ban Education Workshop in South Sudan.

“The European Union expresses the hope that all non-state actors will cease use of antipersonnel mines and will sign the Deed of Commitment for Adherence to a Total Ban on Antipersonnel Mines and for Cooperation in Mine Action, as provided for by Geneva Call”.



**[Photo: P. Bongard, Geneva Call, 2003]
NSCN General Secretary, Thuingaleng Muivah signing Geneva Call's Deed of Commitment.**

UNIVERSALISING THE MINE BAN IN BURUNDI

On 15 December, following months of negotiation with Geneva Call and its local partner the Centre Indépendant de Recherches et d'Initiatives pour le Dialogue (CIRID), the Conseil National pour la Défense de la Démocratie-Forces pour la Défense de la Démocratie (CNDD-FDD) signed the Deed of Commitment at a ceremony in Geneva. The CNDD-FDD commitment was made just a few weeks after this movement signed a power-sharing agreement with the government of Burundi, aimed at ending a decade of civil war. This step is significant as the CNDD-FDD still maintains control over its own troops. "The commitment we are making today reflects our will to renounce the use of AP mines and to take all measures to respect the AP MBT [Mine Ban Treaty] by which we will be bound as soon as our fighters will integrate [with] the new Burundi National Defence Forces," said General Secretary Hussein Radjabu at the ceremony. "We are willing to play a leading role in this process and to fully cooperate with mine action organisations so that they can start clearance and allow those displaced by the war to return safely." Representatives of the Government of Burundi, the Republic and Canton of Geneva and Cornelio Sommaruga, President of the Geneva International Centre for Humanitarian Demining (GICHD), attended the event. In recent meetings with Geneva Call, the Parti pour la Libération du Peuple Hutu-Forces Nationales de Libération (Palipehutu-FNL), which is still fighting the government, declared its intent to sign the Deed of Commitment in the near future.

Large numbers of refugees and internally displaced people will return with the implementation of the peace process, which is likely to result in increased casualties. The commitments of the CNDD-FDD and the Palipehutu-FNL, combined with the government's ratification of the MBT in October, will prevent new mines from being used and facilitate the carrying out of mine action programmes. Plans for stockpile destruction are underway. A mine ban commitment in India On 17 October 2003, Thuingaleng Muivah, General Secretary of the National Socialist Council of Nagalim (Nagaland) (NSCN), the largest and most influential armed group operating in North East India, signed the Deed of Commitment at a ceremony in Geneva. The NSCN is the first group operating in the country to sign the mine ban and its signature is expected to influence the actions of other NSAs in the region. The Indian Campaign to Ban Landmines (CBL) brokered the discussions between Geneva Call and the NSCN. Geneva Call and Balkrishna Kurvey, Indian CBL coordinator, prepared a project to support the implementation of NSCN's commitment and to encourage other local NSAs to follow the Naga lead. The NSCN has given their full support to this project: "We have also started distributing your documents on antipersonnel mines among different organisations and peoples in the region. We shall not stop our efforts to convince them, in spite of tactical difficulties involved in communication." NSCN General Secretary, Thuingaleng Muivah signing Geneva Call's Deed of Commitment. Photo credit: P. Bongard, Geneva Call, 2003. Bangladesh, Bhutan, China, Myanmar/Burma and Nepal border North East India and many armed groups operate in the region. Two groups, the National Democratic Front of Bodoland (NDFB) and the United Liberation Front of Assam (ULFA), are known to use landmines and other improvised explosive devices and other groups are believed to have the technical capacities to produce these.



**[Photo credit: G. D'Orge, 2003]
Hussein Radjabu, General Secretary of the CNDD-FDD, Elisabeth Reusse-Decrey, President of Geneva Call, and Cornelio Sommaruga.**

BURMESE ARMED GROUPS COMMIT TO BAN ANTIPERSONNEL LANDMINES

Following four years of engagement work, two Burmese groups, the Arakan Rohingya National Organisation (ARNO) and the National United Party of Arakan (NUPA) and their armed wings, the Rohingya National Army (RNA) and Arakan Army (AA) respectively, signed the Deed of Commitment. The Presidents of both groups said the human tragedies caused by mine use compelled them to sign on to the mine ban despite the Burmese government's continued use. "There are many tragedies suffered by the Burmese people," said Khin Muang, President of the NUPA, "we are convinced of the importance to end all use of AP mines." ARNO President Nurul Islam said that although the Burmese military continues mine use, the damage caused to civilians demands that both ARNO and NUPA renounce this weapon. "Many people have been killed and injured as a result of these mines," he said. "The mined areas are not marked and most victims have no access to treatment or assistance."

The ARNO and NUPA represent the two main ethnic groups in the hilly terrain of Arakan State, in northeast Bur-

ma. In October 2000, NUPA, the largest Rakhaing insurgency group, largely Buddhist, and ARNO, representing the Rohingya/Burmese Muslims, joined forces under the Arakan Independence Alliance (AIA). Both groups operate along Burma's western border with Bangladesh.

ARNO and NUPA are the first two armed opposition groups in the war-torn country to cease use of AP mines and similar victim-activated explosive devices. More than 30 armed opposition groups are fighting against the military regime, all of whom have used, or continue to use, AP mines and/or victim-activated explosive devices. Some maintain stockpiles. All of the groups have shared the technology for making AP mines and improvised explosive devices. According to the Landmine Monitor 2003 Report, nine out of 14 states and divisions in Burma suffer some level of landmine contamination. Mine use by the government and opposition groups is on the rise, as are the numbers of victims.

Through their signature of the Deed of Commitment, ARNO and NUPA have opened the door for other armed opposition groups in the country to do likewise. Geneva Call and its local partners will continue advocacy efforts aimed towards a total ban on antipersonnel mines among the Burmese groups and efforts to ensure that commitments made are implemented.

Workshop considers how best to engage NSAs in the Greater Horn of Africa

On 1-2 September 2003, more than 30 selected experts and representatives of organisations working in active conflict areas in the Greater Horn of Africa region¹ met in Nairobi to strategise and share ideas on how best to engage NSAs in a landmine ban. Participants included Landmine Monitor researchers from across the region, scholars, conflict analysts, representatives from local ICBL campaigns, NGOs working in mine action, disarmament and conflict resolution, and UNICEF.

The meeting was organised by the Kenya Coalition Against Landmines, the Greater Horn of Africa Mine Action Network and Geneva Call. It was the second in a series of Geneva Call workshops funded by the Italian government through UNMAS.

The meeting provided information on regional conflict dynamics, NSA characteristics and the extent of their involvement in the landmine problem. Conference outcomes provide a framework for engagement and the conference established an informal network of regional organisations. It was felt NSAs should be prioritised for engagement on a country by country basis. Following conference recommendations, Geneva Call initiated engagements with NSAs in Burundi, Somalia and Ethiopia.



[Photo credit: Geneva Call, 2003]
Greater Horn of Africa Expert Meeting participants.

1* Somalia, Ethiopia, Sudan, Uganda, the Democratic Republic of Congo and Burundi.

SPLM/A start information campaign in south Sudan to promote obligations under Deed of Commitment

After the Deed of Commitment, the SPLM/A identified the need for a major education campaign to disseminate its mine ban policy throughout its ranks and at the grass roots level. Consequently, the SPLM/A and Geneva Call organised the first mine ban education workshop in Kapoeta County, southern Sudan, at the end of September 2003. Funded by the European Commission and opened by the movement's Chairman, Dr. John Garang, the workshop attracted more than 100 participants from SPLM/A controlled areas. Attendees included SPLM/A political leaders, commanders and foot soldiers, local civil authorities and representatives of women's groups, youth organisations and church associations, as well as international mine action NGOs and UN agencies working in Sudan.

The workshop was designed to

raise awareness of SPLM/A obligations under the Deed of Commitment and to elicit recommendations on strategies for implementation. One of the key recommendations that emerged from the meeting was to organise tailor-made workshops for each region controlled by the SPLM/A. Another recommendation qualified the scope of the ban. "This means that no victim activated explosive devices are used or produced or transferred. It means that no antipersonnel mines are kept for use and it should be recognised that only antipersonnel mines rendered inoperable are to be used for training in mine clearance or other activities. While the SPLM/A and the people of South Sudan are no longer using antipersonnel mines, it does not mean that they can give these mines to others to use. All antipersonnel mines and victim activated improvised explosive devices are to be destroyed." The complete list of recommendations from the workshop can be found at www.genevacall.org

GC FIELD MISSION TO SRI LANKA EXPLORES MINE BAN WORKSHOP FOR LTTE IN THE VANNI REGION

Geneva Call sent representatives to Sri Lanka for one week in August 2003 to follow up prior discussions with the LTTE. Geneva Call met with Mr. S. Puleedevan of the LTTE Peace Secretariat as well as representatives of the Tamil Rehabilitation Organisation (TRO) and its subsidiaries, the Humanitarian Demining Unit and White Pigeon. Geneva Call also used this opportunity to meet with mine action organisations and representatives of UNICEF and UNDP, and briefed representatives of the Sri Lankan Army, Ministry of Foreign Affairs and the Peace Secretariat on the Deed of Commitment. The mission was well received and viewed as a timely follow up to the government workshop held in late July, organised by Geneva Call's project partners, Landmine Action and the Inter-Religious Peace Foundation (IRPF).

Efforts to engage the LTTE in the mine ban by Geneva Call and the IRPF have been further complicated by the political crisis that rocked the country in November. A leading factor in the crisis is the disagreement between the President and the Prime Minister over the handling of the peace talks with the LTTE.



MARATHON FOR A MINE-FREE WORLD TOUR D'AFRIQUE FUNDRAISER

Swiss double amputee and ultra-distance cyclist, Armin Köhli, embarked on one of the longest, most demanding bike races in the world on 17 January. In doing so, he seeks to raise support for efforts to end mine use and to encourage mine clearance as well as to raise the profile of disability issues in Africa. Proceeds from the gruelling 120-day marathon will go to Geneva Call and the Swiss Foundation for Humanitarian Mine Action. The annual Tour d'Afrique marathon race passes through Egypt, Sudan, Ethiopia, Kenya, Tanzania, Malawi, Zambia, Botswana and Namibia and finishes 15 May at the Cape of Good Hope, in South Africa. Tobias Gasser, President of Armin Köhli's support association, Tour d'Armin, organised the fundraiser. Armin's equipment, travel, prostheses, registration fees and associated expenses are covered by sponsorships. To donate or for schedules and information tel: +41 31 534 00 42, mobile +41 79 283 85 78, www.tourdarmin.ch, e-mail: spenden@tourdarmin.ch



[Photo: Geneva Call, 2003]
One of the early meetings with Colombian Vice-President Santos, representatives of the High Commissioner for Peace and the Commander in Chief of the Army, to discuss the pilot mine action zone.

PILOT MINE ACTION ZONE PLANNED FOR BOLIVAR REGION OF COLOMBIA

At a press conference in Colombia organised by UNICEF in mid-January 2004, Geneva Call and the Colombian Campaign to Ban Landmines (CCCM) launched a joint project funded by the European Commission and the Swiss Government.

Geneva Call continued meetings with the government, civil society organisations, NGOs and with Ejercito Liberacion Nacional (ELN) representatives in Medellin's Itaguí prison.

Geneva Call and CCCM met with the National Interministerial Commission on Antipersonnel Mines and briefed the group of "Five Friendly Countries," created to support peace efforts, about its project to establish a pilot mine action zone in the southern Bolivar region. Geneva Call will explore the potential for engaging the Fuerzas Armadas Revolucionarias de Colombia (FARC).

The programme builds upon the experiences of local communities arranging humanitarian agreements with Colombian NSAs. The two-year project, developed in concert with CCCM, draws on consultations over the last year with a broad range of civil society organisations, NGOs, government officials, international organisations, ICRC, UNICEF, NSAs and former rebels.

During earlier missions to Colombia, CCCM and Geneva Call visited the district of Micohumado in the Southern Bolivar Region. Creation of the pilot zone in Micohumado will enable future implementation of humanitarian mine action programmes, such as marking and mine risk education.

Geneva Call was in Colombia in May and October 2003, at which times it advised the government of meetings with ELN representatives in Cuba and at the Itaguí prison and met with government officials, members of the military and other stakeholders.

ONGOING DIALOGUE WITH NSAS CRUCIAL FOR MINE BAN

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How should we respond to such situations? Is it acceptable to use mines in certain circumstances? No, of course not. We condemn mine use in every circumstance. We expect NSAs to meet the highest standards of adherence to international humanitarian principles. For us, it is unacceptable for NSAs to claim on the one hand that they are in control of an area but, on the other hand, to deny responsibility for what occurs in these areas.

The ELN has informed us that while it is not prepared to stop AP mine use entirely, it is favourable to the idea of looking at ways to reduce the number of mine victims. One of the proposals they are interested in concerns the creation of pilot zones for mine action. Should Geneva Call turn down such an initiative and say to the ELN that until they agree to a total prohibition, there is no point in discussing the mine issue or their responsibilities under international humanitarian law? We do not think so. The establishment of mine action zones will enable implementation of critical programmes that offer some measure of protection and relief to civilians living in these areas. In Colombia, if an incremental approach is necessary to persuade the ELN to renounce use, is the establishment of a "mine action" pilot zone of less value to the people living there? Should we have broken off the engagement and ended the dialogue process with the SPLM/A because the ban was not immediately effective and the implementation process was going to take longer?

How can we tell the mine affected population that until there is a total and effective mine ban, we will only consider their predicament from the safety of the shores of Lake Geneva?

Some would contend, the appropriate response is to ignore these issues, break the engagement and end the dialogue. In our work with NSAs, we have chosen another approach; one that gives primacy to the humanitarian imperative and reaffirms the absolute necessity of a total mine ban through ongoing dialogue. Securing respect for the humanitarian principles that underlie the fight against landmines requires coherent and consistent advocacy, education, capacity building, networking and the creation of environments that are conducive to mine action, monitoring and reporting.

Our objective is unchanged and our conviction firm - mines are unacceptable weapons and their use must be prohibited everywhere, in all circumstances and by every actor. Our experience, however, teaches us that sometimes our goals must be achieved step by step. Each step of the way is perhaps the life of a child saved.

CONFERENCES, EDUCATION AND OUTREACH

“Looking Back, Looking Forward” Workshop, Thailand, September 2003

The ICBL NSA Working Group and GC co-organised this workshop to identify and evaluate lessons learned from NSA engagements in the mine ban norm. The workshop took place in Bangkok, prior to the Fifth Meeting of States Parties in September. Ban advocates, students, field practitioners, campaigners and government representatives joined the one-day workshop to discuss approaches and instruments for engagement, the opportunities and constraints of engagements undertaken as part of peace processes or in parallel to them, implementation and monitoring, as well as other aspects of the NSA issue.

ICRC/Bruges Colloquium: Improving compliance with IHL, Belgium, September 2003

The ICRC invited GC to share its work experience with NSAs at the annual Bruges Colloquium. The topic, “Improving Compliance with International Humanitarian Law,” drew participants from governments, NGOs, intergovernmental bodies and academic institutes. Geneva Call’s Deed of Commitment was cited as a model for holding NSAs accountable for compliance with IHL.

Curbing Human Rights Violations by Non-State Armed Groups, Canada, November 2003

Along with academics, advocates and government representatives, GC took part in this two-day conference organised by the Armed Groups Project, University of British Columbia, Canada. Participants discussed NSA characteristics, engagement mechanisms, legal instruments, incentives and constraints in engagements and the strengths and weakness of various tools to seek compliance.

The role of exiled/diaspora communities in the development of crises and civil conflict management, Germany, November

This conference considered the role of exiled and diaspora communities in the transformation of conflict. The focus of the discussions were Sinhalese-Tamil, Kurdish-Turkish and Israeli-Arab conflicts. GC raised the issue of mines and shared its experience with NSAs and the diaspora of some of these countries. The conference was co-organised by the Institute for Peace Research and Security Policy, Hamburg, the Institute for Development and Peace, Duisburg, and the Berghof Center for Constructive Conflict Management, Berlin.

The Risks of Landmines and Explosive Remnants of War, United Arab Emirates, December

GC was invited to this workshop organised by the ICBL Arab Network of Researchers on Landmines and Explosive Remnants of War (ERW) in cooperation with the Sharjah City for Humanitarian Services. Geneva Call advocated for an inclusive approach to engagement of NSAs in the mine ban norm and met with local NGOs to explore engagement mechanisms.

FIFTH MEETING OF STATES PARTIES (5MSP)

The Annual Meeting of States Parties to the Mine Ban Treaty took place in Bangkok in September 2003. GC met with representatives of states with NSAs, donors and field practitioners. NSA engagement work is increasingly recognised as a valuable contribution to the universalisation of the mine ban norm. For the first time, States Parties recognised the efforts made by NGOs, the ICRC and UN agencies to engage NSAs in the mine ban, and encouraged States Parties to facilitate this work. A number of governments called for regular, informal meetings to explore the issue of NSAs in the context of the landmine issue. The European Union and other states recognised the importance of the Geneva Call and the Deed of Commitment. The EU said, ‘[T]he continued use of anti-personnel landmines by non-state actors continues to be a cause for grave concern. The European Union expresses the hope that all non-state actors will cease the use of anti-personnel landmines and will sign the Deed of Commitment for Adherence to a Total Ban on Anti-personnel Mines and for Cooperation in Mine Action, as provided for by Geneva Call.’ During the 5MSP, Geneva Call launched its exhibition entitled “Engaging armed non-state actors in the antipersonnel mine ban.” The exhibit is comprised of a series of 13 interchangeable panels that detail considerations, challenges and rewards of NSA engagement. It was well received by the 5MSP and is expected to travel through Europe over the next year and be featured at various events and activities.

GENEVA CALL
APPEL DE GENÈVE
LLAMAMIENTO DE GINEBRA

HEADQUARTERS
P.O. BOX 334
CH-1211 GENEVA 4
SWITZERLAND
TEL. +41 22 879 1050
FAX: +41 22 879 1051

PARIS OFFICE
19 RUE BERANGER
75003 PARIS
FRANCE
TEL./FAX: +33 14 272 5549

INFO@GENEVACALL.ORG
WWW.GENEVACALL.ORG