

- India should accede to the Anti-Personnel Mine Ban Convention (APMBC) as a matter of priority.
- Despite not yet being a State Party to the APMBC, India has obligations under international human rights law to clear anti-personnel mines in areas under its jurisdiction or control as soon as possible.

## ANTI-PERSONNEL MINE CONTAMINATION

The extent of anti-personnel mine contamination is not known. Large-scale mine-laying was conducted by government forces on and near the Line of Control (LoC) separating India and Pakistan during the 1971 war and the 2001–02 stand-off between the two states. Anti-personnel and anti-vehicle mines were laid on cultivated land and pasture, as well as around infrastructure and a number of villages.

Despite occasional official claims that all the mines laid were subsequently cleared, reports of contamination and casualties have persisted. A media report in 2013 cited a government statement that about 20km<sup>2</sup> of irrigated land was still mined in the Akhnoor sector of the LoC alone.<sup>1</sup> In June 2016, India's *NDTV* news reported that the Indian army was demining areas of the LoC in Rajouri district, Kashmir, in order to return land to communities for agricultural use as it vacated fields near the border that were reportedly taken over and mined during the Kargil Conflict in 1999 and Operation Parakaram in 2001.<sup>2</sup>

Landmine incidents continue to be reported, primarily involving Indian army personnel, but also civilians.

Security forces have also reported extensive use of mines and improvised explosive devices (IEDs) by Maoist fighters in the north-eastern states of Chhattisgarh, and Jharkhand causing civilian and military casualties. In July 2018, it was reported that 15 anti-vehicle mines placed by Maoist rebels were neutralised by security forces in Garhwa district, Jharkhand state.<sup>3</sup> However, mine types are usually not specified and may include command-detonated explosive devices as well as mines (i.e. victim-activated explosive devices).<sup>4</sup>

Furthermore, if India proceeds with the purchase of 1 million landmines, following reports of it inviting manufacturers to bid in late 2019, it would be a clear indication that India is not seeking to clear anti-personnel mine contamination on areas under its territory or control, but rather, that it plans to add to the already existing contamination.<sup>5</sup>

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## PROGRAMME MANAGEMENT

India has no civilian mine action programme. The Director-General of Military Operations decides on mine clearance after receiving assessment reports from the command headquarters of the respective districts where mine clearance is needed.

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## LAND RELEASE

There is no publicly available official information on land release in 2019. The Army Corps of Engineers is responsible for clearing mines placed by non-state armed groups.<sup>6</sup> In July 2017, for instance, according to a media account, the Indian Army was manually clearing mines in the border districts of Jammu and Kashmir and was procuring more advanced demining equipment with a view to improving safety and decreasing the number of deminer casualties.<sup>7</sup> Media reports have indicated the police also play an active part in clearing mines and other explosive hazards on an ad hoc basis in states dealing with insurgency.<sup>8</sup>

India has not reported that any mine clearance has occurred in its Convention on Certain Conventional Weapons (CCW) Amended Protocol II (AP II) Article 13 transparency reports since 2006.<sup>9</sup>

In a statement delivered at Fourth Review Conference of the APMBC in November 2019, India said: "Mines that are used for defensive military operations are laid within fenced perimeters and marked, in accordance with the requirements specified in AP II. Post operations, these mines are cleared by trained troops".<sup>10</sup>

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- 1 "Heavy rainfall worsening landmine peril for Kashmiri farmers", Thomson Reuters Foundation, 5 November 2013, at: [tmsnrt.rs/33xqBun](https://www.refworld.org/docid/5d3c3c3c.html).
  - 2 "Farmers Hope to Return to Fields as Army Clears Landmines on Line of Control", NDTV, 27 June 2016, at: [bit.ly/2Z1AJJL](https://www.ndtv.com/india-news/farmers-hope-to-return-to-fields-as-army-clears-landmines-on-line-of-control-1.2761444).
  - 3 "Jawans unearth 15 landmines on rebel turf", The Telegraph India, 6 July 2018, at: [bit.ly/33ycUeu](https://www.telegraphindia.com/180706/jw/unearth-15-landmines-on-rebel-turf)
  - 4 See, e.g., "15 police, driver killed by suspected Maoist landmine in western India", Daily Sabah, 1 May 2019, at: [bit.ly/2yZgobW](https://www.dailysabah.com/india/15-police-driver-killed-by-suspected-maoist-landmine-in-western-india); "Jharkhand: Six Jaguar Force jawans killed in Maoist landmine blast", The Indian Express, 27 June 2018, at: [bit.ly/2Z1R6st](https://www.indianexpress.com/article/india/jharkhand-six-jaguar-force-jawans-killed-in-maoist-landmine-blast-5614444); "Farmer hurt in blast", The Telegraph India, 3 May 2018, at: [bit.ly/303gBqv](https://www.telegraphindia.com/180503/farmer-hurt-in-landmine-blast); and "Three killed in landmine blast triggered by Maoists in Chhattisgarh", Hindustan Times, 19 January 2017, at: [bit.ly/301Cvuk](https://www.hindustantimes.com/india-news/three-killed-in-landmine-blast-triggered-by-maoists-in-chhattisgarh).
  - 5 "Indian Army Plans To Lay One Million Land-Mines On India-Pakistan Border", The Eurasian Times, 4 October 2019, at: [bit.ly/2ZmJmA6](https://www.eurasiantimes.com/india/indian-army-plans-to-lay-one-million-land-mines-on-india-pakistan-border).
  - 6 Convention on Certain Conventional Weapons (CCW) Amended Protocol II Article 13 Report (covering 2006), Form B.
  - 7 "Advanced tech to help soldiers map minefields", The Times of India, 10 July 2017, at: [bit.ly/2KyoVt7](https://timesofindia.indiatimes.com/india/advanced-tech-to-help-soldiers-map-minefields).
  - 8 "IEDs pose huge challenge in efforts to counter Naxals: Police", The Indian Express, 24 July 2017, at: [bit.ly/2MgNRrb](https://www.indianexpress.com/article/india/ieds-pose-huge-challenge-in-efforts-to-counter-naxals-police-5414444).
  - 9 CCW Amended Protocol II Article 13 Report (for 1 April 2019 to 31 March 2020), Form B.
  - 10 Statement of India, Fourth APMBC Review Conference, Oslo, 26 November 2019.