

## RECOMMENDATIONS FOR ACTION

- India should accede to the Anti-Personnel Mine Ban Convention (APMBC) as a matter of priority.
- India should clear anti-personnel mines in areas under its jurisdiction or control as soon as possible, consonant with its obligations under international human rights law.
- India should report publicly on the extent and location of anti-personnel mines and prepare a plan for their clearance and destruction.

## UNDERSTANDING OF AP MINE CONTAMINATION

The extent of anti-personnel mine contamination is not known. India used mines in three wars with Pakistan in 1947, 1965, and 1971, and in its war with China in 1962.<sup>1</sup> 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. In 2002, media resources reported that India was in the process of laying mines along virtually the entire length of its 2,897km border with Pakistan. One army commander said the mined area extended roughly two kilometres deep.<sup>2</sup>

Despite repeated 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>3</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>4</sup> India asserts that the Indian Armed Forces have never used landmines in internal armed conflicts in its northern and north-eastern states.<sup>5</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>6</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>7</sup> In an audio press note sent to the media in August 2020, Maoist fighters assumed responsibility for the death of two youths who died in a landmine blast in Pedabayalu mandal, saying that they were targeting the police.<sup>8</sup>

## 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.

## LAND RELEASE

There is no publicly available official information on land release in 2020 as in previous years in India.

The Army Corps of Engineers is responsible for clearing mines placed by non-State armed groups.<sup>9</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>10</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>11</sup>

India has not reported any mine clearance in its CCW Amended Protocol II Article 13 transparency reports since 2006.<sup>12</sup> No target date has been set for the completion of mine clearance. 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>13</sup>

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- 1 Recent Landmine Use by India and Pakistan, Human Rights Watch Backgrounder, May 2002, at: <http://bit.ly/3srXtQz>, p. 3.
  - 2 "India's Minefields Mean Bitter Harvest for Farmers", *The New York Times*, 4 January 2002, at: <http://nyti.ms/3mTiBhp>.
  - 3 "Heavy rainfall worsening landmine peril for Kashmiri farmers", *Thomson Reuters Foundation*, 5 November 2013, at: <http://tmsrnt.rs/33xqBun>.
  - 4 "Farmers Hope to Return to Fields as Army Clears Landmines on Line of Control", *NDTV*, 27 June 2016, at: <http://bit.ly/2Z1AJIL>.
  - 5 Recent Landmine Use by India and Pakistan, Human Rights Watch Backgrounder, May 2002, p. 3.
  - 6 "Jawans unearth 15 landmines on rebel turf", *The Telegraph India*, 6 July 2018, at: <http://bit.ly/33ycUeu>.
  - 7 See, e.g., "15 police, driver killed by suspected Maoist landmine in western India", *Daily Sabah*, 1 May 2019, at: <http://bit.ly/2yZgobW>; "Jharkhand: Six Jaguar Force jawans killed in Maoist landmine blast", *The Indian Express*, 27 June 2018, at: <http://bit.ly/2Z1R6st>; "Farmer hurt in blast", *The Telegraph India*, 3 May 2018, at: <http://bit.ly/303gBqv>; and "Three killed in landmine blast triggered by Maoists in Chhattisgarh", *Hindustan Times*, 19 January 2017, at: <http://bit.ly/301Cvuk>.
  - 8 "Andhra Pradesh, Maoists offer apologies for landmine blast", *The Times of India*, 11 August 2020, at: <http://bit.ly/3wWdnGh>.
  - 9 Convention on Certain Conventional Weapons (CCW) Amended Protocol II Article 13 Report (covering 2006), Form B.
  - 10 "Advanced tech to help soldiers map minefields", *The Times of India*, 10 July 2017, at: <http://bit.ly/2KyoVt7>.
  - 11 "IEDs pose huge challenge in efforts to counter Naxals: Police", *The Indian Express*, 24 July 2017, at: <http://bit.ly/2MgNRrb>.
  - 12 CCW Amended Protocol II Article 13 Report (for 1 April 2019 to 31 March 2020), Form B.
  - 13 Statement of India, Fourth APMBC Review Conference, Oslo, 26 November 2019.