



RECOMMENDATION FOR ACTION

- India should accede to the Anti-Personnel Mine Ban Convention (APMBC) and clear all mined areas as a matter of priority.

CONTAMINATION

India is contaminated with mines, mainly as a result of large-scale mine-laying 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 continued. A media report in November 2013 cited a government statement that about 20km² of irrigated land was still mined in the Akhnoor sector of the LoC alone.¹ Security forces also report extensive use of mines by Maoist insurgents in the north-eastern states of

Bihar, Chhattisgarh, and Jharkhand, although mine types are not specified and may include command-detonated as well as victim-activated explosive devices.²

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 to the border which were reportedly taken over and mined during the Kargil Conflict in 1999 and Operation Parakaram in 2001. A Commanding Officer was quoted as saying that "we are clearing (mines) to avoid any accidents" and that "[t]hese mines are very old – sometimes they are not in the records also".³

1 A. Sharma, "Heavy rainfall worsening landmine peril for Kashmiri farmers", *Thomson Reuters Foundation*, 5 November 2013.

2 See, e.g., "Powerful landmines unearthed in Bihar", *Business Standard (Press Trust of India)*, 4 April 2014; "Landmines recovered in naxal infested Medininagar in Jarkhand", *Zeeneews (Press Trust of India)*, 18 February 2015; and "India's Maoists apologise after landmine", *SBS (AAP)*, 14 April 2014.

3 S. Z. Iqbal, "Farmers Hope to Return to Fields as Army Clears Landmines on Line of Control", *NDTV*, 27 June 2016, at: <http://www.ndtv.com/india-news/farmers-hope-to-return-to-fields-as-army-clears-landmines-on-line-of-control-1423616>.

On 4 April 2015, three civilians were reportedly killed and a fourth was injured in a landmine accident in the Changar area of Nowashara Sector, Rajouri district close to the LoC. Indian military spokesman Lieutenant-Colonel Manish Mehta confirmed the incident, saying that it was caused by “an unidentified vintage mine” and that “it is believed that the landmine might have got drifted [sic] in the farmland from a minefield nearby because of incessant rains during the past several days”.⁴

On 11 January 2016, another Indian soldier and two civilians employed as military porters were injured in separate mine blasts, again close to the LoC. The soldier was injured during a routine patrol in Guntrain area, Poonch district, while the porters were wounded by a mine explosion in Keran sector, Kupwara district. An Indian army official was quoted confirming that the incidents were caused by mines.⁵

Another incident was reported on 1 August 2016, when two Indian army soldiers were said to have been killed in a mine explosion near the LoC in Kargil district, Ladakh division.⁶

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.⁷

LAND RELEASE

There is no publicly available information on land release in 2015. The Army Corps of Engineers is responsible for clearing mines as well as improvised explosive devices (IEDs) placed by non-state armed groups.⁸ Media reports have indicated police also play an active part in clearing mines and IEDs on an ad hoc basis in states dealing with insurgency.

ARTICLE 5 COMPLIANCE

India is not a party or signatory to the APMBC but nonetheless has obligations under international human rights law to protect life, which requires clearance of mines as soon as possible.⁹

4 “Landmine explosion kills 3 civilians near Kashmir LoC”, *Xinhua*, 4 April 2015, at: http://news.xinhuanet.com/english/2015-04/04/c_134124875.htm; and “Landmine explosion in J&K kills three people”, *ReliefWeb*, 4 April 2015, at: <http://reliefweb.int/report/india/landmine-explosion-jk-kills-three-people>.

5 “Indian trooper, 2 porters wounded in separate landmine explosions on Kashmir LoC”, *Xinhua*, 11 January 2016, at: http://news.xinhuanet.com/english/2016-01/11/c_134998674.htm.

6 “Landmine blast kills 2 troopers in Indian-controlled Kashmir”, *Xinhua*, 1 August 2016, at: http://news.xinhuanet.com/english/2016-08/01/c_135555545.htm.

7 Interview with army officer speaking on condition of anonymity, New Delhi, 18 February 2008.

8 Convention on Certain Conventional Weapons Article 13 Report (for 2006), Form B.

9 India is a state party to the 1996 International Covenant on Civil and Political Rights, Article 6 of which requires that each state party protect and respect life.