Deminers Facing More Responsibilities in Developmental Phase

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Recommended Citation
Available at: https://commons.lib.jmu.edu/cisr-journal/vol7/iss2/45

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NOTES FROM THE FIELD
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Deminers Facing More Responsibilities in Developmental Phase

In Cambodia, mine action is no longer only about saving lives; it is also about supporting development efforts. However, in the context of development, the quality of mine clearance will be scrutinized. A recent mine incident during road construction has raised new issues involving the responsibilities of deminers.

by Ieng Mouly, Chairman, CMAC Governing Council

Demining and Development

In recent months, a young man drove his backhoe into a minefield in Pailin, northwest of Cambodia, and struck an AT mine, creating a violent explosion. He was injured and the backhoe was damaged. Immediately before any thorough investigations, many claimed that the mine action operator, the Cambodian Mine Action Center (CMAC), and its deminers should take responsibility for both the damages and the injury. A few more years of operation, Cambodian deminers are now clearing minefields, not only to save the lives of the Cambodian population living in the most mine-contaminated areas, but also to support development efforts in Cambodia. The benefits of mine action are increasingly visible, as many development projects have taken place on land cleared of landmines, especially in rural areas of the country. The integration of mine action into the overall development strategy is a correct poverty reduction policy. Mine action is no longer an isolated business of strictly specialized agencies or non-governmental organizations (NGOs) such as the CMAC, HALO Trust and the Mines Advisory Group (MAG), which are now working in concert with other partners for development. However, in the context of development needs to explain to the general public the motive that his critics may have behind the incident. The exercise of such pedagogy badly proves to be pernicious, as it is hard to convince ordinary people to accept that the incident could be caused by factors other than the poor quality of mine clearance. People are looking to professional deminers for their safety expertise. They expect a high level of safety on cleared land.

Mine action managers should be vigilant vis-à-vis the performance of their workers, and they should take steps to ensure the quality of their services. Even the most experienced deminers make mistakes. Too sure of their skills, in a moment of intoxication or amusement, they may overlook even one part of a deminer's obligations, which must be reviewed as often as necessary. The review conference should not only seek advice from two or more international national specialists whose advisory contribution would give a universal characteristic to the standards. It should also seek advice from deminers, site managers, and operation and planning officers, top managers and government mine action authority officials.

The standards should be written under and within the International Mine Action Standards (IMAS) requirements, in easy local language to be used by local staff, rather than in English, which sometimes means national capacity and incomprehensible translation. If the local staff had the leadership and the initiative to produce the standards in their terms, using national capacity with assistance from international experts, it would demonstrate a highly conclusive effort in capacity building. However, the capacity-building effort would be unrealistic if the Cambodian Mine Action Authority (CMAA), which was created in August 2000 by the Royal Government of Cambodia, is responsible for handover. Although many stakeholders have applauded the Cambodian government's decision to create the CMAA, it is not fully operational yet. CMAA should take responsibility for the handover process or, at least, provide guidance for the handover documentation.

Documentation includes the completion report and certification, not to mention other recommendations on the follow-up—the CMAA is in charge of mine action planning and management processes, especially those relating to cleared land. In the absence of guidance from the CMAA, demining organization managers may leave the handover, quality assurance, quality control and post-inspection clearance issues to the local authority, possibly delaying the resettlement, rehabilitation and development processes. In this case, they should report all completion of clearance operation to the CMAA and await its recommendations for the formal handover. But, if they choose to honor the commitment they made to their partners for development and to proceed with

In Cambodia, a landmine can either be neutralized (as these have been here) or destroyed.
the handover as planned, the managers should ensure that the completion report includes at least the most critical information such as handover area and task identification, as well as clearance requirements (specified area and specified depth). The CMAA should ensure, whether by contractual arrangements or by recommendations, that any mine clearance operation is conducted under specified clearance requirements in accordance with the intended use of land.

In the Pallin case, the clearance operation was carried out with no sign of any requirement for a specified depth, even though a survey had suggested the presence of a variety of AP and AT mines, including RPG. The survey also suggested that the land would be used for road building. The demining platoons might have effectively cleared the area of landmines but did not attempt to go further and search for the AT mines. In addition, there was no indication of procedures and equipment used for the clearance operation, at least in the handover notice, when the cleared land was handed over to the local authority.

It is good news to note the presence of a U.S. company in Pallin, thus specializing in mine clearance in the field. Under a bilateral contract with CMAA, the company is diligently performing the work of quality assurance and auditing.

National ownership in mine action presupposes an active and coordinated involvement of national government, civil society and people, in a national program that has a common goal in partnership with the international community. The primary responsibility falls on the national mine action authority for the overall coordination as well as for finding a solution whenever any problem arises.

As the center of national management, the national mine action authority should adopt pro-active approaches in its work, as any inaction, which is often due to the lack of resources, would hinder or impede the efforts of other partners or agencies. Resources, funds, skills and experience are always problematic. New resources are hard to harvest because the locally found or existing ones are either unusable or unnoticed. Even issuing delivery of the support is sometimes slow or insignificant, as heavy bureaucracy or centralized working systems are rendering their political will unaccomplished. In addition, in some internationally funded programs, the government may voluntarily seek to prolong the international involvement, thus neglecting or omitting its own participation. Yet the international donors still regard the government budgetary contribution to mine action as a key factor that should ensure that all mine clearance operators, including the RCAF, are implementing mine clearance programs in line with the international standards.

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The incident in Pallin did not culminate in criminal prosecution. However, the incident did trigger a flurry of investigations and a series of negotiations among CMAA, the local authority and the victims for a comprehensive agreement on eventual compensation and medical care. According to the Royal Decree establishing CMAA, all staff of CMAA shall incur no personal liability during the performance of their official functions. However, the national demining institution shall assume responsibility in all such cases in accordance with the law in force.

As a matter of honesty, CMAA is not doubtful of its responsibility. It has already acknowledged some failure and has decided to conduct an independent audit. CMAA provided the victim with instantaneous and appropriate medical care. He even visited him on his way back to normal life. To insist that CMAA alone must take both blame and responsibility for the incident proves to be inconceivable, as it is obvious that this clear-cut and enters into the national mine action authority. The national authority should ensure that all mine clearance operators, including the RCAF, are implementing mine clearance programs in line with the international standards or with IMAS.

Civil society should play its part in mine action, as its involvement in any partnership or coordination process can increase the efficiency and effectiveness of the program. In Cambodia, the government thus gathered overwhelming support from all social categories of the population. In this regard, the national mine action authority should work closely with the civil society to mobilize public support for funding, mine risk education (MRE), mine information, security of deminers or for securing mine marking materials. When all the people are well aware of the humanitarian purposes of mine action, deminers' work will be appreciated and widely supported, eliminating possible attempts for obstruction or sabotage, as well as removing suspicion and conflict.

Moral Implication

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A typical CMAA deminer wearing personal protective equipment (PPE).

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