Explosive Remnants of War: The Negotiations Continue

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They Started With A Temple: JAHDS in Thailand

The Japanese Alliance for Humanitarian Demining Support (JAHDS), better known for its research and development of Ground Penetrating Radar (Mine Eye), recently became involved in mine clearance. In the process of testing mine clearance equipment, JAHDS cleared an area around an ancient Khmer temple.

by Paddy Blagden, Former Technical Director of GICHD

JAHDS is better known for research and development of Mine Eye and for supporting the demining efforts of other organizations, rather than for mine clearance. The need to test Mine Eye under operational conditions called for the creation of a test field with access to live mines. It follows that if you have a field with live mines, you might as well clear them.

The decision to step into the mine clearance arena was taken lightly. JAHDS had been testing equipment in Thailand for some time, with the full co-operation of the Thailand Mine Action Centre (TMAC). It had also formed a working relationship with the General Charitick Chhonkhanvan Foundation (GCCF), a Thai NGO based in Bangkok, and the Thai Army, which had a Humanitarian Mine Action Unit (HMAU) working in the northeast of the country. JAHDS appointed Mr. Watara Sugaya, an ex-mine-arter, as the project manager. JAHDS also needed an international specialist to provide field operational skills. They chose a South African, Johan Van Zyl, to be the Operating Manager. Zyl is a man of vast experience who is well known in the mine clearance world. They were ready to begin.

Obviously, you cannot start clearing without a minefield. The project chosen was the area around the ancient Khmer temple of Sdok Kok Thom, close to the Thai-Cambodia border, north of the small border town of Aranyapratet in Surin Province. This temple is one of a network of Khmer temples, built about 1100 years ago, with the famous Cambodian temple complex of Angkor Wat as its centre. The Khmer Rouge, and other warring factions, may have mined the temple grounds as part of the border minfields. Clearance of the temple itself was needed to permit the promotion of increased tourism in the area and to provide access to land for local farming.

The site was relatively small—about 340,000 square meters in all—but presented a range of problems, with vegetation varying from a flat grassy area to densely vegetated sections with large trees. The area was seen as a good site to build up experience. Thus, JAHDS started with a temple.

Starting from nothing is difficult and demands patience, determination and good planning. The JAHDS team started by setting up a working partnership with HMAU 1 and began the refresher training of the GCCF deminers. The area chosen was perfect for such training—a low-threat area, with medium vegetation, but well suited to a testing system, using machines, manual clearance and dogs. As confidence and experience increased, more GCCF deminers were recruited, and HMAU 1 was able to loan a DM4H brush cutter and dog teams, and to carry out some of the Quality Assurance. They also allowed JAHDS to use a Tempest Mk 4 and a Pearson SDTT (Survivable Demining Tractor and Tools), a highly versatile and effective machine. A JAHDS-own Hifuchi brush cutter augmented those machines.

Thanks to the help of its working partners, the JAHDS programme is now under way. Both the forested sections and small branches of the site have been formally handed back to the District, and are even now being cultivated. The work being done will be available for inspection by those attending the Fifth Meeting of States Parties to the Mine Ban Treaty, which JAHDS will attend. Clearing of the temple itself will be complete by the end of the year, and the site will now be handed over to the Thai government, which will continue the clearance.

For the future, there are other challenges in the border area, and even over the border in Cambodia, but JAHDS will never forget that they started with a temple.

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Background

The aim of the current series of meetings is to discuss possible measures that could alleviate the humanitarian impact of ERW. Based on earlier work, the ambassador from the Netherlands, who is responsible for coordinating work on ERW in the CCW, presented a paper as a possible basis for an instrument or protocol on ERW. At present, there are two arguments as to how work on this paper should proceed. The majority of States Parties favour the adoption of a legally binding protocol. However, some States Parties continue to oppose this view, favouring a "statement of best practices." For the clearance community, the encouraging news is that issues that are central to their work in the field (such as responsibility for clearing up ERW and measures to protect civilians, e.g., fencing and marking) are being discussed in an international forum. These discussions may result in formal guidelines for parties to future conflicts to provide clearance and other mine action activities.

After two weeks of discussions, the Coordinator for ERW will now submit the proposal and present it again to States Parties in the autumn with the next formal meeting scheduled for November 2003. The key articles of interest to the clearance community are Article 3: Clearance, Removal and Destruction of Explosive Remnants of War; Article 4: Recording and Use of Information; Article 5: Provisions for the Protection of the Civilian Populations from the Effects of Explosive Remnants of War; Article 7: Existing Explosive Remnants of War; and the Technical Annex, which covers recording and provision of information on UXO and abandoned ordnance, risk education and the provision of information.

The Draft for an Instrument on ERW

From a positive perspective, the draft paper offers the prospect of recognizing the responsibility of parties to a conflict to clean up ERW, which could mean better funding provision, swifter action in dealing with ERW and improved cooperation between military forces and humanitarian organizations. Also, information would be made available, such as the types of ordnance used, location of battle areas, methods for safe disposal, presence of anti-handling devices, and location and amounts of abandoned ammunition. All this information would be of considerable use for pre-deployment planning and preparation for a post-conflict environment. However, the proposals could see States increasing their own assets (almost certainly the military) to undertake work previously done by the clearance community. This raises issues about the quality and efficacy of the military in this type of work. Furthermore, if States use their own assets to clear ERW or provide risk education, they might have to pay a third party to do what they see as a duplication of work.

As a result, there could potentially be a negative impact on funding. Before there will be any agreement, there are a number of obstacles that we need to overcome. First, among many delegations, there is still a lack of understanding about the reality of work in the field or what is involved in providing risk education. The few "experts" that states being along are almost always military officers, and not always with experience in explosive ordnance disposal (EOD). In a mine action programme, several states are openly opposed to providing any information beyond the bare minimum.

The usual reason cited for this is national security. The GICHD and others have pointed out that the issue is not one of providing the information but rather of when the information becomes known. A good example would be states that refuse to provide coordinates for cluster bomb strikes. It just means that the clearance community would have to establish the location using a survey.

The information ultimately becomes known—it just takes longer and costs more. There are also grounds for concern about how information would be provided. The draft proposal mentioned international databases, perhaps run by the United Nations.
The GICHD's Role

The GICHD will continue to play an active role in negotiations. Two recently published reports on information requirements and warnings and risk education were written to try to provide delegates to the meetings with a better understanding of the issues involved. The Centre's mandate on dangerous areas would become easier should States agree to provide details of battle areas.

Conclusion

The next meeting of the GGE on ERW is 17-24 November 2003. Shortly after, there will be a meeting of States Parties to the CCW on 27-28 November, to consider the next step on this issue. While it is unclear what the States Parties will decide, there are two probable outcomes: an agreement to create a legally binding protocol or a non-legally binding "statement of best practice" for ERW. Discussions on ERW continue, possibly because the States Parties cannot decide on the legal status of the proposal or due to the demands in any paper being unacceptable to some States Parties. Perhaps the greatest danger is a legally binding document that has been so weakened to achieve agreement that it does little if anything to alleviate the acknowledged humanitarian impact of ERW.

Industrial Training and Education Programme (ITEP) Work Plan

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ITEP recognises the fact that a considerable amount of T&E has been and is being conducted by many other organisations in the field of humanitarian demining. The hopes and expectations are that members of the demining community will consult the Work Plan, identify relevant T&KE activities, request more information and possibly actively collaborate in them.

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(b) Ellis, op. cit.
(c) Should a legally binding protocol be adopted it would become the fifth protocol of the CCW. For details of the other four protocols, see Ellis, op. cit.
(d) Full details of the Draft Proposal and other papers presented to the meeting in June can be found on the UN Department of Disarmament Affairs website on the CCW at http://disarmament.un.org/en/index.html.

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References

1. The full official title of the CCW is: The Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to have Indiscriminate Effects.
3. Ellis, op. cit.
4. Should a legally binding protocol be adopted it would become the fifth protocol of the CCW. For details of the other four protocols, see Ellis, op. cit.
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Logistics-Explosives-Safety

Cost, safety, and compliance with international regulations are among the most important factors with respect to shipping explosives. The following article gives detailed insight into the transport and storage of explosives necessary for destroying mines and UXO.

by Rolf Oechslin, RUAG Munition and Jørgen Schneider, Dyno Nobel

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Introduction

The humanitarian disaster caused by landmines and UXO littered throughout more than 60 countries has created an active and growing response from the international community that could eventually lead to the elimination of the use of landmines. As mines can be very dangerous or impossible to render safe, they often must be destroyed in situ. Quality demolition products are essential for the safety of the mine clearance experts. Delivering materials for the demolishing teams can be solved with reasonable economic resources and within a relatively short time; however, problems associated with explosives must be solved first. For example:

• Can explosives be suitable for demining be delivered locally?
• Can explosives be transported to the site and stored safely?
• Is it possible to get explosives from neighbouring countries?

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Class 1: Explosive Substances and Articles

Division numbers give information on how the explosives can be transported. Explosives typical for demining can be put into one of the following divisions:

• Division 1.4: Substances and articles that have a mass explosion hazard (a mass explosion is an explosion that affects almost the entire load instantaneously)

• Division 1.4: Substances and articles that present only a slight risk of explosion in the event of ignition or initiation during carriage. The effects are largely confined to the package and no projection of fragments of appreciable size or range is to be expected. An external fire shall not cause an instantaneous explosion of the entire contents of the package.

Compatibility Groups

Compatibility groups inform you about how to store a container and how it can be transported as well. Definitions of compatibility groups of substances and articles for demining are listed in Table 1 to the top right.

When stuffing a container with explosives, you are allowed to have normal goods in the container as well, but under no circumstances can it contain other dangerous goods. Table 2 shows what is possible to mix when stuffing a container.

By putting division number and compatibility group together, it is possible to store and transport the explosives by sea or air in accordance with International Maritime Organization (IMO) regulations (transporting by ship) or in accordance with the International Air Transport Association (IATA) dangerous goods regulations (transporting by air) as in Table 3.

Table 3 is rather theoretically and can be difficult to understand. All explosives will be listed as Class 1. In addition, they will have a division number, a compatibility number, a UN number and a proper shipping name. Typical explosives for demining can be as Table 4 depicts.