



DanChurchAid's Policy
In
Humanitarian Mine Action

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DanChurchAid's Policy in Humanitarian Mine Action

The objective with DanChurchAid's humanitarian mine action is to save lives by clearance and disposal of landmines and unexploded ordinances, and to decrease the threat that landmines pose on vulnerable populations through marking, mapping, information and education campaigns. DanChurchAid will also work to influence decision-makers to support and adhere to international conventions regarding landmines.

1. Introduction

1.1. The Problems to be addressed by Humanitarian Mine Action

Mines left over after the conflicts have affected many countries in the world – and until very recently attempts at regulating the widespread indiscriminate use of mines had been in vain. With the ratification of the Ottawa Treaty in 1997, the first convention ever to prohibit a weapon in extensive use under international humanitarian law was put into force. Thus far, 122 States out of the 142 signatories have ratified the treaty.

Landmines are Instruments of War that have an impact upon human lives and continue to inflict social and economic costs by threatening the lives and livelihoods of people. The presence of mines hinders development and exacerbates poverty by preventing the productive use of land and infrastructure. Likewise the cost of treating injured survivors of landmine accidents is a burden on the society as a whole.

Landmines should therefore be seen as a contamination (alien body) of the overall environment as they restrict people's access to natural resources, seriously disrupt the human environment, and thereby make post-conflict reconstruction and socio-economic redevelopment difficult – in some cases impossible.

The universal response to the mine problem has been to clear the affected areas of mines and UXOs (unexploded ordnance). But in recent years, the approach has broadened (see below) to incorporate other aspects beyond the technical aspects of detection and destruction (as in military mine clearance).

The term humanitarian mine action is now commonly used with respect to activities that aim at reducing the social, economic and environmental impact of mines. The actual removal of mines and UXO can only be seen as one part of the action.

Humanitarian Mine Action can include the following,

- Mine awareness, surveying, marking and de-mining.
- First aid and physical rehabilitation for the injured.
- Socio-economic and psychological rehabilitation of individuals and families.
- Reconstruction and development of mine-affected communities
- Empowerment and training of local workers to carry out the programmes

- International rights based advocacy campaigns

2. DCA Strategy of Intervention

2.1. Objectives

DCA is an internationally oriented NGO that is guided by several international guidelines and regulative bodies with respect to humanitarian mine action;

- DCA wishes to work under the framework of the *Bad Honnef Guidelines for Mine Action (1997)*. Key for these guidelines is an emphasis on the empowerment and training of the community to carry out all aspects of mine action programmes, on securing peace and national reconstruction through mine action programmes, and reintegrating refugees, displaced persons and demobilised soldiers into society again.
- On a technical level DCA is guided by the *UN's International Standards for Humanitarian Mine Clearance Operations (March 1997)* with respect to quality assurance, accreditation, and minimum standards are concerned. DCA aims at a 100% clearance in its areas of operation.
- DCA adheres to the International Code of Conduct.

However the policy environment in Denmark for humanitarian mines action is, beyond the general principles formulated above, still very undefined. The vast needs to be addressed require a focused approach on the part of the organisation. As a result it is proposed that HMA will be essentially inspired by the organisation's main development principles¹

HMA clearly contributes to the fulfilment of the general development objectives of DanChurchAid, namely:

- To a **rights based approach** by promoting and defending the principles contained in new bodies of international law (references of Treaties), specifically related to International Humanitarian Law, and to respect for fundamental human rights.
- To **assist the poorest** who are the most affected by mines
- To be a lever of **influence in advocacy campaigns** for integrated development
- To **support the partners** of the ACT and LWF network
- To integrate long term **development in emergency** work.

Within this general framework, there are stronger and weaker connections to HMA. The HMA activities are seen to relate primarily to contribute to a human rights approach and advocacy role, then secondarily to improving the life of the poor, and then to contribute to the partnership and a holistic approach to relief and development.

¹ As defined in the draft "Turning a Rights Based Approach into Practice- Strategy Plan for DanChurchAid's International Network".

DanChurchAid focuses primarily on mine awareness, mine clearance, capacity building and advocacy activities. An area which DanChurchAid will explore in future is victim assistance.

2.2 DCA Priority Results and Activities

Mine action is not devoid of tensions and dilemmas. In developing mine action programs, choices have to be made between the advocacy role and the operational priorities, the specialised expert package and the network based partnerships, the emergency systems and the development methods. DCA has opted for a flexible approach where the focus is on saving lives and achieving results that relate to respect for fundamental human rights such as access to food, water and land.

The integration of a highly technical and dangerous activity with DanChurchAid's relief and development priorities is challenging.

In order to attain this balance between the technical aspects and development aspects of Humanitarian Mine Action a close co-ordination between DanChurchAid's 5 regional teams and the operational emergency unit is required.

The 5 regional teams: Northern Africa, Southern Africa, Asia, Latin America and Europe/Middle East are composed of development, emergency and information staff with specific expertise in their particular region. These teams develop regional strategies that encompass all aspects of the work supported by DCA in that region. Therefore, the development of any Humanitarian Mine Action initiative is thoroughly developed within the relevant group structure.

The operational emergency unit in Copenhagen is a small team composed of staff with relevant technical background, training and field experience in Mine Action, a socio-economic expert, a logistics team and a strong international network of staff who are available on short-notice to fill defined positions in HMA teams.

This unit has the responsibility to keep abreast of Mine Action situations and make well-analysed recommendations to the regional groups regarding potential areas of relevance.

Given the co-ordination between regional groups and the operational emergency unit the projects strive to:

- Be consultative, based on strong local knowledge of the entitlements and ownership issues
- Emphasise risk reduction and improved access for the poor
- Concentrate on education and awareness
- Focus on use and ownership of land that has been cleared from mines/UXO

Project life cycle:

1) Preparatory phase

- An invitation to establish a project is received from the ACT network, or the countries appeal internationally, or the donors and the UN appeal for a project. HMA staff and the relevant

regional group discuss the proposal. An analysis of the security situation is undertaken. A decision is made to go ahead or pass.

- A preliminary assessment is conducted to determine the viability of such a project
- Donor feedback on feasibility
- An assessment is carried out of donor priorities, stakeholder priorities, intentions of coordinating partners, and of the operational feasibility of the project
- A decision is made by DCA to begin the design and deployment of an HMA project
- A proposal is written and sent to the donor
- Resources are mobilised in-house, joint planning regarding implementation is done with the relevant geographical groups, and deployment takes place

2) Implementation (not in chronological order, preferably simultaneously)

- Consultation and participatory techniques are applied to empower the beneficiaries, ownership rights are confirmed
- Mine awareness activities are carried out, a capacity is possibly established
- Surveys, markings and clearance take place
- Advocacy issues are taken up, particularly on land reform, public policy setting, and security sector issues
- Feedback is given to the donor
- Consistent monitoring of results
- Relevant, consistent financial control throughout project life: budgets, income, and expenditures, fund raising.

3) Phasing out

- A proper hand-over process takes place, including of physical surfaces, safety is declared and publicised
- Quality assurance, verification takes place alongside socio-economic impact assessment
- Support is given to the social reintegration of local personnel, and some social security assistance is secured
- The ACT local partners are briefed on the continuation of some of the activities, and some sustainability is ensured
- Country monitoring systems are set up, both of the mine issues and the public policy and enforcement processes. A security assessment is undertaken.
- Financial “end of project” procedures are undertaken. (Audit, reporting to donors, etc.)

It is clear that HMA is here understood as going far beyond the strict mine/UXO elimination work. It includes and affects the normal development work of ACT partners, and represents a new method for the application of the organisation’s general development principles.

3. Risks and Constraints in the Implementation of Mine Action Programmes

3.1. Inherent Risk

DCA plans to carry out HMA in conflict situations, in post-conflict and in extraordinary cases.

- Conflict is considered when in response to the very acute needs of people.
- Post-conflict is emphasised for the reasons of sustainability, time for capacity building, and participation of the mine-affected communities.
- Extraordinary cases DCA may engage in HMA operations on behalf of the UN, the international justice system such as The War Tribunal in The Hague, and similar organisations.

These are inherently unstable contexts, and will require extreme rigour and coherence in the projects. The operational priority of the organisation will always be to secure the safety of staff, local and international.

3.2. Negative impact

DCA will avoid causing harm through ill-controlled interventions. It will train staff at all levels in an analytical framework for considering the impact of aid (including on conflict dynamics). As mine action often relates to land issues, this will be an important aspect of the assessments. The knowledge gained by ACT partners in the course of development work will be actively solicited.

Agencies and staff must have a strong ethical framework that can preserve a humanitarian ideal and minimise manipulation when faced with the realities of conflict (RRN Discussion Paper December 1999) – they have to be well informed about Code of Conduct and other guidelines to prevent this from happening.

4. Past DCA Involvement in Mine Action

DanChurchAid became involved in mine action in the mid-1980s through its support to LWF's Demining and Resettlement Project in Cambodia.

During the 1990s DCA supported programmes in Angola, South Sudan, Cambodia, Chechnya, and most recently in Kosovo. When the discussions started – and in the lead up to the Ban the Landmine Treaty at the Ottawa Conference in 1997, DCA was one of the leading agencies in the dissemination of information through campaigns and advocacy within the church network, and at home. As a direct result of these efforts, and in order to combine advocacy with direct implementation, DCA chose to become operational in Kosovo in 1999.

Nowadays, DanChurchAid offers its Humanitarian Mine Action expertise through the church network, most often through the Lutheran World Federation-Department of World Service (LWF-WS) and the Action by Churches Together Alliance (ACT).

DanChurchAid has a specific role to play through its strong partnership with the church network where DCA, given this new expertise of humanitarian mine action; can better work towards

alleviating the suffering of people. DCA is guided by the Christian concept of *Diakonia* (which means Christian service) and the closely linked humanitarian imperative to assist people in need. DCA supports programs that assist people regardless of religion, geographical area, gender, political belief, and ethnicity.

Mine action is not necessarily defined as a post conflict activity. It is in fact an emergency action with a view to the long term. For this reason it is appropriate that the Humanitarian Mine Action focal point for DCA be located in the emergency operative unit. In times of an ongoing conflict, it may still be under the humanitarian mandate to intervene, where, for example, humanitarian corridors have to be created to access starving persons caught behind frontlines.

Relevant websites for mine action/conventions/etc

Key organisations:

www.icbl.org

www.icrc.org/eng/mines

www.minesactioncanada.com

www.un.org/Depts/Landmine

www.un.org/Depts/dpko/mine

www.gichd.ch (Geneva International Centre for Humanitarian Demining)

www.handicap-international.org/presentation/icbl

www.mag.org.uk

www.epfl.ch/lumi/detec/minelinks.html (a commercial demining site)

Article 7 country reports:

www.domino.un.org/MineBan.nsf

Annual Meetings and Intersessional Standing Committees of the Mine Ban Treaty:

www.gichd.ch/docs/minebantreaty/index/htm

www.gichd.ch/docs/minebantreaty/implementation/2nsSCE.htm

www.gichd.ch/docs/minebantreaty/Stockpiledestruction/2ndSCE.htm

www.gichd.ch/docs/minebantreaty/Victimassistance/victimassi.htm

www.gichd.ch/docs/minebantreaty/clearance.htm

Treaty texts:

www.un.org/Depts/Treaty

CCW:

www.unorg.ch/frames/disarm/review/conweapon.htm

Stability Pact for South East Europe:

www.stabilitypact.org

UN General Assembly resolutions, countries voting records:

www.icbl.org/treaty/unga

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UNMAS 1997. UNs International Standards for Humanitarian Mine Clearance Operations.

ICBL. *Guidelines for Mine Action programmes from a development-oriented point of view*. Revised Version integrating proposals made at the International NGO-Symposium from Bad Honnef 23rd, 24 th June 1997 (also known as the Bad Honnef Guidelines).

The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction (entered into force on 1 March 1997).

The 1981 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons that May Be Deemed to be Excessively Injurious or to have Indiscriminate Effects (better known as the Convention on Certain Conventional Weapons (CCW)). UN Secretary General/General Assembly.

Amended protocol on Prohibitions or Restrictions on the use of Mines, Booby-traps and Other Devices, adopted in Geneva on 3 May 1996. UN Secretary General/General Assembly.

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