

**Geneva International Centre for Humanitarian Demining (GICHD) Thematic Update: MASG
October 2024**

**Adaptability and Flexibility in Evolving Contexts: The Gaps in the Normative Framework for
Mine Action**

GICHD Thematic Intervention at Mine Action Support Group Meeting

24 October 2024

Overview

The global landscape of mine action is rapidly evolving amidst a volatile conflict environment. The *Geneva International Centre for Humanitarian Demining (GICHD)* emphasizes the urgency for adaptability and innovation. With conflicts becoming more intense, complex, protracted, and sometimes dominated by non-state actors, we would like to point to a number of problems which are not being addressed sufficiently by the current normative frameworks and standards.

Allow me to set the stage with some of the challenges we're facing today:

1. The Changing Nature of Conflict

Conflicts have surged since 2012, reversing the decline seen in the 1990s and early 2000s. As of July 2024, 50 countries are experiencing active conflicts. 30 of them are also mine-affected, others are affected by other ERW. That's half of the mine affected states that are currently in active conflict.

Modern conflicts are characterized by:

- **Non-State Actor Involvement:** Non-state armed groups and private security firms, like the Wagner Group, operate outside the convention of the APMBC, increasing the complexity of mine action efforts.

- **Civilian Casualties:** Conflicts increasingly occur in densely populated areas, with civilians accounting for 90% of casualties from explosive weapons, as seen in the UN's 2021 report. Despite the 2022 Political Declaration to protect civilians from explosive weapons, this trend continues, as evidenced in Gaza.
- **IED Use:** Improvised Explosive Devices (IEDs), particularly those victim-operated, are becoming lethal explosive ordnance risk. The Landmine Monitor reported that in 2023, victim-activated IEDs caused 32% of all casualties, highlighting the urgent need for effective responses.
- **Protracted Conflicts:** Sustained conflicts and rapidly shifting donor focus create challenges for mine action, as seen in Mozambique's Cabo Delgado province, where new IED contamination threatens previously mine-free territories.

2. Normative Frameworks

Our sector normative frameworks face limitations in addressing modern conflicts and continue to be challenged:

- **State Use of APMs:** New uses of anti-personnel mines (APMs) by Russia and Myanmar once again prompt the question of how to hold non-signatory states accountable.
- Recently, some state parties have questioned the continued relevance of some of the treaties, citing national defence needs as a priority over humanitarian norms.

- The rise of Victim-Activated IEDs used by non-state actors highlights the need for specific provisions within the treaties to eliminate ambiguities and enhance response mechanisms.
- Non-Recognized Governments: The situation in Afghanistan demonstrates the difficulty of international cooperation in mine action, where a non-recognized government faces barriers in adhering to their obligations.

3. Stakeholder Inflexibility

Donor states not directly impacted by mine contamination may sometimes take a cautious approach, favouring existing mechanisms and funding models. While there is awareness of the evolving needs and challenges, progress in adapting to these shifts has been gradual.

Continued collaboration and support from donors will be vital in driving future changes.

A Path Forward: Ensuring the Relevance of Mine Action

To remain relevant, mine action must embrace transformation:

1. Complement Frameworks

Adapting various frameworks with relevant annexes and a proactive monitoring capacity is critical to maintain relevance and demonstrate success. In order to identify the missing parts, it would be useful to do a comprehensive mapping of all existing IHL elements relevant for mine action and explosive ordnance risk reduction.

Adapted frameworks and standards must be able to address questions such as:

- How do we deal with countries which have been declared mine-free when they relapse into conflict and face new contamination?
- What adaptation in frameworks and standards are needed to allow new technologies and innovative approaches?
- How can we eliminate ambiguities and enhance response mechanisms in the existing treaties regarding the use of Improvised Explosive Devices?
- How do we deal with unrecognized regimes, namely when they attempt to fulfil obligations under the treaties?
- How can we overcome wrong incentives in mine action and reward those who are committed to the normative frameworks and work efficiently towards completion?

2. Rebranding Mine Action

Mine action must be framed as an enabler of broader humanitarian and development efforts, not just a lifesaver. To convince a broader donor base, our sector needs stronger narratives and quantitative evidence showing the broader impacts of mine action - similar to the compelling data used by the immunization sector.

3. Promoting Localization and National Ownership

Localization must move beyond rhetoric. Strengthening local organizations' capacities and ensuring direct funding are critical steps for sustainable, long-term solutions.

4. Embracing Innovative Solutions

With limited donor resources, mine action must tap into innovative financing models, like front-loading mechanisms used in vaccination. Shifting the funding mindset from aid to credit (or other funding modality) will be key to see countries deal with their problem quicker and more efficiently.

We must continue to promote that the innovation extends beyond technology - it encompasses processes, standards and partnerships. Investing in the entire innovation system will remain crucial to the success of our sector.

The GICHD intends to continue to play its pivotal role on all these matters.

Conclusion

Mine action is at a critical juncture. Without embracing flexibility, innovation, and a forward-looking approach, the sector risks to be stagnant and incapable of dealing with the growing demands. Rebranding mine action as a catalyst for broader humanitarian efforts and adopting a localized, proactive strategy will ensure its relevance and effectiveness. The time for transformation is now.

Thank you for the opportunity to address some of these points in this very important forum.