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Including persons with landmine-related disability in the Myanmar Peace Process

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Introduction

Peace processes and the immediate post-conflict period is a window of opportunity for fundamental reforms to a society. In some countries, marginalized groups, such as women, young people, ethnic minorities, the working class, and persons with disabilities have seized the opportunity provided by peace processes to achieve greater justice and inclusion, ensuring peace agreements entitle them to fair treatment, welfare, and accountability or wrongs perpetrated during the conflict. The peace process in Myanmar is the most plausible pathway to reforms to the political system, especially aspects relating to the security sector. Currently, issues of disability are not prominently featured in the peace process agenda.

Peace processes also provide an opportunity to achieve justice and accountability for victims of armed conflicts. Landmines are a significant contributor to death, disability and displacement in the armed conflict in Myanmar. Landmines have been addressed in other peace processes, sometimes framed as an issue of conflict-caused victimhood, and sometimes as a security issue (in relation to landmines lost or abandoned in the ground).

In 2019, Myanmar was one of six countries in which landmines were used by non-state armed groups – and the only country where landmines were used by government security forces, according to the Landmine and Cluster Munition Monitor.¹ About 1600 people have been killed or injured by antipersonnel landmines since the U Thein Sein government launched peace talks with ethnic armed groups in August 2011. Almost 90% of these casualties have been in Kachin, Kayin, Shan State and East Bago Region.²

For those who have been injured or displaced by landmine accidents, the peace process will be an important opportunity to secure compensation and achieve justice. The peace process will also be a crucial moment to ensure the government and Ethnic Armed Organizations commit themselves to dispose of landmines.

This report relates the issues of landmine-related disability and the Myanmar peace process, and is intended to elevate the voices of persons with landmine-related disability. Part 1 relates the experiences of persons with disability of recovering from a disabling injury, finding work compatible with disability, experiences with

discrimination, and supportive services. Part 2 relates the issue of landmines to the peace process. It recounts the perception of persons with disabilities of landmines as a political issue, including how persons with disabilities feel landmines should be addressed in the peace process.

The report is based on interviews with 34 persons with disabilities and 6 of their family members in Kachin, Karen, Shan and Mon states. An additional 6 interviews were conducted with civil society organizations engaged in service provision for persons with disabilities caused by landmines. The project was conducted by the Enlightened Myanmar Research Foundation, on behalf of Myanmar Independent Living Initiative, supported by funding from FHI360.

Part 1. Landmines in Myanmar

This section describes the history of landmines in Myanmar and provides detailed information about the experience of landmine-related disability, as recounted by persons with disabilities interviewed as part of the project. In their own words, persons with disabilities describe how they came to be disabled, how their disability has affected their lives, and how they have put their lives back together since their injury.

History of landmines

Landmines are explosive devices, concealed at (or below) ground level, and detonated by the victim (whether combatant or civilian) usually through the activation of a pressure-sensitive detonator or a tripwire. The use of landmines has been stigmatized and legally prohibited by many countries because landmines do not distinguish between civilians and combatants, and because they create an enormous burden even after an armed conflict has ceased, as they are difficult and expensive to safely disarm and remove, and therefore continue to cause civilian casualties for decades after their initial placement. Most non-state armed groups and almost all governments have given up using landmines for these reasons.

During the 1980s and -90s, cheap, and easy-to-use landmines became widely available worldwide, leading non-state armed groups to deploy them as a low-cost way of denying territorial control to other groups and the state.³ In response to the problem of landmine proliferation, the use of landmines was first subjected to restrictions in the Convention on Certain Conventional Weapons (signed in 1980 and amended in 1996), which required all parties (including non-state armed groups) to restrict their use of landmines to protecting military targets, to maintain records of mined areas, to mark the location of permanent minefields with signs, to use self-destructing or self-deactivating mines in temporary minefields, and to clean up mines after a conflict has ended.⁴ In 1999, the restriction of landmine usage was expanded by the Ottawa Treaty or Mine Ban Treaty.⁵ This treaty commits parties (as of 2020, 86% of all UN member states) to desist from using landmines, to clear their territory of landmines within ten years, and to destroy any stockpiles of landmines. Myanmar

is not party to these conventions. However, some scholars and observers have argued that there is emerging customary international law that prohibits the use of anti-personnel landmines, even by states not party to the Mine Ban Treaty or Convention on Certain Conventional Weapons.⁶

Landmines in Myanmar

Myanmar is estimated to have the third greatest number of active landmines buried on its soil, after Afghanistan and Colombia. According to Displacement Solutions, an organization that assists forced migrants around the world, up to five million acres of Myanmar are contaminated by land mines.⁷

Landmines have been a prominent feature of the armed conflict in Myanmar since the 1970s. During World War 2, the fast-moving nature of that campaign meant landmines played only a minor role in the tactics of the Japanese, Allied, and Burma Independence forces. In the period of armed conflict immediately after Myanmar's independence from Britain, both the Burma Army and the various insurgent forces opposing it faced significant difficulty obtaining new, modern weaponry, and were forced to mainly rely on World War 2 surplus munitions and unexploded ordnance for the development of improvised explosives. From the 1960s onwards, Myanmar developed a domestic weapons manufacturing capacity, which included the ability to produce landmines. Meanwhile, Chinese support for Communist Party of Burma (CPB) insurgents included significant stocks of landmines, which proliferated in the north-east of the country where the CPB was most active.⁸

By the 1970s, domestic landmine manufacturing and the importation of black-market landmines by Myanmar's insurgent forces helped these weapons to take on an increasingly important role in the tactical doctrines of all parties to the conflict, beginning the process of large-scale proliferation.⁹

Landmines and tactics

Landmines are used in Myanmar by the Tatmadaw, by Tatmadaw-aligned militia (known as Border Guard Forces), by the various Ethnic Armed Organizations (EAOs), as well as by civilians themselves.¹⁰ These various parties use different kinds of landmines, and in different ways. One important distinction is between

“registered” mines (where the location of the mine is known), and “lost” mines (where the location is unknown). All armed parties in Myanmar use landmines to defend temporary or permanent military encampments. The placement of these mines is usually recorded, and the close grouping of mines makes it easier to monitor them. Unlike in many other countries, Myanmar has very few large-scale minefields identified with warning signs outside of those used to defend encampments, or other critical infrastructure.

The remainder of Myanmar’s mines are scattered through its territory as “lost” mines. EAOs have used landmines as a “force multiplier”, allowing them to deny access to much greater areas of territory than would be possible without landmines. Sparsely scattered landmines in the mostly mountainous and forested terrain contested by these EAOs, discourage intrusion by rival forces, and slow down their movement and sap their morale when they do intrude. Landmines have, thus, become a central plank of these EAO’s strategy and tactical doctrines.

A major contribution to the burden of landmines in Myanmar is poor record keeping on all sides, and an absence of demarcation for landmines. Even where a record is kept of the location of mines, Myanmar’s frequent rains occasionally wash mines (along with topsoil) from where they were originally placed to new locations, where they can cause accidents.¹¹

One interview participant, a former soldier with the KNU, reported their former practice (as recently as 2010) for laying and retrieving landmines, including how it can lead to a proliferation of “lost mines”.

“[When we made our camp] at night, we would put landmines on the paths nearby and slope of mountain. We did not keep a map of where we had placed the mines, instead we just marked the spot with our eyes. Each soldier was responsible for three landmines.

Placing the landmines was safe, but it was dangerous when it was time to retrieve the landmines in the morning [before dismantling the camp and moving on]. I would not know where other soldiers had placed their mines, and so I was afraid to retrieve my own mines. Additionally, sometimes soldiers would be drunk when they placed

their landmines, or would simply forget where they had placed them. Occasionally, soldiers would injure themselves retrieving landmines. Many mines would also be left in the ground because soldiers could not find them again, and were afraid to look.”

One interview participant, a former soldier with the KIA (39M Kachin state), was injured in the course of retrieving landmines. This *ad hoc* approach to placing and collecting landmines contributes to the likelihood of mines being abandoned in the ground. Some studies have found that even civilians in Myanmar use landmines to protect communities and natural resources from the encroachment of armed actors, whether the Tatmadaw, militia, criminal organizations, or EAOs, though no civilians interviewed as part of this project mentioned being aware of this practice.¹²

Demining in Myanmar

Despite the vast numbers of landmines contaminating Myanmar’s territory, mines are almost never cleared. This is mostly due to the complicated politics of landmine usage in Myanmar. The Tatmadaw, and particularly EAOs are reluctant to approve demining without significant progress towards a political solution to the conflict.

As part of the peace process leading up to the NCA, the National Mine Risks Working Group was established in 2012 to coordinate between government ministries and international and local NGOs. The same year, the Myanmar Mine Action Center was formed at the Myanmar Peace Center. The following year, it oversaw the drafting National Mine Action Standards and Strategy. The Myanmar Mine Action Center was disbanded when the MPC mandate concluded on March 31, 2016.¹³

The NCA commits non-state parties to refrain from laying new mines in ceasefire zones (5.a), and to “Undertake de-mining activities to clear mines laid by troops from all sides in accordance with the progress of the peace process and coordinate mine action activities in close consultation with the Government of the Republic of the Union of Myanmar.” However, no significant progress has been made on this part of the agreement.

In 2017, Myanmar announced to the International Campaign to Ban Landmines to advise that the Tatmadaw would implement a ban on the use of landmines.

According to the 2019 Mine Action Review, the Tatmadaw was still placing new landmines, as of September 2019. ¹⁴ EAOs also remain reluctant to permit demining in their territory, due to a lack of trust in the long-term future of the peace process.¹⁵

The civilian burden of landmines: interviews with persons with disabilities caused by landmines

Most varieties of anti-personnel landmines are designed to maim rather than kill victims. As Jonathan Falla, writing about the conflict near the Thailand-Myanmar border in 1991, observed:

“Soldiers have long recognised that smaller mines create bigger problems for the enemy. Dead, he requires only burial. Maimed, he’ll need doctors and nurses, transport, blood, drugs, surgery and quite possibly lifelong welfare support.”¹⁶

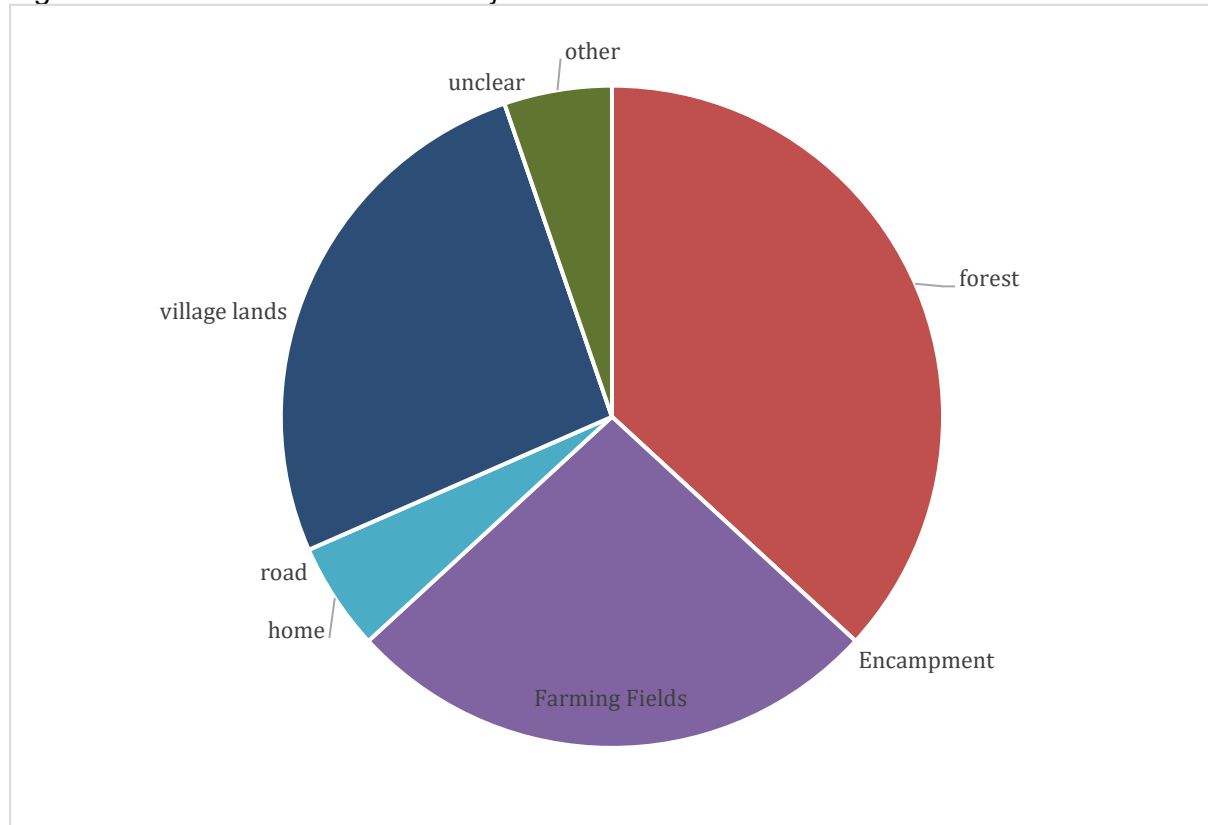
The 2017 Landmine and Cluster Munition Monitor report estimated that of the 3,991 reported landmine casualties in Myanmar between 1999 and 2016, 3,385 (85%) were injured, 488 (12%) died and 118 (3%) were classified as “unknown”. Among the persons with disabilities interviewed, approximately one quarter mentioned that other people were killed in the same incident that injured them.¹⁷ Injuries to the lower leg were the most common, but respondents also report injuries to the upper leg. Six respondents reported injuries to their upper body (which seem less likely to lead to amputation).

How do landmine and other explosive injuries occur?

Most landmine related casualties reported in this sample occurred in the forest, on foot-travelled paths, or on roads. This is consistent with other studies of landmine injuries in Myanmar.¹⁸ Many of those who suffer landmine related casualties were aware of the risk of landmines in the area where they were injured, but were driven to enter the area by poverty or displacement.¹⁹ Usually civilians usually thought that the specific area where they were walking was not affected by landmines (even if they were aware that nearby areas were contaminated).

According to La Aung (37M), who was injured by a landmine on the way to his farm in 2019 “There was at that time no history of landmines in our village, so I did not worry about landmines”.

Figure 1: Location where landmine injuries to civilians occurred



Civilians and veterans (either of the Tatmadaw or EAOs) have different experiences with landmine-related disability.

| Veteran status | |
|------------------|----|
| EAO veteran | 7 |
| Tatmadaw veteran | 6 |
| Porter | 2 |
| Civilian | 24 |

Most veterans interviewed were injured during offensive operations of some kind. Therefore, most veterans seem to have been injured by “registered” mines, which are still being actively monitored by the group that placed them. The other group injured by registered mines was Tatmadaw porters: civilians either coerced or driven by economic precarity to carry supplies as part of Tatmadaw operations, of whom there were two in the research sample. According to a former Tatmadaw medic (45M), “I lost my leg in a battle between the Tatmadaw and KNU. In that battle, not

only soldiers but also porters were injured by landmines. Over a period of several days, I had to cure both porters and soldiers as much as I could. I think about 20 porters got injured on different days.”

In contrast, civilians are most commonly injured by “lost” mines in the course of routine activities for which they assessed a low risk of encountering a mine. Among civilians, most landmine injuries are suffered in the forest, farming fields, or on village lands. Most injuries occurred when people were engaged in recreation or livelihood activities. One 44-year-old man was injured while picking flowers to offer at the pagoda. Several respondents were injured while cutting wood, either for home use or as part of their work for logging companies.

Several other participants reported that they had been injured due to reckless or cruel action of the Tatmadaw. Two people interviewed were disabled due to indiscriminate shelling of civilian targets. Another man (42, Shan state) was disabled when Tatmadaw soldiers forced him to accompany their arrival into his village, and his motorbike hit a landmine.

Mr. Hla Aung, 37

When Hla Aung set out for his farm one morning in December, he had heard there was a Tatmadaw column deployed in a nearby village, looking for the Ta’ang National Liberation Army (TNLA). Cautious of avoiding the soldiers, he took a different path than normal along the bottom of the valley, rather than the road along the ridge. While he worried about meeting soldiers, he wasn’t worried about encountering a landmine, as there had never been an accident in his village before.

As he neared his farm, he began to relax. Just at that moment, he stepped on a landmine buried near the stream. Lying on the ground, he felt over his body and realized he was badly injured on his torso and hand. Fearing he would quickly die of blood loss, he called towards some houses not far away, and the residents rushed to meet him. The midwife in the next village applied bandages as first aid, but they knew they would need to reach a hospital quickly.

Hla Aung’s brother and a monk from the village hid him among sacks of farm produce in the back of a small truck. They knew the Tatmadaw might assume the landmine injury meant Hla Aung was a member of the TNLA. When they ran across a Tatmadaw checkpoint, the monk lied, saying there was nothing but produce in the truck, and they were allowed to pass.

The Tatmadaw has also used landmines to displace civilians it perceives to be potential supporters of EAOs from their land, and corral them in Internally Displaced

Persons camps. This is part of its “Four Cuts” counterinsurgency strategy, aiming to deny insurgent forces access to food, funds, recruits and intelligence.²⁰ This practice may explain the injuries incurred by some respondents in and around their houses and village lands (19 percent of those injured were injured on village lands or in their homes, and all of these were civilians).

Daw Aye Aung (52F)

In May 2018, Daw Aye Aung arrived at her tea plantation with her husband, two daughters, and niece. Her husband dropped them off and returned to their village. As they entered the small hut on the plantation, her daughter ahead of her, she heard a terrifying bang, and was knocked unconscious. She woke up bleeding heavily from her foot, arms, torso, and eye. Her eldest daughter was even more seriously injured. Her youngest daughter and niece were also hit by the shrapnel, but less seriously injured. The four were rushed to the nearest hospital, and quickly transferred to Lashio for operations, which saved their lives.

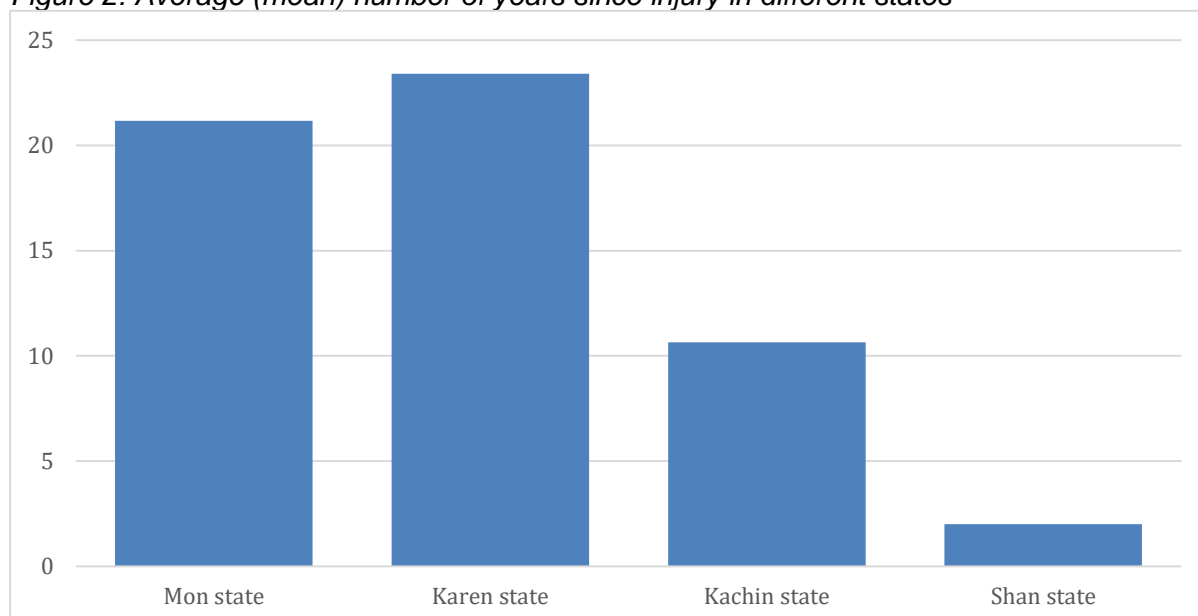
They have since returned to the tea plantation but Daw Aye Aung laments the loss of her mobility,

“Before the accident, our tea plantation was the most productive in the area, and we earned enough money to live well. After the accident, I found I could not lift the heavy bags of tea leaves, and it is difficult and tiring to climb the mountain. Mostly, I just look after my daughters and my grandchildren and help with the housework.

The Tatmadaw doctrine of landmine usage has emphasised durability and longevity of landmines.²¹ Previous generations of mines had mostly metal components, which were liable to rust and become inoperable in Myanmar’s frequently damp ground after a period of several years. However, more modern variants made from plastic are not subject to this limitation, and can last for many years or decades in the ground. EAOs, on the other hand, mostly use landmines which require a battery to activate the fuse after the pressure plate has been tripped. If the batteries are not replaced, these mines usually last a maximum of 3-6 months before the battery is no longer serviceable.²²

While the risk of landmine contamination is a serious ongoing challenge for Myanmar, the project sample reinforces that the major risk is landmines associated with active conflict and more recently placed mines. In Mon and Karen states all persons with disabilities were injured at least a decade earlier, whereas in Kachin state the average (mean) number of years since a landmine injury was 11, and in Shan state it was 2.²³

Figure 2: Average (mean) number of years since injury in different states

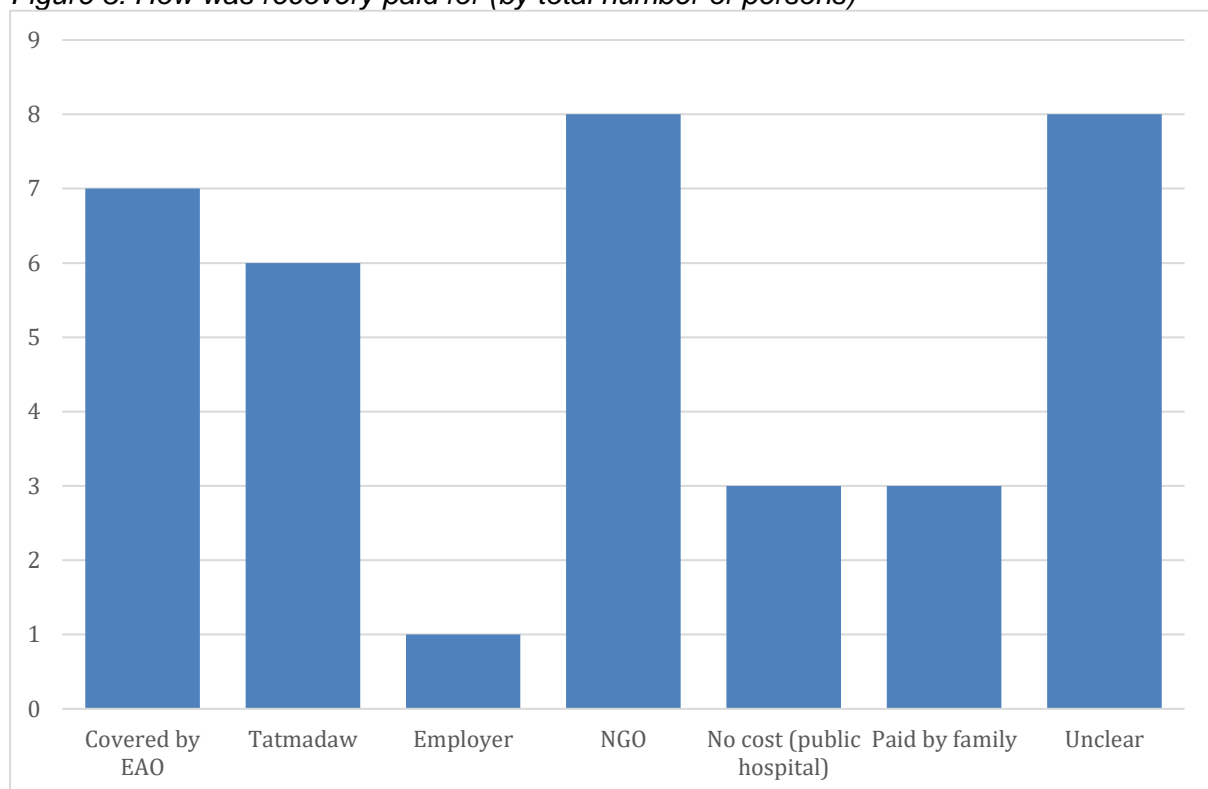


How do landmines change lives? How do people recover?

A disabling injury caused by a landmine is an enormously disruptive event in a person's life, impacting their self-esteem, social position, their economic security, and that of their family. Nevertheless, some persons with disabilities experienced more severe disruption to their lives and sense of self-esteem than others. The most important factors in whether a person was able to recover from landmine-related injury seem to have been the availability of financial assistance to support recovery (whether provided by an employer -- usually the Tatmadaw -- friends or family), and whether the landmine coincided with other major disruptions (most importantly conflict-related displacement). The availability of CSO-provided services was decisive in shaping people's access to immediate hospital care and their physical recovery, but respondents reported few services were available to support other aspects of their recovery over the longer term. One major finding of the project was that the needs of persons with disabilities were more similar to those of their immediate neighbours than to the needs of persons with disabilities in different states. Persons with disabilities in Kachin and Shan states had much more precarious livelihoods, and most depended on the tiny stipends offered to those in IDP camps for part or all of their income; whereas those in Mon and Karen states were more financially secure and much more likely to own small businesses.

In general, people did not incur significant financial hardship due to the immediate treatment for their injury and short-term cost of recovery. The cost of treatment for most injuries was paid by the Tatmadaw or EAOs (not only for veterans, but for some civilians who were injured in the course of interactions with armed actors). Others were treated in public hospitals (where they incurred only nominal costs for food, etc.), or had their treatment paid for by NGOs. Figure 2 shows where interview participants reported they had sourced the money to pay for their treatment.²⁴

Figure 3: How was recovery paid for (by total number of persons)



Perhaps the most significant influence on recovery was obtaining a prosthesis, which most respondents described as transformative. Obtaining a working prosthesis allows persons with disabilities to take on jobs they could not while using crutches (including daily labouring positions) and makes them less dependent on family members looking after them. According to one former Tatmadaw veteran (48M):

“Before I obtained my prosthesis, I needed a lot of help from my wife, including with using the toilet. After receiving my prosthesis, I needed much less help.”

Most households in rural Myanmar do not have a seated toilet. The shift from requiring help using the toilet, to being able to manage alone, was one of the most

important things about obtaining a prosthesis, and was mentioned by five respondents.

Almost all persons who needed a prosthesis were able to obtain one (71%), although sometimes this took months or even years. Six persons with disabilities (18%) interviewed did not feel their injuries required a prosthesis. Four persons with disabilities (12%) felt that they needed prosthesis, but did not yet have them. People who needed prosthetic legs were able to access them much more readily than people needing prosthetic hands or other devices (such as hearing aids). Tu Li, program coordinator at Kachin Development Group (KDG), noted that they were able to provide mobility assistance like crutches, prosthetics and wheelchairs, but were not able to help with hearing aids or disabilities impacting vision. Most people interviewed in this project who used prostheses had obtained them from workshops run by the International Committee of the Red Cross (ICRC). The prosthesis available at low cost in Myanmar are mostly made from wood with steel components, or from moulded plastic. They are not the sophisticated, lightweight devices available internationally. Although one respondent (47M), had sourced superior prosthetics made from lightweight plastic from Vietnam. Those who had lost their legs above the knee found the prosthetics available heavy and cumbersome. For example, one woman, who had her leg amputated above the knee after a bombing of a tea shop, felt that she could not find any prosthetic that compared favourably to crutches.

Experience with discrimination

Not all persons with disabilities felt that they had experienced discrimination as a result of their disability. Almost all persons with disabilities noted that they felt their disability had affected their lives, but quite a number did not consider this to be the result “discrimination”.²⁵ Persons with disabilities reported they did not experience discrimination within their own community, family, or village. Many people reported that their family and community had been supportive of them since their injury. Where they encountered discrimination, it was more commonly from other soldiers (in the case of veterans), from prospective employers or co-workers, or other people in the camps.

Nevertheless, it was clear that living with disability had taken a toll on people's self-esteem. Many respondents reported devastating social isolation, associated with having lost their social role. One man (39 Kachin state), who lost his limb while serving in the KIO, described his life:

"I am not living with a family. I live alone so I get quite lonely and discouraged. I live alone and eat alone. I haven't been able to find a wife because they are not interested in me due to my disability. Also, I could not find job and earn an income so it is difficult to live."

This type of social isolation seems to particularly affect men.

A particularly pernicious form of discrimination is the lowered expectations of persons with disabilities, which may be motivated by good intentions (wanting to make their lives easier), but which makes it difficult for them to contribute to their community. According to Tu Li, program coordinator at Kachin Development Group,

"Persons with disabilities find it hard to get involved in their community. There are two reasons; the first is that they isolate themselves, and the second is the public does not view them as competent and so they don't assign jobs to them. So, persons with disabilities become depressed."

There are also more overt forms of discrimination, in the form of disgust or mockery. One man, a veteran of the KIO (42M), reported his involvement in a small business run by a PWD self-help committee in his IDP camp selling meals door-to-door, which failed because they found that "people e won't buy food from us. They said it was disgusting to eat food made by wives of disabled persons."

Discrimination against disabled soldiers seems to be particularly bad. According to one Tatmadaw veteran from Mon state (48M)

"Before, I could do everything I wanted to, and junior soldier obeyed my orders. After my injury, I could not perform at the level of other soldiers, and junior enlisted men began to disobey my orders."

Zaw Thun Oo (42M), Mon State

Zaw Thun Oo's father was a soldier in the Tatmadaw. Hoping to follow in his footsteps, he joined as a medic when he turned 18. He served for three years before stepping on a landmine during a battle in Mon state. In that battle, half of his platoon was disabled by landmines, and over a period of several days during which they could not be evacuated, he had to amputate their limbs with very limited medical supplies. "It was not easy to help each other, but I did the best I could in that critical situation."

He spent several months recovering, and then continued his service. But now, he noticed, he was discriminated against by his fellow soldiers. "They treated me as useless, and I was upset. There are no opportunities for disabled persons in the Tatmadaw." He served another seven years before retiring. Even after retiring he continued to act as an informant for the Tatmadaw. But even then, he felt discriminated against "I knew my information was useful to them, but they didn't recognize my accomplishment."

Economic impacts of landmine-related disability

In the rural areas of Myanmar most affected by landmine contamination, most available work has a physical component. Hence, for many of the persons with disabilities interviewed, their injury had significant economic effects. Bawk Di (46M), described a loss of two thirds of his social and work life after his disabling injury: "Friends will no longer trust my ability. They will not invite him to work on projects. If a job requires one day for normal person, it would take 3 or 4 days for disabled persons like me."

12 out of 34 respondents (32%) mentioned that they had experienced significant periods of unemployment after their injury. Men (in particular) were more likely to frame their activity after landmine-related disability as "unemployment", whereas women were more likely to describe doing housework. This may be because men are not socialized to describe the work they contribute to maintaining the household as productive activity, or because they do not contribute significant amounts of work around the household, or both.

For IDPs, the ability to travel to China or Thailand for work is an important source of income. The lack of mobility imposed by a landmine injury limited the prospects of persons with disabilities to travel for work. Many interview participants reported that

the loss of income caused by landmine related disability meant that family members who had previously not worked had needed to take jobs, or in the case of children, had needed to join the workforce earlier than planned (at the cost of their education). As the education of children is an important source of security in old age, and of people's hope for the future, several respondents described the loss of this opportunity as particularly hard to bear.

When the wives of disabled men are forced to emigrate to find work, this can place a great deal of strain on families. This seems to violate expectations of men to contribute to providing for their families, and the dislocation of maintaining a long-distance partnership seems additionally taxing. One man (47, Karen State), who was unable to work after losing his leg, related his wife's need to travel to Thailand to work to support their family to the breakdown of his marriage.

Another man (42, Shan state), described how his landmine accident had affected his life:

“Due to this injury, my life has stopped, and I no longer feel human. I am depressed. I have not had a job since, and my wife also left me. I am just alone in my home and I eat meals at my brother and sister's homes. My wife has travelled to China.”

Hpa Kae 48M:

When the Democratic Karen Buddhist Army (DKBA) came to Hpa Kae's village to ask for recruits, he felt proud to volunteer, despite his age, sparing others from this difficult task. Around a year after joining the DKBA, he was posted to the area around Hpa Pon in Karen state. One morning, he was searching for a place to take a bath and, spotting a beautiful stream, and stepped off the path towards it. Almost immediately, he felt a great shock through his leg and was knocked on his back. Looking down at his leg, he noticed blood spreading rapidly across the ground.

He shouted for the rest of his unit, who were already searching for the source of the explosion. But the echo of the hills meant they couldn't easily locate the source of the sound. By firing his rifle into the air, they were able to get a better idea of where he was. They took him to hospital, where he gradually recovered. Meanwhile, he was retired from the DKBA. Once he returned to his village, he was unable to find work, and found himself dependent on his wife, who took daily labouring jobs to support them.

“I cannot work as well as others and have to rely on my children and my wife. I cannot send my children to school until matriculation. I could not afford for higher grade. In my daily routine, I just do housework instead of my wife.”

EAO veterans who were injured in landmine accidents were almost always asked to retire after their recovery. This was economically and psychologically very difficult. One EAO veteran when asked what he would have been doing had he not been injured said "I would have stayed a soldier, I still want to be a soldier". The Tatmadaw veterans interviewed, on the other hand, were all allowed to continue their service, although slightly less than half were demoted to an auxiliary role like sentry duty. According to one former Tatmadaw Sergeant (48M):

"When I became disabled, I was made a camp sentry, tasked with watching the perimeter or the gate to the camp. We had to keep watch in the rain and walk in the mud. There is no opportunity in Tatmadaw for the disabled."

More senior officers who could be transferred to a role with similar responsibility but requiring less mobility were allowed to continue at the level of their previous position.

Tatmadaw veterans seem to have been better able to recover from landmine related injuries, due to the support offered to veterans, including pensions and preferential access to discounted housing. Some veterans received an additional disability pension, and some reported the Tatmadaw assisted them with paying for their children's schooling. Tatmadaw veterans were much more likely to support themselves with income from a pension or small business income, than EAO veterans, who were mostly dependent on working as day-labourers, or on the income of family members.

For civilians, the most important pathways to economic recovery were access to prosthetics, allowing them to return to work, and the support of friends or family members. Persons with disabilities who were able to gather the capital to start small businesses typically either had a military pension or were able to borrow money from friends and family.

Nyi Nyi Aung (44M), experienced years of unemployment after becoming disabled as a child while cutting bamboo near his family farm. Eventually, aged 30, he was able to find work on a chicken farm. After 11 years, he was able to take out a loan from his wife's family to start his own chicken farm. The farm was so profitable he was able to pay back the loan within a few years, and now supports his family with the profit from the farm.

People who were dependent on civil society for loans recounted how these loans were not sufficient to start new businesses. Instead, they generally described using these loans to respond to small cash emergencies facing themselves or their families, buying food or paying medical or school expenses.

Landmines and displacement

Landmine accidents may begin, or advance families (or whole communities) along, the pathway to displacement. The presence of landmines can make homes and generations-old livelihoods suddenly frightening and dangerous. According to one man (37, Kachin state), injured by a landmine near his tea plantation, “Before my accident, all the members of my village were farmers. After my accident, nobody dared to go their farms and some villagers left the tea leaves unharvested.”

Displaced civilians are forced to move to urban areas of Myanmar, to internally displaced persons (IDP) camps, or to migrate to China or Thailand (or farther afield) in search of economic opportunity and security.²⁶ Many of the persons with disabilities interviewed in this project had been displaced from their land by the conflict. IDP camps provide few economic opportunities, and for many their most important pathway to economic recovery was to return to their farms and resume cultivation. However, the presence of landmines presents a significant risk to IDPs returning to their lands.

One man, who had several family members disabled, and one killed, in a landmine accident, reported that the KIO had told them not to go back to their villages, warning about landmine contamination. Other interview participants reported that the Tatmadaw has recently started to encourage IDPs to return to their lands in some parts of Kachin state as a pilot program; however, interview respondents reported that the Tatmadaw was only demining the village lands, meaning that nearby fields, forest, and streams may still be contaminated with mines.²⁷

Access to services

Many persons with disabilities noted that they could not access sufficient services to support their recovery. The research team spoke to 5 civil society organizations about the landscape of support for persons with disabilities in their state. Civil society

organizations (CSOs) seem to focus on supporting the immediate recovery by delivering modest cash payments in the weeks after someone has incurred a landmine related injury, and providing (or facilitating access to) prosthetics. While this is important work, as the period immediately after a landmine injury is when people face acute challenges, many persons with disabilities interviewed felt that they lacked the long-term income support they needed. CSOs also recognized this problem, but lacked the resources to provide ongoing income support. Instead, they chose to focus on providing livelihoods training, and facilitating access to health-care in the short term. This seems to be the most cost-effective strategy, but highlights the need for better resourcing of services to persons with disabilities.

The project identified some other problems with the delivery of support services to persons with disabilities. Lway Hlar Reang, General Secretary of the Ta'ang Student and Youth Union reported that some persons with disabilities had lost faith in CSOs because some organizations were conducting research without following this up with implementation of programs. People had their expectations raised that after sharing their stories they would be provided with some relief, and when no relief followed, they lost faith in the process and disengaged from seeking help. The requirement that persons with disabilities constantly explain their disability in order to access support also discouraged some people from seeking assistance. According Lway Hlar Reang, "the victim does not dare to ask us, even though he needs help. He has a thought, that if he wants to access assistance, he will have to describe the worst day of his life again." This highlights the importance of communicating the purpose of research projects clearly to participants, to avoid giving false hope. It also suggests CSOs could better serve persons with disabilities caused by landmines by coordinating their studies of population health.

While most people asked about their service needs noted that they lacked adequate income support, according to Tu Li, program coordinator at Kachin Development Group (KDG) "they also need psycho-social support. Some victims do not have family members or if they are EAO veterans whose family live in Nay Pyi Taw-government controlled areas, they cannot go home to receive support." Relatedly, Lway Hlar Reang of the Ta'ang Youth Student Union (TSYU) that the movement of persons with disabilities away from conflict zones can render them ineligible according to the criteria imposed by donors for projects that deliver services. This

may also be relevant if the return of internally displaced persons with disabilities to areas now classified as not conflict-affected renders them ineligible for services.

Part 2. Inclusion in the peace process

Part 1 of the report has shown the devastation caused by landmines, and the resilience shown by persons with disabilities and their communities affected by landmines in persevering and recovering from this devastation. Persons with disabilities caused by landmines have special needs, and a legitimate claim to have these needs addressed by the peace process, and any reforms that follow.

This second part of the report compares the experience of inclusion in other peace processes with the structure of the Myanmar peace process. It also presents the voices and opinions of persons with disabilities about how issues of disability and landmines should be addressed in the peace process.

Why should peace processes be inclusive?

Inclusion of marginalized social groups in peace processes has recently become a prominent topic in peacebuilding. Inclusion is the cornerstone of the recent reviews of the international peacebuilding and development landscape, including the High Level Independent Panel on Peace Operations (HIPPO) report and the Pathways for Peace report.

Inclusion is advocated for reasons of justice (people have a right to participate in the shaping of their own political future) and effectiveness (there is evidence to suggest inclusive peace processes lead to better outcomes).²⁸

The right of women and young people to be included in peace processes has been solidly established in the UN system by a series of Security Council resolutions and institutional reforms.²⁹ Other marginalized groups whose inclusion has been specifically mandated in the procedures of some peace processes include victims of conflict, persons with disabilities, and IDPs/refugees.³⁰

Peace processes featuring inclusive mechanisms may be more likely to reach agreements, and see these agreements implemented.

Landmines and Disability issues in other peace processes

Persons with disabilities are among the most vulnerable population groups in conflict. They are more likely to be victims of sexual and gender-based violence, they are more likely to be killed or injured, and may be specifically targeted for their vulnerability,³¹ they are also more dependent on medical care, and suffer more from the deterioration in medical care that often accompanies conflict.

Persons with disabilities are rarely specifically, deliberately included in peace processes.³² Where mention is made of persons with disabilities' special right to participate, this is usually in general terms that do not contain concrete commitments. Persons with disabilities are sometimes included in consultative or local peace forums but rarely in national peace processes.³³

Disability issues are commonly neglected in peace negotiations. A review of the 541 peace agreements coded as "substantive" in the Political Settlements Research Programme Peace Agreements Database (PA-X),³⁴ reveals that 87 of these agreements (or 16 percent) mention disability issues. In contrast, 194 (or 36 percent) of the same sample of agreements contain provisions related to women, girls and gender.³⁵ Disability issues, are, therefore neglected in comparison to more mainstream peace process issues.

There are two ways of conceptualizing disability in peace processes. First, persons with disabilities are often mentioned as a special category in need of protection or active inclusion, along with the elderly, young people, women, and children. For example, the 2017 Agreement on the Cessation of Hostilities, Protection of Civilians and Humanitarian Access signed by conflict parties in South Sudan stipulates that in the implementation of the Agreement, consideration is to be given to 'the special protection needs of women, girls and those with special needs' (21 December 2017, art. 5). Second, persons with disabilities are sometimes mentioned as victims of conflict, either as civilians, or service members of national armies or non-state armed groups, who are entitled to special compensation or relief.³⁶

Victims' Delegations, FARC/Government peace process Colombia

As part of the recent Colombia peace process between the Government of President Juan Manuel Santos and the Revolutionary Armed Forces of Colombia (FARC), five delegations of victims of the conflict visited the site of the negotiations in Havana. These delegations were preceded by 3 local and 1 national *Victims Forums*, which gathered testimony and proposals from victims' organizations and other civil society, collated this into documents which were transferred to the negotiation table.

The selection of participants in the victims' delegation was highly contentious, with each party initially maintaining that they had not committed abuses, and therefore only the other side should face its victims. Later, the parties maneuvered to ensure they would face fewer victims than their adversary, as they viewed this as implying proportionately lesser guilt.

Participation in the victims' delegations was on an individual basis (not via representatives of victims' organisations), and so the 72 delegates were themselves victims, speaking from personal experience. Delegates spoke for 15 minutes each in confidential sessions, while the conflict parties sat in silence and listened. The Victims' Delegations were instrumental in convincing the Government and the FARC to acknowledge their role in crimes and abuses during the conflict.³⁷

Peace agreements can also demand special attention to the needs of persons with disabilities in their implementation. For example, the Agreement on Disarmament, Demobilization and Reintegration signed between the Lord's Resistance Army and the Government of Uganda in 2008, commits those responsible for overseeing the execution of the agreement to 'monitor the implementation of specific clauses on children, women and persons with special needs contained in this Agreement'.³⁸

If disability-sensitive provisions are implemented, this can be the catalyst for a broader transformation in the way a society relates to persons with disabilities. For example, South Africa and Uganda both implemented disability-sensitive reforms as part of their peace processes, and are now regarded as having some of the best disability policies in the world.³⁹

Landmines are commonly addressed in peace processes (in those countries where significant numbers of landmines have been placed). Where they are mentioned, parties generally commit themselves to clear landmines that have been placed. This can involve exchanging information about where landmines have been placed. For

example, the 2006 peace agreement between the Communist Party of Nepal – Maoist and the Government of Nepal commits the parties to:

“assist each other to mark the landmines and booby-traps used during the time of armed conflict by providing necessary information about their sketches, maps and storage within 30 days and defuse and destroy the same within 60 days.”⁴⁰

The clearance of landmines can be considered a disability issue, as landmines left in the ground after conflicts end continue to cause disability for decades.

What does it mean to be included in a peace process?

There are two main ways to include marginalized or vulnerable groups in peace processes. First, a group can be represented by some of its members. In the case of disability issues, this would take the form of persons with disabilities participating in the peace process. Second, issues that are relevant to that group can be discussed in the peace process. For example, disability issues could be discussed in the peace negotiations, either as a special session or as part of other topics (for example, the discussion of victims of the conflict could be required to consider those persons disabled by the conflict). These two approaches are most effective if they are combined.⁴¹

Inclusion of representatives in the process

There are two main parts of the peace process where members of a group can be included. First, a group can be included in the negotiations themselves. In the Myanmar peace process, negotiations take place in the Union Peace Conference (also known as the 21st Century Panglong Conference).⁴² These forums are established under the Nationwide Ceasefire Agreement (NCA), which was signed in 2015 by eight of Myanmar’s EAOs. The UPC and UPDJC are inclusive of EAOs, political parties represented in the national parliament, representatives of the NLD government, and representatives of the Tatmadaw. The ongoing dialogues between the government and Tatmadaw, and the EAOs who have not signed the NCA (primarily through the Federal Political Negotiation and Consultative Committee of

the Northern Alliance) can also be considered part of the peace process. Inclusion of disabled persons in the negotiation process could be achieved if official parties to the peace process (EAOs, political parties, the government, the Tatmadaw) ensure that some members of the teams they send to the negotiations are persons with disabilities. One obstacle to this form of inclusion could be the same discrimination applied to persons with disabilities that causes them to be marginalized from positions of influence within political parties, the Tatmadaw and EAOs. This might mean persons with disabilities are not found in leadership roles. This same argument has been used to justify the exclusion of women from peace processes. Interview participants recognized this problem, and expressed their opinion that only competent persons with disabilities should participate. According to Saulang Yaw Chang (42M) “Only those (disabled) persons with high competency should represent disabled communities. They should come back and report back to disabled communities and encourage each other.” But the same problem can also be an opportunity: if a peace process quota requires groups to identify new women leaders, or persons with disability who are potential leaders, these people can lead change within the organizations to make them more inclusive.

Second, a group may be consulted about its opinions, or given the chance to participate in some of the technical activities involved in the peace process. The UPDJC is charged with convening National Dialogues throughout Myanmar, and receiving the conclusions of these dialogues. There are three types of National Dialogues in the Myanmar peace process: Ethnic Dialogues, Issue-based Dialogues and Region-based Dialogues. These Dialogues could set a quota for the participation of persons with disabilities. The Joint Monitoring Committee is responsible for monitoring military matters related to the ceasefire and upcoming Union peace talks. This includes negotiating about ongoing ceasefire related issues, to avoid a re-escalation of the conflict. Inclusion of persons with disabilities in the JMC could bring up the special needs of persons with disabilities in relation to the ceasefire.

Interview participants expressed widespread support for the participation of persons with disabilities in the peace process. According to Mr Tin Soe (58M), a barber and veteran of the Tatmadaw, persons with disabilities are best positioned to represent disability issues in the peace process because only “disabled people know the

deepest feelings of other disabled people.” One man (47), a civilian who stepped on a landmine while searching for lost cattle in Kachin state, felt that

“Just like every member of a family participates in discussing a family issue, disabled persons should be involved in discussion of societal issues. I want to remind those involved in the peace process that peace is relevant to all those who live in our country, so they should not only consider their own perspective. If they are representatives, they should think of the communities they are representing.”

Inclusion of disability issues in the process

Another option would be to ensure disability issues were included in the agenda of the peace process. Inclusion of issues on the negotiation agenda helps to ensure those issues will be discussed, and some agreement will be reached.

At a more detailed level, the way issues are included on the agenda affects their framing. For example, disability issues are relevant to several other issue areas, including human rights, political representation, social welfare, and security sector reform (including the treatment of landmines). For example, the 2002-2008 peace process between the government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE) featured an “Agreement on Human Rights issues relating to the peace process”. In this agreement, the parties committed themselves to further discussion of a human rights framework to apply during the peace process (while the parties negotiated a permanent arrangement):

“A preliminary agreement might address core rights which would enable basic human rights and humanitarian law standards to be monitored in practice, together with rights of particular relevance to the peace process... Rights of particular relevance might include...

- Landmines

- Rights of disabled persons”

In the case of the Sri Lanka peace process, disability issues are a human rights issue, along with landmines. In other peace processes, landmines have been treated as a social welfare issue, or an issue of justice and accountability in the conflict. Some processes have featured disability issues under several issue areas. A more encompassing treatment of disability issues in the Myanmar peace process would be to mention them under all relevant agenda points.

Understanding of peace, opinions about the peace process

Awareness of the peace process was generally low among the persons with disabilities and family members interviewed. A little less than half of those interviewed had heard of the peace process (49%), but many of them stressed that they had only heard of it, and were not closely following the process. This did not, however, mean they had no political opinions. Many were strongly committed to the project of ethnic self-determination, and wanted to see these projects realized through the peace process. According to Phoe Ki (51M), “We Ta’ang should have our own territory. Now, even though our land is named as Ta’ang self-administered zone, everything is being managed by Tatmadaw.” According to Aye Aune (52F), who was injured along with her two daughters and niece,

“Tatmadaw are taking our land and opportunities, so the war is happening between Tatmadaw and TNLA. Civilians are just trapped in the middle. If the Tatmadaw stay in their territory, we can get peace.”

Even though many of those interviewed expressed their support for peace, these comments illustrate that it would be too simple to stereotype persons with disabilities as a community that has experienced the devastation of war and supports peace at any cost.

Almost all persons with disabilities interviewed felt that peace could only be achieved through dialogue and negotiations. According to La Aung (37M), who was injured while traveling to his tea farm in Shan state,

“Peace cannot be created by guns and should be achieved by talking at the negotiation table.”

When asked to describe what peace meant to them, many people nominated the idea of “negative peace”, a minimal definition of peace, which is limited to the end of armed conflict. For example, according to U Than Ngwe (57M), a Tatmadaw veteran, “My definition of peace is: if there is no war, there will be peace.”

Approximately one third of respondents (29%) identified peace with opportunities to travel freely, without being harassed. According to Saulang Yaw Chang (42M), who was injured by a landmine while serving with the KIO, “Peace for me means being able to travel freely without being interrogated by the Bamar.” Other persons with disability felt that peace meant a chance to earn a decent living. According to La Aung (37M), who lost his leg while picking tea, “the Tatmadaw and TNLA are fighting each other to advance their own interests and to grab land. I am not businessman and politician, so I know only making tea leaf farm. If there is peace, I can do more tea leaf business.” According to Daw Aye Soi (60F), who was injured in a bombing of a noodle shop, “if there is no fighting, people can travel and make a living freely.”

One of the most important aspects of peace for persons with disabilities surveyed was the opportunity to return to their land and homes, from which they had been displaced by the conflict. One veteran of the DKBA (48M), described how the conflict landscape in Karen state had improved in his lifetime, and how that had influenced his understanding of peace:

“Peace, to me, means well-being. In the past, the political situation was not good. This area used to be black area. When you met with Burmese soldiers, they might slap your face. What’s more, you also had to worry about Karen soldiers. If they ask you whether you had seen any enemies, you had to say “No” in order to escape from trouble. We do not have experiences like this anymore. Now, we greet each other when we meet on the road.”

Accountability for the use of landmines

The experience of disabling injury caused many to feel resentment towards those responsible for placing landmines. Daw Mya Than (64F, Karen state) was injured while acting as a porter for the Tatmadaw in 1990. She says, “at first I wanted to kill the KNU because I faced huge troubles. I could not walk like other people and my

children were also too young to cook for themselves.” Her injury caused her terrible pain in the first few years, and she experienced great difficulty learning to walk again, but she changed prosthesis several times and practiced for years, and eventually mastered it. In the 30 years since her injury, her children have grown up, married, and her family has started a home business making pork buns. Now, she says “I have since accepted that this is my fortune and I have forgiven the KNU.”

Most persons with disabilities interviewed opposed the continued use of landmines, and some resented those actors who were responsible for placing them. For many, the journey to forgiveness was long and personal. According to Ti Naw Naw (47M), who lost his leg while working for a logging company in Karen state,

It is better if we have peace. I do not hate the people who use landmines because it is not good to have enemies. I want to say to people who use landmines that they rarely succeed in injuring soldiers, and mostly injure civilians.

Many persons with disabilities expressed their desire for some kind of apology from those responsible for using landmines in the conflict. According to Aye Aune (52F), who was injured along with her two daughters and her niece,

“The groups responsible for laying landmines should apologize. Beyond this, there is no need to pay compensation. I just want to live together with my family in peace and safety.”

Most persons with disabilities interviewed as part of this project felt that compensation to those disabled by the conflict was an essential part of accountability for the use of landmines. According to Bawk Di (46M), “Victims should be paid compensation. Even the landmines was placed by the KIO, the Myanmar government should pay compensation because the disabled are Myanmar citizens.”

One Tatmadaw veteran (62M) felt that EAOs should be responsible for looking after their own disabled veterans. One veteran of the KNU reported, pessimistically, that he had heard rumours from his former comrades that the peace process would provide compensation for Tatmadaw veterans who had been disabled, but that EAO veterans would get nothing.

Some older persons pointed out that compensation should not only be offered in the form of livelihoods training or support, but must include an option for pensions, as many persons with disabilities are already elderly, and cannot take advantage of livelihoods programs. One Tatmadaw veteran (48M) declared that neither compensation nor an apology would be sufficient for him:

“Maybe some disabled persons will accept an apology from the groups responsible for using landmines, but for me, an apology is not enough. Don’t get me wrong: I’m not just looking for compensation. What I mean is that, more than an apology, persons with disabilities deserve basic rights and the government needs to take that seriously.”

Recommendations

Recommendation 1. The peace process should include persons with disabilities

Persons with disabilities could be included in the peace process as part of the delegations participating in the UPC/21st Century Panglong process, or as part of the UPDJC or JMC. Additionally (or alternatively), persons with disabilities could be allocated a quota of seats in the National Dialogue consultation forums.

Recommendation 2. The peace process agenda should include disability issues

The working agenda for thematic working groups under the UPDJC should include disability issues under all relevant topics.

Recommendation 3. The peace process should require parties to clear landmines from demilitarized territory

Almost no landmine clearance has been undertaken in Myanmar. Clearance of landmines from territory that is under ceasefire, or even a subset of that territory, would prevent further injury to and disability of civilians. When the peace process reaches an agreement, the agreement must include a responsibility to clear all mines in Myanmar.

Recommendation 4. Relocation programs must include comprehensive demining, not only of village lands but of nearby fields and forests

Trial programs of relocation of IDPs, supported by demining, have recently begun. These programs only include village lands. If mines remain in farming fields and forests, returning villagers risk new injuries, and this may restart the cycle of landmine-related displacement.

Recommendation 5. Persons with disability need livelihoods support

Persons with disability suffer loss of income and livelihood opportunities. Many effects of social isolation and loss of self-esteem connected to experiencing a disabling injury are due to the loss of ability to work and sustain a family. Livelihoods support for persons with disability would go some of the way to rectifying this.

Recommendation 6. Persons with landmine-related disability should receive special pensions

Persons with disabilities caused by landmines are victims of the conflict. One component of accountability must be compensation for the loss of income and livelihood opportunities caused by landmine injuries.

Recommendation 7. The peace process must encompass a formal apology for the injuries and disabilities caused by landmines

Truth and justice are essential to achieving peace. A formal apology by those parties responsible for using landmines will be an essential component of the peace process.

Conclusion

Landmine related disability is a tragic and devastating legacy of Myanmar's armed conflict. Even if a comprehensive peace agreement is reached in the immediate future, without extensive demining operations, landmines will continue to cause injury, disability, and death for generations. As recognized by many persons with disabilities, if their homes remain inaccessible, and their livelihoods remain perilous, due to the threat of landmines, the demobilization of armed groups will not bring peace.

Disabilities caused by landmines are hugely disruptive to lives and communities. Landmine accidents typically affect those who are already the most vulnerable, who are driven to seek their livelihoods in areas affected by landmine contamination. They are also typically those who face the most difficulty in recovering from these accidents.

Persons with disabilities caused by landmines have special needs, and a legitimate claim to have these needs addressed by the peace process, and any reforms that follow. As identified by the persons with disabilities interviewed as part of this project, these include a need for restorative justice, in the form of an acknowledgement of their suffering and an apology from those responsible. As of early 2020, the Tatmadaw continues to place landmines in territory it contests, despite repeated assurances that it does not, and would stop. Needs identified by persons with disabilities also include distributive justice, in the form of support and compensation that is commensurate with the different needs of persons with disabilities.

In other peace processes, persons with disabilities have successfully pushed for the recognition of their needs in the agreements that result. They have been helped in doing so by organized pressure from civil society, where persons with disabilities were consulted as part of the peace negotiations, and in some cases by the representation of persons with disabilities at the negotiation table. Finally, when developing strategies for inclusion in a peace process, it is important to consider who can speak for that group. As this report explains, even though persons with disabilities caused by landmines share some common experiences, their circumstances vary widely, and they hold very different political views. Hence, persons with disabilities cannot be expected to speak with one voice.

The greatest opportunity for achieving distributive justice for conflict-related disability is during the peace process, as this is when issues such as restitution payments are most likely to be discussed. Successful peace agreements often bring a windfall of donor assistance that can be distributed among their beneficiaries. Disability-sensitive provisions in peace agreements can also help to reconfigure the way a society relates to its citizens with disabilities in the long term, establishing the precedent that future social policies must address their needs.

Annex 1. Methodology

An initial desk review was conducted of existing studies that have already been conducted by other organizations to provide background information and identify more clearly how this research can complement these studies.

In the second phase, researchers gathered biographical narratives of persons with disabilities through semi-structured interviews, to understand their experiences of disability related to landmines. Interviews lasted between one and two hours. Most of those interviewed had been injured by landmines (90%), although some had been injured in other explosives accidents, including shelling by artillery. Individual interviews were chosen in order to allow the unmediated voices of persons with disabilities to emerge.

Biographical research focuses on a person's life experiences,⁴³ and allows participants to describe these experiences in their own words and ascribe to them their own personal meanings.⁴⁴ This is appropriate for investigating disability issues because it is a way of focusing on the viewpoints of marginalised groups.⁴⁵

Biography and life story research approaches do not attempt to create a representative picture of a group of people, but to focus on the internal coherence of a single person's life (or the life experience of a small group of individuals).⁴⁶ These approaches can be helpful to generate new perspectives on little-understood groups.

Biographic interviews are a distinct form of qualitative interview, and are usually minimally structured, sometimes featuring key questions that have been carefully designed to elicit self-reflection from the interviewee.

Research questions

The research questions for the project were:

- How does disability caused by landmine injury occur?
- How have disabilities caused by landmines affected peoples lives?
- What challenges do persons with disabilities face in their lives?
- How do persons with disabilities manage their disability?
- How does disability affect the families of persons with disabilities?

- What messages do persons with disabilities have for the peace process?

Sampling approach

The sampling approach was designed to be inclusive -- capturing a diverse picture of experiences of persons with disabilities -- rather than representative -- identifying persons with disabilities randomly, or through a stratified sample. The categories of inclusion identified were:

- Youth (18-30)
- Elderly (60+)
- Women and men
- Veteran status
- Internally displaced person status

46 interviews total were conducted in Shan, Kachin, Karen, and Mon states. Interviews were conducted in the following locations: Lamaing, Ye, Hpa-an, Naw Kaw, Thilung, Bhamo, Laiza, Namhsan. 34 interviews were with persons with disabilities, 6 interviews were with family members of persons with disabilities, and 6 were with representatives of civil society organizations.

¹ International Campaign to Ban Landmines – Cluster Munition Coalition (ICBL-CMC), 'Landmine Monitor', Annual Report 2019, 2019, <http://www.the-monitor.org/media/3074086/Landmine-Monitor-2019-Report-Final.pdf>.

² Myanmar Information Management Unit, 'Townships with Known Landmine/ERW Contamination (1999-2019) and Landmine/ERW Casualties in Myanmar (2018)', n.d., 02.02.2020, http://themimu.info/sites/themimu.info/files/documents/Infographic_Landmine_Contamination_Casualties_in_Myanmar_2018_MIMU_IG002v04_12Dec2019.pdf.

³ Ken MacLean, 'Humanitarian Mine Action in Myanmar and the Reterritorialization of Risk', *Focaal* 2016, no. 74 (1 March 2016): 5, <https://doi.org/10.3167/fcl.2016.740107>.

⁴ The United Nations Convention on Certain Conventional Weapons (concluded at Geneva on October 10, 1980, and entered into force in December 1983)

⁵ Full title Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction

⁶ Richard Price, 'Emerging Customary Norms and Anti-Personnel Landmines', in *The Politics of International Law*, ed. Christian Reus-Smit (Cambridge, UK: Cambridge University Press, 2004).

⁷ Displacement Solutions, 'Land Rights and Mine Action in Myanmar' (Geneva: Displacement Solutions, 2014).

⁸ A. Selth, 'Landmines in Burma: Forgotten Weapons in a Forgotten War', *Small Wars & Insurgencies* 12, no. 2 (1 June 2001): 20–22, <https://doi.org/10.1080/714005394>.

⁹ Selth, 21.

¹⁰ 'Clearing the Mines 2019 | Mine Action Review', 329, accessed 12 May 2020, <http://www.mineactionreview.org/documents-and-reports/clearing-the-mines-2019>.

Gregory Cathcart, 'Landmines as a Form of Community Protection in Eastern Myanmar', in *Conflict in Myanmar: War, Politics, Religion*, ed. Nick Cheesman and Nicholas Farrelly (Singapore: ISEAS publishing, 2016).

¹¹ Selth, 'Landmines in Burma', 27; Cathcart, 'Landmines as a Form of Community Protection in Eastern Myanmar', 130–31.

¹² Cathcart, 'Landmines as a Form of Community Protection in Eastern Myanmar', 129.

¹³ Amara Thiha, 'On the Second Anniversary of the NCA, Is Myanmar Keeping Peace on Track?', *Frontier Myanmar*, 15 October 2017, <https://frontiermyanmar.net/en/on-the-second-anniversary-of-the-nca-is-myanmar-keeping-peace-on-track>.

¹⁴ 'Clearing the Mines 2019 | Mine Action Review', 329, accessed 12 May 2020, <http://www.mineactionreview.org/documents-and-reports/clearing-the-mines-2019>.

¹⁵ 'Myanmar's Deadly Mines', accessed 14 May 2020, <https://thediplomat.com/2018/03/myanmars-deadly-mines/>.

¹⁶ Jonathan Falla and Falla Jonathan, *True Love and Bartholomew: Rebels on the Burmese Border* (Cambridge University Press, 1991), 110.

¹⁷ This figure is much higher than the larger Landmine and Cluster Munition Monitor survey, but in many cases there were other persons injured in the same incident as well. The same incident was defined as (1) by the same device, or (2) in the same battle. This figure should not be overemphasized, as the sample is far from random. For example, two members of the same family interviewed as part of the project were injured in a landmine explosion that killed one other person and injured a fourth.

¹⁸ Cathcart, 'Landmines as a Form of Community Protection in Eastern Myanmar', 129.

¹⁹ This is sported by the findings in: Julien Zwang and Pascal Simon, 'Epidemiological Study of Landmines/ ERW Accidents and Victims in Kachin, Kayah, and Shan States, Burma', *Journal of Conventional Weapons Destruction* 21, no. 2 (2017): 6.

²⁰ Cathcart, 'Landmines as a Form of Community Protection in Eastern Myanmar', 125.

²¹ Selth, 'Landmines in Burma'.

²² Selth, 27.

²³ While the sample size is small, and hence these figures should not be overemphasized, it is worth remarking that median and modal figures for years since date of injury were almost identical to those quoted here.

²⁴ The total adds up to greater than the number of interviews because some people reported several sources of funds for recovery.

²⁵ For example, mentioning that they hadn't personally experienced discrimination, but then describing events that seemed clear evidence of discrimination

²⁷ For more information, see: Ye Mon, 'An Unhappy Return for IDPs in Kachin State', *Frontier Myanmar*, 22 August 2019, <https://frontiermyanmar.net/en/an-unhappy-return-for-idps-in-kachin-state>.

²⁸ The World Bank and the United Nations, 'Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict' (Washington DC., 2018).

²⁹ Several UN Security Council resolutions provide for the participation of certain groups. UN Security Council resolution 1325 (2000) commits UN agencies to women's "equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution". This commitment on behalf of UN agencies to support the participation of women in peace negotiations has been re-affirmed in resolutions 1820 (2008), 2122 (2013) and 2242 (2015). A similar right to participate has been extended to young people through resolution 2250 (2015).

³⁰ This can be seen by searching the Political Settlements Research Project PA-X database (accessible at <https://www.peaceagreements.org/>).

³¹ As in the False Positives scandal in Colombia, where civilians (many of them persons with disabilities) were targeted by armed forces and paramilitaries hoping to claim bounties for killing rebel combatants. Alice Priddy, 'Disability and Armed Conflict - Academy Briefing N°14 - World' (Geneva: The Geneva Academy of International Humanitarian Law and Human Rights), 12, accessed 14 May 2020, <https://reliefweb.int/report/world/disability-and-armed-conflict-academy-briefing-n-14>.

³² Disability is widespread in the population and individuals with disabilities may participate by virtue of their position within governments or armed groups, but persons with disabilities are rarely included as a special category or quota in the way that women are.

³³ E.g. The Kafanchan Peace Declaration between Grazers and Farmers in Nigeria's Kaduna State commits the parties to 'Improve representation of, amongst others, persons with disability in efforts to

address inter communal conflict'. Nigeria 'The Kafanchan Peace Declaration between Grazers and Farmers', Article iii, 23 March 2016

³⁴ Substantive agreements address conflict issues and entail substantive commitments to resolve the conflict. They are different from process agreements, which deal with questions of how the peace agreement will be negotiated, or the process conducted, and ceasefire agreements, which only address conflict and security issues.

³⁵ This figure can be verified by opening all coded entries for disability issues in the PA-X database, all coded entries for women, girls and gender, and an open search of all peace agreements (to calculate the denominator for both fractions).

Christine Bell et al., 'PA-X: Peace Agreements Database, Version 2', Political Settlements Research Programme, University of Edinburgh, 2019, <https://www.peaceagreements.org/search>.

³⁶ Sean Molloy, 'Peace Agreements and Persons with Disabilities', PA-X Research Report (Edinburgh: Global Justice Academy, University of Edinburgh, 17 February 2020), <https://www.politicalsettlements.org/publications-database/peace-agreements-and-persons-with-disabilities/>.

³⁷ Roddy Brett, 'The Role of the Victims' Delegations in the Santos-FARC Peace Talks', in *The Politics of Victimhood in Post-Conflict Societies: Comparative and Analytical Perspectives*, ed. Vincent Druliolle and Roddy Brett (Cham: Springer International Publishing, 2018), 267–99, https://doi.org/10.1007/978-3-319-70202-5_11.

³⁸ 'Agreement on Disarmament, Demobilization and Reintegration | UN Peacemaker', accessed 14 May 2020, <https://peacemaker.un.org/uganda-ddr2008>. See, also Molloy, 'Peace Agreements and Persons with Disabilities', 7.

³⁹ Rebecca Irvine, 'Getting Disability on the Post-Conflict Agenda: The Role of a Disability Movement', in *Conflict, Disaster and Disability: Ensuring Equality*, ed. D. Mitchell and V. Karr (New York: Routledge, 2014), 161–67.

⁴⁰ 'Comprehensive Peace Agreement between the Government of Nepal and the Communist Party of Nepal (Maoist)' 5.1.4. <https://peacemaker.un.org/nepal-comprehensiveagreement2006>

⁴¹ This has been shown to be the case for women's inclusion, and it is reasonable to assume the same logic applies to other groups as well. Kara Ellerby, 'A Seat at the Table Is Not Enough: Understanding Women's Substantive Representation in Peace Processes', *Peacebuilding* 4, no. 2 (3 May 2016): 136–50, <https://doi.org/10.1080/21647259.2016.1192240>.

⁴² The Union Peace and Dialogue Joint Committee (UPDJC) is the steering committee for the political dialogue process and was responsible for the developing the Framework for Political Dialogue (FPD). It acts as the secretariat for the UPC, and has responsibility for important aspects of the process such as pre-negotiations and consensus building on issues to be brought before the UPC.

⁴³ N.K. Denzin, *The Research Act: A Theoretical Introduction*, 3rd ed. (NJ: Englewood Cliffs: Prentice-Hall, 1989).

⁴⁴ Andrew C. Sparkes, 'Life Histories and the Issue of Voice: Reflections on an Emerging Relationship', *International Journal of Qualitative Studies in Education* 7, no. 2 (1 April 1994): 165–83, <https://doi.org/10.1080/0951839940070205>.

⁴⁵ Michael Curtin and Gill Clarke, 'Living with Impairment: Learning from Disabled Young People's Biographies', *British Journal of Occupational Therapy* 68, no. 9 (1 September 2005): 401–8, <https://doi.org/10.1177/030802260506800904>.

⁴⁶ Cynthia E. Winston, 'Biography and Life Story Research', in *Qualitative Research: An Introduction to Methods and Designs*, by Stephen D. Lapan, Marylenn T. Quartaroli, and Frances T. Riemer (CA: San Francisco: Josey-Bass, 2012), 107–36.