Momentum Building for U.S. Accession to the Mine Ban Treaty

Issue Brief - Volume 1, Number 6, May 25, 2010

Last week, 68 Senators delivered a letter applauding President Obama for his decision to conduct a comprehensive review of U.S. landmine policy. That review, drawing in members of the Defense and State Departments and the National Security Council, is ongoing and will provide the president with advice on whether the United States should change policy and accede to the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, also known as the Mine Ban Treaty.

In their statement, the bipartisan Congressional group said, "We are confident that through a thorough, deliberative review the Administration can identify any obstacles to joining the Convention and develop a plan to overcome them as soon as possible."

With the support of Senators, members of the House of Representatives who also wrote a letter to the President last week, as well as national and international nongovernmental groups, momentum is building for the United States to accede to treaty, which bars the use of victim-activated antipersonnel landmines and sets timelines for clearance of mine-impacted areas and the destruction of existing stockpiles.

The substantial bipartisan support for a change in U.S. policy is due to the substantial security, diplomatic, and humanitarian benefits of U.S. accession to the Mine Ban Treaty.

The United States No Longer Uses-Nor Does It Need-Antipersonnel Landmines

The United States is not known to have used antipersonnel landmines since 1991, has not exported them since 1992, and has not produced them since 1997. Globally, the use, transfer, and production of these weapons have essentially ceased. Despite significant military engagements in Kosovo, Iraq and Afghanistan, the U.S. military has found other solutions than to use the weapons banned by the treaty. Mines currently in place in South Korea are not under U.S. ownership and pose no barrier to U.S. accession to the treaty. This year, the United States will also officially reject any future use of persistent mines, bringing it into even closer alignment with the treaty.

In the 1990s and again in 2001, a significant number of retired senior military leaders recommended that the United States join the treaty, including Gen. David Charles Jones (former Chairman of the Joint Chiefs of Staff), Gen. John R. Galvin (former Supreme Allied Commander Europe), and Gen. Norman Schwarzkopf (former Commander, Operation Desert Storm).

Although he did not explicitly call for the United States to join the treaty, General James Cartwright, Vice Chairman of the Joint Chiefs of Staff publicly stated May 13 in response to a question about landmines that there are weapons that "may be effective as lethal agents but they...have a social and cultural bias against them for good reasons.... The reality is...it is about the politics, it is about the people.... [I]f you ignore that, then your ability to actually wage and succeed in conflict is lost because you're trying to influence somebody's mind at the end of the day."

The desire to retain so-called "smart mines" remains the key difference between the treaty and U.S. policy, but because self-destructing mines are still indiscriminate and do not always self-destruct as expected, their use has been rejected by treaty members. Command detonated landmines, those...
with a "man in the loop," are permitted, however, and exist in the U.S. stockpile.

**U.S. Accession Would Strengthen the Taboo Against Landmines and Enhance U.S. Global Leadership**

Today, 156 countries are states-parties to Mine Ban Treaty, including all NATO members except the United States (Poland has already signed and intends to ratify the treaty in 2012) and all Western hemisphere countries with the exception of Cuba and the United States. Last year, for the first time, the United States officially attended a meeting of treaty states-parties and was widely welcomed.

A U.S. decision to accede to the treaty will immediately put pressure on hold-out states to join the accord. In many cases, countries use U.S. inaction as an excuse for delay.

Already, many states not party to the treaty indicate support for it through an annual UN General Assembly resolution on landmines. In 2009, Armenia, Azerbaijan, Bahrain, China, Finland, Georgia, Kazakhstan, Laos, Micronesia, Mongolia, Morocco, Oman, Singapore, Somalia, Sri Lanka, Tonga, and the United Arab Emirates voted for the UN resolution, which invites all states to join the accord.

The bottom line is that the United States does not use or need the antipersonnel landmines prohibited by the treaty. Any perceived military utility is far outweighed by the substantial humanitarian and diplomatic benefits of U.S. accession.

**A Majority of the Senate Supports a Shift in U.S. Policy on the Mine Ban Treaty**

As a senator, Barack Obama recognized the need to revise the outdated U.S. policy on landmines. In September 2008, he told Arms Control Today that: "In general, I strongly support international initiatives to limit harm to civilians caused by conventional weapons. I will regain our leadership on these issues by joining our allies in negotiations and honoring U.S. commitments to seek alternatives to landmines."

As the letter from more than two-thirds of the U.S. Senate makes clear, there are viable alternatives to the use of anti-personnel mines prohibited by the Mine Ban Treaty and there is strong support for review and change in U.S. landmine policy. At the conclusion of his review of the Mine Ban Treaty, the President should:

- announce that the United States has determined that it no longer needs to and will no longer use the weapons banned by the treaty;
- indicate his intention to transmit the treaty to the Senate for its advice and consent;
- immediately begin planning for destruction of the U.S. landmine stockpile and identify (and, if necessary, make) any changes to U.S. military doctrine that are necessary to bring U.S. war planning into alignment with the treaty; and
- reaffirm the United States' intention to remain a global leader in mine clearance and victim assistance.

By acceding to the Mine Ban Treaty, the United States would advance its security interests, improve the conditions on the ground for civilians and U.S. soldiers in conflict zones, and reestablish U.S. global leadership. - JEFF ABRAMSON

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**Landmines**

Posted: May 25, 2010

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