

The Australian Centre for Peace and Conflict Studies

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Random Terror
Landmines, Cluster Bombs and Alternatives

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The purpose of today's seminar is to engage with the problem of landmines and cluster bombs: To reflect on their legacies; the political intentions; military utility and practices; the legality and the morality of these practices. And as well, to assess the merit, of what is being done to ameliorate the situation and to look at alternatives to these deadly technologies.

Random Terror - the Documentary

Random Terror documents the celebration of the Entry into Force of the Mine Ban Treaty and the Ottawa Process, the marvelous speed with which it was accomplished, the shortest in the history of treaty-making. Foreign Minister, Lloyd Axworthy's request that he wanted a meeting to sign the Treaty within twelve months was greeted with much consternation by the diplomats but they succeeded in their task.

The Ottawa Treaty

The Mine Ban Treaty entered into force on March 1st, 1999. And as of February 21st of this year, 155 states have signed and ratified. Only 30 states remain outside: among those are the United States, Russia, China, - the three Permanent Security Council members, who vie with each other for world domination; and warring parties, Israel, Lebanon, North and South Korea, India and Pakistan.

Good Effects of Treaty

The Treaty has been effective in the reducing the manufacture of mines, even in states not party to the Treaty. By 2001, only 14 of original 54 mine-producing countries had the capacity to manufacture anti-personal landmines and their components, and all traditional exporters of mines have officially ceased their activities. However, the problem will not be solved until all states sign the Treaty and - many years down the road - all landmines are recovered from the ground. So though the problem cannot be considered resolved, there is substantial progress.

The speed and ease with which a Treaty was negotiated was, in large part, due to the fact the landmines are a peripheral weapon, with a declining utility. Cluster bombs, in the same category as landmines, are more offensive and more indiscriminate than landmines because they have a range of far greater magnitude. Rather than placed in, or scattered on, the land, they are dropped from the air, or missile-launched from the ground and eject an enormous number of sub-munitions which scatter over a large area. They are used for the same purposes, designed to have the same affect on civilian populations. However the footprint of a single cluster munition can be the size of two or three football fields.

It is regrettable that Cluster Bombs were not included in the Mine Ban Treaty. I speculate, however, that if they had been included it would have been impossible to secure enough states willing to be party to the Treaty. Given that the nature of modern warfare is to inflict the greatest possible damage utilizing the minimum man-power, it is easy to see, from the comparative figures, that cluster bombs still have military utility and one can also see the military advantages over landmines.

There are between 45-50 million landmines in the ground in at least 70 countries compared with some 440 million unexploded sub-munitions from cluster bombs scattered around the world; that is to say, there is more than one cluster sub-munition for each of the 400 million people living in the cluster bomb-affected areas. Furthermore, 52 million, 800 thousand cluster bombs - more than the total number of 45-50 million landmines in the ground - were dropped in one country alone, near or in the villages of Laos.

Because of the nature of modern warfare, with fewer soldiers on the ground, and the capability of weapons systems to kill large numbers of civilians and destroy their habitats and livelihoods, with little risk to the lives of the perpetrators, cluster bombs are a preferred weapon with landmines playing only a small role.

Landmines, both anti-tank and anti-personnel, were once useful to the military, solely for defense purposes, to protect themselves and their equipment. However, after World War II, landmines were specifically designated as offensive weapons, used to target civilians, disrupt their lives, destroy communities and agricultural lands, in order to inflict serious harm and "to create a state of military, political, social and economic imbalance in war-torn societies." (www.canadianlandmine.org)

Cluster bombs have **always** been used as offensive weapons targeting civilians, their villages and their cities.

Civilians, in World War II, for the first time, became deliberate targets for the military (although, perhaps the first time was the bombing of Guernica, Spain during the Spanish Civil War). The carpet bombings of Dresden, Hamburg, Leipzig, Cologne, Rotterdam and Tokyo, using incendiary phosphorous and napalm cluster bombs, began the military establishment's descent into moral degeneracy or, as Lewis Mumford says after Hiroshima and Nagasaki, "America's "slide into barbarism" - humanitarian law, notwithstanding.

Australia's decision to acquire cluster bombs is surprising and disturbing. Especially as work has begun on an international convention to ban cluster bombs. While Australia did not attend the Oslo Conference on Cluster Munitions, it did participate in the recent Lima, Peru Conference. However, "Australia did not explicitly endorse the Oslo Declaration," but did participate in the proposal that some cluster munitions be retained for training and research; expressed concern about joint military operations with states who use cluster munitions and are not party to the Treaty; and participated in a proposal to exclude cluster munitions with "self-destruct" capability from the Treaty.

I find these distinctions of "smart", "self-destruct" and so on, disturbing because if the intention is to kill peaceful civilians, why bother? Is it merely a palliative - a sop to earnest humanists? The precedents were, of course, established when it was decided that to kill with dum-dum bullets was inhumane and this gave birth to International Humanitarian Law.

Humanitarian Law is an oxymoronic concept. It does not pronounce war or killing as inhumane. Humanitarian Law is war law – rules for the treatment of prisoners and for the conduct of war, both of which, since the end of World War II are increasingly ignored. Humanitarian Law merely imposes legal restraints on the warrior, on the methods of killing.

The experience, to date, with the "smart" "self-destruct" and "self-neutralizing" landmines and cluster bomb sub-munitions is that they pose the same hazard as "dumb" landmines. Recall to your memories, the Vietnamese child running, screaming with pain and fear because she was burning alive from a napalm cluster bomb. If the intention is to kill what does it matter if this child is killed on the Monday of the attack or the following Friday by unexploded dumb, or failed "self-destruct" or "self neutralizing" cluster bomb sub-munitions.

How can Australia consider such an addition to their arsenals, when Australia, in November 1989 initiated, and for 2 years, infused tremendous energy and resources - with Gareth Evans as Minister of Foreign Affairs, and Michael Costello contributing rigorous diplomatic skills and energy - into the peace process for Cambodia, a country which suffered immensely from the scattering of millions of cluster bombs. Will Australia declare itself a moral nation because it possesses smart "self-destruct" cluster bombs?

Landmines and Cluster Munitions are generally illegal under International Humanitarian Law, Geneva Conventions and Additional Protocols. Protocol I for example, states "Parties to the conflict shall at all times distinguish between civilian population and combatants and between civilian object and military objectives and accordingly shall direct their operations only against military objectives."

A ruling of tremendous significance occurred on June 12th of this year, when the United Nations International Criminal Tribunal for the Former Yugoslavia found Croatian Milan Martić guilty of indiscriminate use of cluster munitions in Zabreg. His defense, that there were military targets in Zagreb, was rejected, and the Tribunal ruled that the cluster rockets used by Martić were 'an indiscriminate weapon' that would cause unacceptable civilian casualties when used in a populated area even if legitimate military targets were present. (Peacelist; sawinfo@list.web.net).

This ruling will have major implications for the recent Israeli war on Hezbollah in Lebanon. It is estimated that there are some one million unexploded cluster bomb sub-munitions remaining in Lebanon, a legacy of last year's war. Israel has used as its justification for its use of cluster bomb attacks on cities and villages, that Hezbollah deliberately grouped in the villages in order to use the civilian population as protection. Hezbollah also used cluster rockets in its counter-attack on Israel, though without such justification.

Most of the major cities in Afghanistan and Iraq were targeted by American and the British cluster bombs. In Afghanistan, between October 2001 and March 2002, one thousand, two hundred and twenty-eight cluster bombs were dropped containing a total of 248,056 sub-munitions. Some 28 countries are contaminated with unexploded cluster bombs. The greatest areas of contamination remain in Lebanon, Afghanistan, Iraq, Kosovo, Laos and Vietnam.

One can hope that the states which have bombed these countries will be held legally responsible. However, if I am correct, to date we see only victor's justice. There were no tribunals for the crimes of Dresden, Hiroshima, Nagasaki, Vietnam, Cambodia, Laos, *et al.*

Alternatives to Landmines and Cluster Bombs

During a visit to West Point Academy, I was pleased to learn that the Vietnam Veterans Association would be showing us their Power Point Presentation on *Why the US Should Sign the Mine Ban Treaty*. Their intention was to take this presentation to the United States Congress in order to encourage the US to sign the Landmine Treaty. Two members of the Association were present, one in a wheelchair, legs gone from mid-calf down, I assumed from the consequences of a landmine; the other standing and unharmed. The major point in their presentation was that landmines were obsolete, redundant, and a relic of World War II. The United States, in their view, should sign the Mine Ban Treaty because there were new "smart weapons" and also weapons that could circumvent the Treaty.

It was distressing to consider that a person who, most likely, had lost his legs in a landmine explosion, was considering not only smarter weapons, but also ones that will circumvent a treaty which if it had been in place, would have saved him, perhaps, from loss of his feet and lower legs. Let us hope that any replacements for Anti-Personnel landmines will be governed by ethical principles.

Canada is apparently replacing its Anti-Personnel Landmines with the Claymore C19s - a mix of sensors/command/detonated weapons. Japan is developing "anti-personnel obstacle system" combining sensors and remote control, Russia, though not a signatory to the Treaty is understood to be undertaking research and development of alternatives. The Australian Army is developing a landmine replacement using Metal Storm technology. Perhaps the United States, though not party to the Treaty, with its testing of Metal Storm technology, is, too, considering its use as a replacement for landmines. I would like to learn more about Metal Storm technology. If the weapon shoots at the rate of a million rounds a minute - that is sixteen thousand, six hundred and sixty six rounds a second - how can that **not** be an indiscriminate weapon?

I hope today's discussion will include expert knowledge of sensor technology. What are the sensors designed to detect? One of the suggested exclusions for a Cluster Bomb Treaty, is the Sensor Fuzed Weapon. This weapon is promoted thus: "The Sensor Fuzed Weapon, with its versatility, lethality and redundant self-destruct features makes it the weapon of choice for the 21st century war fighter" and - again I quote is "combat proven on April 2nd, 2003 in Operation Iraqi Freedom, Sensor Fuzed Weapon took out multiple Iraqi tanks in a single pass."

One weapon covers an area of 4,800 square yards (about one football field) and has a range sensor in each warhead which searches for a hard or soft target. If no target is found it self-destructs in the air. So, my assumption is that in or near a village where there is a suspected but no hard target, it may self-destruct causing a great number of deaths.

My understanding is that anti-tank mines are no longer used. So there remains only one category of mine, an anti-personnel mine. So the alternatives, the research and development of another anti-personnel weapon - are other weapons designed to kill people. Given that antipersonnel mines and cluster bombs are deliberately used to inflict serious harm to humans, and "to create a state of military, political, social and economic imbalance in war-torn societies" it is morally wrong to seek other ways to kill civilians. We should be looking at alternate policies and practices.

In my presentation for the International House Peace and Understanding Lecture I cite the US Field Orders for the bombing of Hiroshima and Nagasaki. Hiroshima is defined as "an urban industrial area," and Nagasaki as "Nagasaki urban area." The official US Strategic Bombing Survey Report (1946) stated that "Hiroshima and Nagasaki were chosen as targets because of their concentrations of activities and populations." (*Boyle, 2002, p.62*). Further, military commanders were instructed to inflict no prior damage to these two cities so test results would be unhindered by other factors." (www.canadianlandmine.org), (*RJL &GM, Hiroshima in America, 1995*).

I don't know how long humans can continue with these atrocities and expect to survive, morally, psychologically, or physically.

The only effective alternatives are in the political, economic and military policies of governments. Who and what are driving these policies? The military? The weapons industry?

During my visit to West Point Academy, one of our party asked if the military approached the military industries or *vice versa*. The response was that the sales people come calling. The growth of military industries, their huge financial gains, and a country's economic dependence on them, are responsible - I prefer to think - rather than the cruelty of human beings. I imagine it is much easier for a departing soldier to drop landmines, than to face a child and shoot him or her in the legs.

The Australian Centre for Peace and Conflict Studies, I imagine, is working to foster change in Australian political, economic and military goals; furthering economic and governmental policies which advance international co-operation, disarmament and human security rather than military security.

Rather than marching in lockstep with the current most militarist, unilateralist warmongering regime, for whom international treaties are *anathema*, Australia would do better to hearken back to Hawke/Keating eras when geographic co-operative friendship and security was the policy of the time. Australia was building bridges rather than blowing them up and received world-wide acknowledgement for its peace initiative and plan for Cambodia, and for the Canberra Commission on Nuclear Weapons.

Alternatives to landmines and cluster bombs which Australia could consider are to **formally endorse** the Oslo Process to ban cluster munitions and to join the growing coalition of endorsing countries. The goal of the Cluster Munitions Coalition is to have a Treaty with no exceptions, and no Reservations or Interpretative Declarations.

Belgium recently banned cluster munitions and Hungary has placed a moratorium on them. These actions, of course, are not appropriate for Australia because cluster bomb acquisition is still under consideration. However, Australia could follow Peru's lead with its initiative for a South American munitions free zone, and initiate a South East Asian cluster munitions free zone.

Technological fixes are mere gimmicks and the creation of destructive weaponry continues. Both dumb and smart weapons are really dumb. This spiraling development - of weapons technology, of military budgets, of countries' economic costs, of the acquisition of these inhumane arsenals and their ability to commit, what has become, mass murder - is out of hand and in more ways than one, self-defeating, - a dead end.

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