

Building U.S. Landmines Policy Back and Better

April 28, 2021

President Joseph R. Biden
The White House
Washington, D.C.

cc: National Security Advisor Jake Sullivan;
Secretary of State Antony Blinken;
Secretary of Defense Lloyd Austin

Dear Mr. President:

We appreciate the statement by our UN Ambassador Linda Thomas-Greenfield on April 8 that: "President Biden believes we need to curtail the use of landmines. Now, there has been some discussion of the previous administration's landmine policy... Biden has been clear that he intends to roll back this policy, and our administration has begun a policy review to do just that."

In response to the announcement that the administration is conducting a policy review, we -- the U.S. Campaign to Ban Landmines - U.S. Cluster Munition Coalition (USCBL-USCMC) and our partners -- strongly encourage you to adopt a policy that sets the United States on course not just to "curtail the use of landmines," but to ban their use, production, acquisition, and transfer and to swiftly accede to the 1997 Mine Ban Treaty.

Over the past twenty years, the world has rejected antipersonnel landmines through the Mine Ban Treaty – to which 164 countries, including every other member of NATO, are states parties – in recognition of the horrific effects of landmines on civilian communities around the world. While not a signatory, under President Barack Obama's 2014 policy the U.S. had functionally adhered to key provisions of the Mine Ban Treaty – except those prohibiting the U.S. from ordering the use of landmines on the Korean peninsula.

While the Obama administration brought U.S. policy further in line with the Mine Ban Treaty, it did not take specific measures toward U.S. accession. Under the 2014 policy, the U.S. committed not to assist, encourage, or induce other nations to use, stockpile, produce, or transfer antipersonnel mines outside of Korea. It also committed to no future production or acquisition of antipersonnel mines, while allowing current U.S. stockpiles to expire.

However, the new landmine policy announced in January 2020 by the Trump administration further set the U.S. apart from its allies and the global consensus by allowing for the use of landmines anywhere in the world. While the new policy claims that non-persistent mines minimize civilian harm, the Mine Ban Treaty rejects the use of such mines and the faulty premise underpinning them.

Decades of efforts to enhance the "safety" of landmines have failed. No matter the technology, landmines are indiscriminate weapons. Regardless of their lifespan, they are victim-activated and

do not distinguish between a combatant or a civilian while active, rendering them incapable of abiding by international humanitarian law.

In recognition of the dangers landmines pose to civilians and U.S. service members alike, the United States has not used antipersonnel landmines since 1991, excluding the use of a single munition in 2002; it has not exported them since 1992; and has not produced them since 1997. In the last five years, only the government forces of Syria, Myanmar, and North Korea, as well as non-state actors in conflict areas, have used antipersonnel landmines.

Of the more than 50 countries that once produced landmines, 40 have ceased and renounced production. Under the U.S. landmine policy introduced by the Trump administration, the United States would join the small handful of countries that defy the global norm against landmines by permitting production of these banned indiscriminate weapons.

We have a moral obligation to the past victims of landmines and to future generations to do better.

Additionally, despite significant backsliding on U.S. policy regarding antipersonnel landmines, the U.S. can and should be proud of its world-leading funding and technical support to mine clearance, stockpile destruction, mine risk education, and victim assistance efforts across the globe -- amounting to more than \$177 million in 2019 alone. We urge your administration to continue this important humanitarian mine action work.

Recommendations for a New U.S. Landmine Policy

As you and your team evaluate current policy, we urge you not simply to go back to the Obama-era policy, but to build back better.

- Consult with civil society and victim advocates during the policy review and in advance of any policy change or announcement.
- Commit to actively and constructively participate in regular meetings of the Mine Ban Treaty.
- Commit to increasing support to Humanitarian Mine Action, particularly in the State Department's Conventional Weapons Destruction programs and the Defense Department's Humanitarian Demining Research and Development program.
- Ban the use of antipersonnel landmines without geographic exceptions, including the Korean Peninsula.
- Ban the development, production or acquisition of all antipersonnel landmines, including so-called non-persistent landmines.
- Ban the sale or transfer of any type of antipersonnel landmine to any other government or partner.

- Set the United States on a short and direct path to accede to the Mine Ban Treaty by declaring the United States' intent to accede to the Mine Ban Treaty by 2023 as part of the new policy.
- Lay out an accelerated timeline for the destruction of stockpiled landmines and provide concrete plans and mechanisms for public reporting on progress.

We appreciate your commitment to improving U.S. landmine policy and welcome the opportunity to work with your team as it moves forward with the policy review.

Sincerely,

Joyce Ajlouny, General Secretary, American Friends Service Committee

John M Barrows, President & CEO, International Eye Foundation

Federico Borello, Executive Director, Center for Civilians in Conflict (CIVIC)

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Susan Gunn, Director, Maryknoll Office for Global Concerns

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Rev. Dr. Susan Henry-Crowe, General Secretary, General Board of Church and Society of The United Methodist Church

Rev. Dr. Nathan Hosler, Director, Church of the Brethren, Office of Peacebuilding and Policy

Liz Hume, Acting CEO & President, Alliance for Peacebuilding

Karl Frederick Inderfurth, Adjunct Professor, George Washington University

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Larry Schwab MD, Co-Director, West Virginia Campaign to Ban Landmines

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Sandy Sorensen, Director of Washington Office, United Church of Christ

Amb. Donald Steinberg, former President's Special Representative for Humanitarian Demining
John Tierney, Executive Director, Council for a Livable World and Executive Director, Center
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