

# Landmines and measures to eliminate them

by Jody Williams

## Introduction

Concern about the effects of certain conventional weapons, particularly landmines, is not new. Had that concern been lacking, the 1980 Convention on Conventional Weapons<sup>1</sup> (CCW) would not have been formulated. Nor would some of the earlier studies on the issue by UN bodies have been written. What is new is a heightened interest in the problems caused by landmines, particularly in post-conflict settings. Several factors have contributed to the increased recognition that even though the CCW is in place, it has not addressed the ever-worsening situation on the ground. (The United States army estimates that 400 million landmines have been sown since the beginning of the Second World War, including at least 65 million in the last 15 years.)

With the end of the Cold War and the accompanying perception of decreased nuclear threat, there has been growing attention to other weapons which have, in fact, inflicted far more casualties in the wars of the past few decades than nuclear and chemical weapons combined. At the same time, the UN has had more room to facilitate negotiated solutions to protracted wars throughout the developing world. What it found when it began to deploy peace-keeping missions in various countries was significant landmine contamination, which has had an impact not only on UN missions but also on new development efforts. This contamination has also affected the work of a wide range of non-governmental organizations (NGOs) and of the International Committee of the Red Cross (ICRC).

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<sup>1</sup> The full name of the CCW is the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects.

Renewed awareness of the problem has resulted in fresh initiatives, both at the international and the national levels, to attempt to limit the proliferation and indiscriminate use of landmines. Many of these initiatives would not have been taken had it not been for the work of the ICRC and the recent International NGO Campaign to Ban Landmines. The ICRC has long been involved in efforts to regulate the use of weapons, including landmines. Meetings sponsored by it in the 1970s were seminal in the process leading to the CCW. Its more recent work in this area, resulting in its call for a ban in February 1994, was inspired in particular by the experience of ICRC surgeons in the field. As for the NGO landmines campaign, it has brought together an unprecedented coalition of 350 groups from different fields (human rights, development, refugees, arms control, humanitarian and environmental problems), thereby reflecting the magnitude of the landmine scourge.

### **Brief history of landmines and their changing use**

The history of landmines can be traced back to the American Civil War. But mines as they are known today were originally developed during the First World War to defend against tanks. Given the size of anti-tank mines, it was relatively easy for enemy troops to enter minefields and remove the weapons for their own use. This led to the development of the anti-personnel mine, a much smaller delayed-action explosive device which was sown throughout anti-tank minefields to deter enemy soldiers from entering. First used to protect the more valuable anti-tank mine, the anti-personnel mine has taken on a life of its own.

Although they were originally designed for use primarily as defensive weapons, landmines have increasingly been deployed offensively. While such use has not been confined to internal conflicts — the United States pioneered advances in mine technology and deployment during the war in Indochina, and the former Soviet Union resorted to them on a massive scale in Afghanistan<sup>2</sup> — landmines have become a choice weapon in these wars and their offensive use often a preferred tactic. Cheap, easily avail-

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<sup>2</sup> The US army made the following assessment: “The Soviet forces found it necessary to employ more than 30 million landmines against the lightly armed rebel forces. Soviet landmine emplacement evolved to such an extent that they employed scatterable landmines in support of offensive operations” (*Landmine Warfare — Trends & Projections*, Defense Intelligence Agency and US Army Foreign Science and Technology Center, December 1992, pp. 2-4).

able and “ever vigilant” once emplaced, anti-personnel landmines have proliferated in armed conflicts everywhere.

What sets the weapon apart is its time-delay function. Not designed for immediate effect, landmines lie dormant until triggered by a victim. While mines can be directed against a legitimate military target, what might have been one at the time of sowing will in most cases, because of their delayed action, not remain so over the entire life span of the weapons. In many cases, particularly during the wars and internal conflicts of the past couple of decades, landmines have been used as offensive weapons to cut off access by opposition forces and their civilian supporters to large tracts of land.

Often designed to maim, their psychological impact on the enemy is undeniable. In addition to demoralizing combatants, landmine casualties can also overload military logistical support systems since most mine victims require more extensive medical and rehabilitative attention than other types of war-related casualties. Moreover, landmines do not discriminate between the logistical support systems of the military and those of society as a whole. They terrorize and demoralize civilians, and their impact on the fragile health systems of the countries where they are used in great numbers can be overwhelming. Post-conflict landmine casualties are almost exclusively civilian.

The impact of landmines extends beyond just health-care systems. When much of a country has become the theatre of battle — as in Afghanistan, Angola, Cambodia, Mozambique, Somalia, the former Yugoslavia, and the list goes on — little is spared. Used offensively, landmines are deployed to depopulate areas, to disrupt agriculture and to interrupt the flow of goods and services. Transportation systems are affected, as are power systems, agricultural and grazing lands, religious sites, national parks and forests, and villages and the people living in them or fleeing from them. In short, all that makes up the fabric of a country can be contaminated by landmines. Unlike other weapons of war, landmines<sup>3</sup> and explosive devices which act like landmines are not silenced by any peace agreement. They continue to kill and maim for generations.

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<sup>3</sup> While attention has been focused on landmines, in many situations unexploded ordnance (UXOs) are as lethal a legacy as landmines. While the military use a number of definitions to avoid placing some weapons systems in the “landmines” category, others would argue that the appropriate point of departure for any definition is the impact on the victim.

## Landmines and the law of war

Humanitarian law, or the law of war, seeks to limit as much as possible destruction and injury to the civilian population during armed conflicts. The basic tenets, which apply also to landmines, say essentially that soldiers may not use any means to achieve their ends, that there are limits. There must be a balance between military need and consequences to the civilian population — and that balance must be proportional. Combatants must distinguish between civilians, who must not be targeted in war, and other combatants. As part of customary law, these tenets apply to all States regardless of other treaty obligations. Additional attempts have been made to limit the use of landmines through the CCW.

International discussions regarding landmines — those of more than a decade ago leading to the development of the CCW, and more recently in preparation for review and amendment of the treaty in September 1995 in Vienna — have considered the issue of proportionality in a time-limited fashion. Proponents of landmines argue that they are a necessary weapon which, when used properly, can be directed toward military targets, while keeping “collateral damage” under control. In theory, this is accurate — especially if discussion regarding landmines and their consequences is limited only to the duration of the military engagement itself. But when the life span of the weapon and post-conflict impact are considered, the question of proportionality takes on new meaning.

If the consequences of landmine use include consideration of the life span of the weapon — which can be decades — the balance between the immediate military utility during the engagement and the long-term costs to the civilian population becomes so skewed as to make the immediate utility appear almost insignificant by comparison. It may be that landmines are a militarily useful tool. Nonetheless, that usefulness is far outweighed by their long-term socio-economic consequences. Over time (and in some cases during the conflict itself), landmines harm civilians and the environments in which they live more than they affect the military targets at which they are aimed.

Furthermore, research has shown that in practice landmines are frequently employed directly against civilians, both intentionally and indiscriminately. Evidence from a number of countries shows that mines are often used as part of deliberate military strategies designed, in direct contravention of the law of war, to spread terror among civilians and/or prevent them from producing food for themselves or enemy troops.

## Nature and scope of the problem

Landmines have been used on a massive scale since their development. As mentioned earlier, it has been estimated that 400 million landmines have been sown since the beginning of the Second World War, including at least 65 million in the last 15 years.<sup>4</sup> Currently 80 to 110 million are deployed in 64 countries around the world. The majority of countries most heavily contaminated with landmines are in the developing world.

Africa is the hardest hit continent with a total of perhaps 37 million landmines in at least 19 countries.<sup>5</sup> Angola alone has an estimated 10 million landmines and an amputee population of 70,000.<sup>6</sup> Other countries particularly affected are Eritrea, Ethiopia, Mozambique, Somalia and Sudan. But Africa is not alone — mines are also found in Asia, Europe, Latin America and the Middle East.

While landmines are ubiquitous, they have been used in particularly large numbers in Afghanistan, Angola and Cambodia. There are altogether at least 28 million landmines in those three countries alone, which are home to 85% of the world's landmine casualties.<sup>7</sup> Europe is said to have the fastest growing problem, with more than 3 million landmines already deployed during the fighting in the former Yugoslavia.<sup>8</sup>

Landmines have been used so extensively because they are readily available, cheap and easy to use. While landmines are not hard to deploy, their removal is painstakingly slow, dangerous and expensive. Mine-detection technology has not kept pace with rapid developments in mines, which have made them more deadly and more difficult to trace.

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<sup>4</sup> Stephen Goose, "The Economics of Landmines", article for *UNIDIR Newsletter*, published in early 1995, citing US Army Foreign Science and Technology Center, US Defense Intelligence Agency, *et al*, *Landmine Warfare — Mines and Engineer Munitions in Southern Africa*, May 1993, p. 15.

<sup>5</sup> The US State Department puts the number at 20 million; the United Nations Department of Humanitarian Affairs Land Mines Database, in a country-by-country listing of the number of mines, states that there are at least 37 million landmines in Africa.

<sup>6</sup> Shawn Roberts and Jody Williams, *After the Guns Fall Silent: The Enduring Legacy of Landmines*, Vietnam Veterans of America Foundation, Washington, DC, May 1995, working draft.

<sup>7</sup> US State Department, *Hidden Killers: The Global Landmine Crisis*, Bureau of Political - Military Affairs, Washington, DC, December 1994, p. 1.

<sup>8</sup> US State Department, *Hidden Killers: The Global Problem With Uncleared Landmines*, Bureau of Political-Military Affairs, Washington, DC, July 1993, p. 38.

Equipment designed in the 1940s is still being used to detect landmines produced in the 1980s and 1990s.

Mines, which used to be made of metal and thus were relatively easy to find, are now increasingly made of plastic. Currently available systems do not reliably detect minimum-metal plastic mines in battle-contaminated field conditions. In Cambodia, for example, for every mine found an average of 129 harmless metal fragments are detected.<sup>9</sup> Each instance of possible mine contamination must be investigated, prolonging mine-clearance operations. But advances in mine technology have not been limited to plastic casings. Mines have become sophisticated weapons with electronic fuses and sensor systems which can make them even more deadly. They can now sense footstep patterns, body heat, sound and the signal of a mine detector — all or any of which can make them explode.

Clearance is made even more difficult by an almost complete disregard for the stipulated mapping and recording of minefields. While the CCW requires the mapping of “pre-planned” minefields, the term “pre-planned” is not defined. Even if it were — given the few instances of minefields mapping and recording in the majority of conflicts of the past several decades — the provision would probably not be followed. Military instructions also provide for the mapping and recording of minefields. But as the UN and other experts involved in humanitarian mine clearance have repeatedly pointed out, in the overwhelming majority of cases, instructions in this regard are not heeded.

Advances in mine-delivery systems have made it possible to remotely scatter mines at rates of well over 1,000 per minute.<sup>10</sup> While it might be possible to record the general location of such mines, even the military concede that accurate mapping is impossible. The Falklands/Malvinas conflict provides an illustration of this problem: during the fighting, British troops kept detailed maps of presumed locations of remotely-delivered mines. But clearance attempts after the war were

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<sup>9</sup> United Nations, *Assistance in Mine Clearance: Report of the Secretary-General*, New York, United Nations, A/49/357, 6 September 1994, p. 4.

<sup>10</sup> One example is the UK’s scatterable anti-personnel mine, known as “Ranger”. A fully-charged rack can fire 1,296 mines per minute. Lt. Col. C.E.E. Sloan, RE, *Mine Warfare on Land*, Brassey’s Defence Publishers, 1986, p. 38. The US pioneered the development of air-scatterable mines, deploying thousands of “dragon’s teeth” over Indochina. The former Soviet Union, during its invasion and occupation of Afghanistan, dropped millions of “butterfly” mines over the country.

thwarted because the mines could not be found. Large areas of the islands are still off-limits today.<sup>11</sup>

Even in the relatively few instances where minefields have been mapped, in many cases the information has become almost irrelevant over time as weather conditions have changed the original location of the weapons. For example, mines sown on riverbanks have been washed downstream by flooding, and mines sown in desert environments move easily and frequently in shifting sands. Also, in heavily contested areas, mines are often sown on top of previous minefields so that even if maps have been made at some point during the conflict, they do not include all of the new mines laid as battle fronts shift back and forth and opposing forces mine and re-mine the same areas to defend their respective positions.

While many are familiar with military minefield breaching, the concept of humanitarian mine clearance is relatively new. In breaching, various methods can be used, but the basic premise is to cut a path through the minefield. Mines outside the path are disregarded and a relatively low clearance rate is tolerated in the breach itself — soldiers expect to suffer casualties. Humanitarian mine clearance, however, involves the removal of all mines — the UN standard is 99.9% — to return previously-mined land to civilian use. Even where there have been advances in the ability to detect mines, the focus has been on military, not humanitarian, needs. The differences between the two types of mine clearance and the imperative need for new technologies to respond in particular to the humanitarian crisis resulting from landmine contamination are not being adequately addressed.

The sheer numbers are overwhelming, but numbers alone do not fully explain the problem. It takes 100 times as long to remove a landmine as to deploy it. And a field with one landmine in it can be unfit for productive use as surely as a field with 100 landmines in it. It can take a mine-removal team as long to clear a field with one mine in it as a field with 100 mines in it. The process is the same wherever there is a fear of mine contamination: the entire area must be painstakingly combed and probed either to remove mines that are actually there — or to demonstrate that the area is free of mines. With the millions of landmines currently contaminating

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<sup>11</sup> Human Rights Watch Arms Project and Physicians for Human Rights, *Landmines: A Deadly Legacy*, Human Rights Watch, New York, October 1993, p. 27.

the globe, even if no more mines were produced or deployed, it would take decades to overcome the problem.

But mines do continue to be produced and most of the mines found in contaminated countries were not made there: 85% were purchased or transferred from producer countries.<sup>12</sup> Of the more than 255 million landmines manufactured over the past 25 years, about 190 million have been anti-personnel mines. At one time or another, at least 100 companies were involved in the production of 360 types of anti-personnel mines in 55 countries. Current production averages about 5 million mines every year; for the previous 25 years, it averaged 10 million annually. Of the US\$ 20 billion spent annually on arms, it is estimated that conventional anti-personnel mines account for less than US\$ 100 million.<sup>13</sup>

China, the former Soviet Union and Italy have been the major producers and traders of landmines in recent years. Other important suppliers have included the former Czechoslovakia and the former Yugoslavia, along with Egypt, Pakistan and South Africa. Prior to the mid-1980s, the United Kingdom, Belgium and the United States ranked among the top producers and exporters; other significant exporters in that period included Bulgaria, France and Hungary.<sup>14</sup>

## **The International NGO Campaign to Ban Landmines**

The first organized efforts by the NGO community to address the problem of landmines began in 1992 with a handful of organizations, including Handicap International (France), Human Rights Watch (USA), Medico International (Germany), the Mines Advisory Group (UK), Physicians for Human Rights (USA) and the Vietnam Veterans of America Foundation (VVAFA-USA). Those six organizations have since become the steering committee of the International NGO Campaign to Ban Landmines, and the VVAFA its coordinator.

The Landmines Campaign has grown to include approximately 350 NGOs working in at least 20 countries around the world for a ban on

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<sup>12</sup> *Report of the Secretary-General, op. cit.*, p. 8.

<sup>13</sup> Goose, *op. cit.*, p. 2. See also *Deadly Legacy* for detailed information on landmines trade and production. The Arms Project maintains a database on the issue.

<sup>14</sup> Steven Askin and Stephen Goose, "The Market for Anti-personnel Landmines — A Global Survey" *Jane's Intelligence Review*, September 1994, p. 425.



landmines. It is now made up of organized components in Australia, Belgium, Cambodia, Canada, France, Germany, Ireland, Italy, Mozambique, the Netherlands, New Zealand, Norway, the Philippines, Spain, Sweden, Switzerland, Thailand, the United Kingdom and the United States. There are also NGOs active in the Campaign from other countries such as Afghanistan, Costa Rica, India, Nepal and South Africa.

These organizations have joined together to promote the Campaign's "Joint Call to Ban Anti-personnel Landmines." This is a twofold call for, on the one hand, an international ban on the use, production, stockpiling and sale, transfer or export of anti-personnel mines, and, on the other hand, for contributions, by countries responsible for the production and dissemination of anti-personnel mines, to the international fund administered by the UN and to other programmes to promote and finance mine victim assistance and landmine awareness, clearance and eradication worldwide.

The Campaign has also held two international conferences on landmines, the first in London in 1993 and the second in Geneva in 1994. It is planning a third conference to be held after the CCW Review Conference. In various individual country campaigns, there have also been collections of signatures on a petition calling for a ban on landmines. The signatures, now totalling well over half a million, will be presented to the chair of the Vienna Conference. In addition, the International Campaign to Ban Landmines will be sponsoring a "Call for Posters" — an invitation to students around the world to contribute designs of posters to illustrate a world free of landmines.

NGOs have also made significant contributions through systematic documentation of the problem of landmines, compiled in the form of country reports on Angola, Cambodia, El Salvador, Iraqi Kurdistan, Mozambique, Nicaragua and Somalia. Human Rights Watch and Physicians for Human Rights have also produced *Deadly Legacy*, a 537-page report considered to be one of the most comprehensive works on the various aspects of the problem. Finally, just before the Review Conference the VVAF will be releasing its *Socio-Economic Report on the Impact of Landmines*, which quantifies the effects of landmines through studies on Afghanistan, Cambodia, Mozambique and the former Yugoslavia.

Because of their accumulated expertise on various aspects of the problem, NGOs have frequently been asked to participate in government and other expert sessions on landmines. The first such meeting of significance was a three-day landmines symposium held by the ICRC in Montreux in April 1993. NGOs also participated to a lesser degree in the

ICRC's subsequent meeting on military utility in January 1994.<sup>15</sup> Most recently in March 1995, four NGOs of the Campaign's steering committee were key participants in two days of Public Hearings on Landmines held by the European Parliament. These led to the introduction of an EP resolution calling for a ban on landmines.

NGO involvement in the issue of landmines has been critical to sparking widespread attention to the problem both by their governments and in the media. Various organizations in the International Campaign have worked closely with their governments on national initiatives to deal with the landmines problem. While each country campaign and the various NGOs working to ban landmines have made significant contributions to the overall effort, several initiatives stand out as particularly illustrative of the contributions of the NGO campaign: those of Italy, Belgium and Cambodia.

## **Impact of the Campaign: the examples of Italy, Belgium and Cambodia**

### **Italy**

When representatives of the International Campaign first met with Italian NGOs to start up activities in Italy, while there was much interest, initial efforts were halting. The first landmines workshop held in the country, in December 1993, was small and somewhat tentative. Within eight months, however, the Italian campaign had made truly impressive strides. Through a series of appearances on the most widely watched Italian television talk show, Italian supporters of the campaign brought the issue of landmines to the public. The Italian Minister of Defence appeared with campaign representatives and voiced his support for a ban on landmines.

The high visibility given to the issue helped the Italian campaign to mobilize public support and press the government for change. On 2 August 1994, Italy, which had been a major manufacturer and exporter of landmines, surprised the international community with a Senate motion

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<sup>15</sup> The ICRC has produced reports on both the Montreux symposium and the Geneva meeting on military utility. It has also submitted documentation on various aspects of the landmines issue to the group of government experts preparing for the Vienna Review Conference.

ordering the government to ratify forthwith Protocol II of the 1980 Convention; to take immediate legal action to launch a moratorium on the export of anti-personnel mines, to put an end to the production of those mines by Italian companies or companies operating in Italy and to support workers in that sector; and to promote clearance efforts in countries contaminated with anti-personnel mines. It remains to be seen how far Italy has actually proceeded towards halting production.

In the discussion prior to the vote, the Italian government representative noted that export authorizations for anti-personnel mines had not been issued by Italy since November 1993. He stated that his government formally undertook to observe a unilateral moratorium on the sale of anti-personnel mines to other countries and to ready the necessary instruments for stopping the production of such devices by Italian companies or companies operating on Italian territory. Moreover, Italy moved rapidly to ratify the CCW and at the same time its Parliament directed the government to support a Swedish proposed amendment to the CCW that would ban anti-personnel landmines. This, however, the government has yet to do.

Finally, to continue building awareness in Italy, the Italian campaign held three days of events in Brescia, home of Valsella landmines, in September right after the Senate motion was passed. In a clear demonstration of public support for the ban initiatives, thousands of people came together for the events, which included a 17 km walk to the Valsella plant to call for a ban on landmines. In one of the most moving moments of the march, women workers from the plant stood up and added their voice to the call for a ban. The mayor also announced that the town council had voted unanimously, in a special meeting, to join the Italian Campaign to ban landmines.

## **Belgium**

Although Belgium has become involved in various aspects of the landmines problem in recent years, it initially concentrated its efforts on mine clearance. In 1992, Belgium introduced a UN resolution calling for a coordinated approach to the problem of mine removal. The resolution also asked the Secretary-General to present a comprehensive plan for demining. This early initiative contributed to the development of what is now the United Nations Demining Trust Fund, under the Department of Humanitarian Affairs. In July 1995, the UN hosted a major donors conference in Geneva in support of the Demining Trust Fund.

While the focus in Belgium seemed to be on the clearance aspect of the landmines problem, a significant domestic effort was slowly being made to push a bill through the country's Parliament. The Belgian campaign, working with Senators Lallemand and Dardenne who sponsored the bill, strove to ensure that there was support for it. After months of careful shepherding of the landmines bill through the Parliament, on 2 March 1995, by unanimous vote, Belgium became the first country to enact legislation banning landmines. At the same time, Senator Dardenne reported that the Belgian Defence Minister had promised to destroy most of the country's stocks of 340,000 landmines and the equipment to lay them.

Specifically, the Belgian legislation bans the use, production, procurement, sale and transfer of landmines, including components, parts and technology. Anti-tank mines are also banned wherever the necessary pressure to make them explode can be provided by a person, as are submunitions that are knowingly designed not to explode on first impact. The law will apply for a period of five years, renewable for the same period by the Council of Ministers. Perhaps as significant as the legislation itself is the fact that efforts by the Minister of Defence to include NATO exclusions in the law were defeated.

### **Cambodia**

Cambodia is the first severely mine-contaminated country where a significant NGO campaign has helped to build an organized response by the local community to the landmines crisis. The International Campaign worked with representatives of the Cambodian government and the Cambodia Mine Action Centre (CMAC) to promote Landmines Awareness Day on 23 February 1995. With that day as a focal point, the Campaign began collecting signatures on a petition calling for a ban on landmines. More than 300,000 Cambodians responded and the signatures were presented to the government. Furthermore, in March the United Kingdom landmines campaign organized a meeting in the House of Commons. A Cambodian delegation took part and, calling upon the British government to support the ban on landmines use, presented the list of signatures to the Prime Minister.

The Cambodia campaign also sponsored the first international conference in a heavily-mined country. Held from 2 to 4 June 1995, the conference brought together over 400 representatives of NGOs and governments from 42 countries. Among the many issues covered at the conference was proposed draft legislation that would ban landmines in Cambodia.

## Other responses by the international community

As noted above, the increased recognition that the CCW has not addressed the ever-worsening situation on the ground has resulted in new national and international initiatives to attempt to limit the proliferation and indiscriminate use of landmines or to ban them outright. Many of the national initiatives, which have involved close cooperation with NGOs, have been seen as first steps toward a complete ban on landmines. This was the idea behind the development of the first unilateral initiative, taken by the United States in 1992, to adopt legislation providing for a one-year moratorium on the export of landmines. That legislation, sponsored by Senator Patrick Leahy and Congressman Lane Evans, and extended in 1993 by a unanimous vote, is recognized, along with two UN resolutions for worldwide moratoria introduced by the United States, as having been a primary catalyst for other export control initiatives.

The first country to respond to this initiative was France. During a visit to Cambodia in February 1993, the then French President, François Mitterrand, officially announced his country's "voluntary abstention" from exporting anti-personnel landmines, in effect since the mid-1980s. Shortly thereafter, France also initiated the process which is to result in the Review Conference of the CCW in Vienna in September 1995. Then on 11 November 1993, Senator Leahy, speaking on behalf of the United States delegation to the UN, introduced a resolution urging States to implement moratoria on the export of anti-personnel landmines. These moratoria were envisioned as first steps toward a permanent export control regime.

The response to the moratorium movement and to the first UN resolution has been impressive. Currently, 15 countries have announced comprehensive export moratoria, namely Argentina, Belgium, Canada, the Czech Republic, France, Germany, Greece, Israel, Italy, Poland, the Slovak Republic, South Africa, Spain, Sweden and the United States. In addition, the Netherlands and Switzerland have enacted limited moratoria restricting exports to States party to Protocol II of the CCW, and the United Kingdom and Russia have declared moratoria on anti-personnel landmines that do not self-destruct or self-neutralize. With the decision taken by the European Council of Ministers in May 1995, exports of non-self-destructing mines have also been banned from EU territory.

To continue building toward a permanent control regime, the United States sponsored a second UN resolution on export moratoria in 1994.<sup>16</sup>

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<sup>16</sup> *Moratorium on the export of anti-personnel landmines*, United Nations General Assembly resolution A/C.1/49/L.19, 1 November 1994.

The resolution, again introduced by Senator Leahy, called for more export moratoria. But what was perhaps more significant in the resolution was its call for further international efforts to seek solutions to the problems caused by anti-personnel landmines, with a view towards the eventual elimination of anti-personnel landmines. Some States tried to remove that language from the resolution, but it was finally adopted by consensus.

Some countries have moved beyond simple export limitations on landmines. In June 1994, the Swedish Parliament voted that Sweden should declare that a total international ban on anti-personnel mines was the only real solution to the problems caused by the use of these weapons. It also voted that the government should therefore propose means of achieving such a ban. Sweden subsequently prepared an amendment to Protocol II of the CCW which would ban anti-personnel landmines. This amendment is to be submitted to the Vienna Review Conference.

While fifteen countries<sup>17</sup> support the call for a ban it is not likely that a consensus will be reached on the amendment in Vienna.

Finally, apart from legislative initiatives, on 30 November 1994 the Netherlands Defence Minister announced before the country's Parliament the intention of its armed forces to destroy 423,000 anti-personnel and anti-tank mines at a cost of some US\$ 5 million.

## **Vienna Review Conference**

As noted above, a Review Conference will be held in Vienna in September 1995 to amend the CCW. A series of four governmental preparatory sessions were held in Geneva in 1994 and early 1995. NGOs were present at the first and second sessions, before leaving to protest against the blocking of their presence at the other meetings — this despite the fact that NGOs have recognized expertise in various aspects of the landmines issue and were present at the sessions leading to the development of the convention. In subsequent preparatory sessions, NGO representatives formed part of the Australian, New Zealand and Swedish governmental delegations. Rather than take a broad approach to the prob-

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<sup>17</sup> Afghanistan, Belgium, Cambodia, Colombia, Estonia, Iceland, Ireland, Laos, Malaysia, Mexico, Nicaragua, Norway, Peru, Slovenia and Sweden. The Vatican has also called for a ban (as from August 1995).

lem, which would require a serious assessment of the real impact of landmines on the ground with a view to amending the CCW in such a way as to address the problem meaningfully, the preparatory sessions have taken a more narrow approach limited to adjustments of the existing framework. It has already become clear from the proposed amendments drawn up at those meetings that the international community is not ready to meet its stated goal of eliminating landmines.

Many of those who advocate a complete ban on landmines as the only realistic means to deal with the global crisis believe that the reluctance of governments and the military to analyse the problem seriously and to take real steps toward a solution has more to do with the fear of setting a precedent regarding long-used conventional weapons than the actual need for landmines themselves. That this might be the crux of the issue was revealed in the 1994 negotiations on possible legislation to place a one-year moratorium on the production and procurement of landmines in the United States. Expressing his opposition to the proposed bill in a letter to Senator Mark Hatfield, Army Chief of Staff General Gordon Sullivan wrote that "the precedent established — that of unilateral denial to US forces of a legitimate, essential weapon, based on potential post-conflict humanitarian concerns — threatens the use of a wide range of military weapons".

While the international community will likely take only limited steps in Vienna toward its stated goal of the eventual elimination of landmines, the process leading to the Review Conference has been important. It has helped focus attention on the problem and will provide a significant forum for more lobbying and education of governments as to the long-term implications of the continued proliferation of landmines. NGOs will come together in Vienna for a series of activities during the Review Conference, and the International Campaign is pressing for certain minimum changes to the CCW that it considers to be essential in moving toward the goal of a ban on landmines. These changes concern, first of all, the treaty's scope: the Campaign believes that the CCW should be amended to cover the use of landmines in all circumstances. Secondly, the CCW should be amended to include automatic verification measures and to stipulate that sufficient resources must be made available for verification to ensure that the measures can be carried out. Thirdly, the CCW should be amended to provide for automatic, regular review of its provisions so that the international community will not have to wait another ten years to come together to assess the impact of any changes to the Convention made at the Vienna Conference with a view to improving actual conditions on the ground and alleviating the

suffering caused by landmines. The Campaign believes that such review should take place every 5 years, if not sooner.

## Conclusion

A few questions about landmines were recently posed by Russell W. Ramsey from the United States Army School of the Americas at Fort Benning, Georgia, in his assessment of the book *Landmines: A Deadly Legacy*, by Human Rights Watch and Physicians for Human Rights. In commenting on the book for *Military Review*, Ramsey asked:

“What crop costs a hundred times more to reap than to plant and has no market value when harvested? What weapon is still lethal to unsuspecting human targets when the soldiers who brought it to the battlefield have become old men? What Cold War legacy has the greatest mathematical probability of claiming victims now and for the next couple of generations? What weapon employed by US forces in scrupulous adherence to the laws of land warfare may have inflicted more friendly than enemy casualties in several campaigns?”

The answer is, of course, anti-personnel landmines. These weapons have a huge impact on societies. Their effects, as briefly outlined above, are all the more pervasive because they are not conflict-limited. They continue for decades. Thus societies are affected not only in the immediate term but for generations. Landmines are not simply the cause of an immediate crisis in a country in conflict, they are also a long-term obstacle to total peace and post-conflict development of a society and its people. Thus, children now living with landmines are affected. But so will their children be, and their children’s children. The only way to end this scourge is to move quickly to fulfil the goal stated by the international community in last year’s United Nations resolution on landmines and to eliminate landmines from the world’s arsenals once and for all.

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