



AUSTRALIAN NETWORK TO BAN
LANDMINES
AND CLUSTER MUNITIONS INC



The Hon Bob Carr
Minister for Foreign Affairs and Trade
PO Box 6100
Senate
Parliament House
Canberra ACT 2600

Cc The Hon Julia Gillard Prime Minister of Australia
The Hon Stephen Smith Minister for Defence

Dear Minister,

On behalf of the Australian Network to Ban Landmines and Cluster Munitions (ANBLC), the Cluster Munition Coalition Australia and all other organizations represented in this letter, I would like to commend you for your statement condemning the recent use of landmines by the Syrian regime.

To use these indiscriminate legacy weapons at any time is to be condemned but to do so against a country's own citizens fleeing for their lives is an act of indescribable horror.

By publicly condemning these actions the Australian Government has demonstrated its commitment to a mine free world. I now appeal to you to confirm this strong and humanitarian stance and to use any diplomatic means within your power to encourage the United States to accede to the Mine Ban Treaty.

You will be well aware that the US has just concluded a lengthy Mine Ban Policy review but that President Obama is yet to make a statement regarding US accession to the treaty. Now is the time for humanitarian leaders around the world, in particular allies of the US, to use their best efforts to gain US accession. As a close and staunch ally of the US and a State Party to the Mine Ban Treaty, Australia has both moral and legal obligations to press for universalization of the treaty.

Since the Entry into Force of the Mine Ban Treaty in 1999 it has established a strong international standard against any use of antipersonnel mines. To use these weapons now would stigmatise the Obama administration and cause significant political

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ramifications. One has only to consider the horrified international reactions to the Syrian actions to imagine the depth of condemnation that would be provoked by US use.

The US is already in compliance with key obligations of the Mine Ban Treaty, having not used anti-personnel landmines since 1991, not exported them since 1992, nor produced them since 1997.

The US also clearly recognises the inhumanity of these weapons and the destructive legacy they leave behind. This is witnessed by the fact that they are already the world's largest contributor to mine clearance and victim assistance programs. These are worthy contributions to the global landmine situation but must be matched with an **unequivocal political and legal commitment** to the obligations of the Mine Ban Treaty.

Unfortunately there are some who mistakenly put their faith in modern technology, alleging that so-called "smart mines" equipped with self-destruct or self-deactivating mechanism will solve the problems of the destructive legacy left behind by anti-personnel landmines. However, these mines still pose humanitarian dangers and are by no means safe for civilians. 'The Mine Ban Treaty bans all anti-personnel mines even if they have self-destruct or self-deactivation mechanisms, as such mines still possess humanitarian dangers. Current self-destruct mechanisms are estimated to have failure rates of between 1 and 10%'.

At the present stage the US retains the right to use these weapons anywhere in the world. This must change and these weapons would need to be destroyed upon accession to the treaty.

In 1994, President Clinton became the first world leader to call for the "eventual elimination" of antipersonnel landmines. In 1998, he set the objective for the US to join the Mine Ban Treaty in 2006. Surely now is the time to follow through on those aims and to join the world community as a State Party to the Mine Ban Treaty.

President Obama has publicly stated his commitment to international humanitarian law, protection of civilians, arms control and disarmament and multilateralism. US accession to the treaty would cement these aims in law and President Obama would have taken a vital step towards a safer and more compassionate world.

Finally, the US is a powerful nation. US accession would further strengthen the norm against use of antipersonnel landmines and help convince other countries, in particular China and Russia, to accede to the treaty.

I call upon you to make strong representation to the US: to President Obama, to Secretary of State Hillary Clinton, to the Secretary of Defense Leon Panetta and to General Martin Dempsey, Chairman of the Joint Chiefs of Staff, urging swift and definitive US accession to the Mine Ban Treaty.

I look forward to your reply with an account of the actions taken by the Australian Government.

Yours Sincerely,
Lorel Thomas
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Australian Network to Ban Landmines and Cluster Munitions

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