

Oral statement by Lt. Gen. (USA, Ret.) Robert Gard, Center for Arms Control and Non-Proliferation

The United States and the 1997 Mine Ban Treaty event

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Transcription

As His Royal Highness Prince Mired has rightly observed, this is a moral and humanitarian issue. I believe that it is also a legal issue. We in the United States claim that we are a nation that subscribes to the rule of law. I was going to spend the first few minutes proving to you that we're violating the law, but I'm going to skip that because it's probably less important than the moral and humanitarian issue.

I got into the business of the International Campaign to Ban Landmines quite by happenstance. I received a letter out of the blue in the spring of 1996 when I was in Monterey, California, asking me to sign an open letter to the president. The authors were trying to get senior retired military officers to say that the mines were not militarily necessary.

I chucked it aside since I had been retired from the military then for 15 years. I didn't know much about what had happened with landmines; but I recalled that I never let my troops use them either in the Korean War—yes I'm that old—or in the Vietnam War. So I agreed to sign onto the letter.

Bingo! A phone call from somebody named Bobby Muller, who ran the Vietnam Veterans of American Foundation, which I had never heard of. He said he wanted to fly me to Washington, DC; he had purchased a table at a fundraiser at the White House, which would enable us to confront President Clinton on the landmine issue.

Going through the receiving line, rather than politely greeting the President, I brashly said to him: Mister President, you should ban the use of antipersonnel landmines. He was taken aback. We talked to him later and he said to me, "You know I can't risk a breach with the Joint Chiefs [of Staff]."

You may recall that in the lead-up to President Clinton's election to his first term, there was considerable controversy regarding his position regarding the United States military. When he came in to office, he faced a suspicious military institution; I suspect that was the reason why he felt that he didn't want to face the Joint Chiefs on the issue, even though he had clear authority to do so as the Commander-in-Chief.

This leads me to the point that Steve Goose made about the reasons the military oppose giving up their landmines. I think the slippery slope is the principal reason; and, as he rightly pointed out, we are indeed after some other weapons. But we are after them whether we sign the Mine Ban Treaty or not.

The other reason, that hasn't been mentioned, is what economists call "sunk costs." We spent a lot of money on those antipersonnel landmines and the mixed systems that someday might come in handy; so why give them up.

As has been noted, the US last employed self-destruct landmines during the Gulf War in 1991, to eject Iraqi forces from Kuwait. I would suggest to you that there are good military reasons for not employing antipersonnel landmines. They impeded the maneuverability of our own forces during that conflict and slowed their operational tempo.

During the offensive operation, the 18th Corps sent a message to all units, noting that several severe injuries had resulted to allied soldiers, and warning that extreme caution must be exercised moving and maneuvering through areas where our air strikes had been conducted; because these air strikes—as Steve pointed out—dropped large numbers of scatterable mines and we didn't know where they all landed. The ground forces ran over them, inflicting casualties on our own troops. The 1st Infantry Division after-accident report expressed, and I am quoting, "grave concern about mine fields created by US weapons" and noted that "casualties would have been even higher had there been a requirement for a dismounted assault," had our troops been required to get out of their armored personnel carriers. Foot troops, of course, are highly vulnerable to antipersonnel landmines.

That may help explain why the US has not employed these mine since the Gulf War, because you kill your own troops with them. That is one of the main reasons why I didn't let my troops use them, because you forget where they are. Oh, you're supposed to map them, and pick them all up and take them with you if you move. Do you think that happens in the rush of combat operations? Of course not!

The Gulf War also demonstrated the fallacy of the putative self-destruct feature of the mines. Mistakes in air speed, drop height, fuse settings, and the failure rate of the arming mechanisms, combined with failures of the self-destruct mechanisms, result in residual, unexploded mines in unknown condition. This requires treating them the same as if they all are armed and dangerous mines. CMS Environmental Inc., the US contractor employed to clear mines from one of the four sectors of Kuwait following the Gulf War, had to deal with 1,700 "smart" mines still present on the battlefield. My British colleague who conducted the demining in another sector of Kuwait had a similar experience.

Fifteen years ago while part of the Vietnam Veterans America Foundation mission to ban landmines I wrote a monograph entitled, "Alternatives to Antipersonnel Landmines." To underscore what Steve Goose said, I explained each of the functions mines are reputed to perform, and specified alternative ways to meet these requirements by other means less dangerous to troops and civilians. During an interview, I provided a copy of that old pamphlet to the Department of State team that presumably was reviewing the US position on the Mine Ban Treaty fairly early in President Obama's first term.

I'd like to conclude by underscoring what Steve said about the issue of the need for landmines to defend South Korea. I was stunned when I heard in Senator Patrick Leahy's statement that we needed a change in the Korean war plan. It may have slipped his mind, but he personally

arranged for me to go to South Korea about 13 or 14 years ago to take a look at the situation on the ground and receive a briefing from the U.S. command. To reach the two kilometer Demilitarized Zone, I was driven north from Seoul through the eight kilometer military control zone to the observation post. The briefing there was a first class sales job, as Steve stated: hordes of North Korean troops, rushing through the passes, from North Korea into the South, that would overwhelm the US forces on the front lines; that only can be prevented by antipersonnel landmine fields.

When I received an unclassified briefing back at the headquarters in Seoul, the briefer probably revealed more than he should have. The US troops stationed near the Demilitarized Zone were not assigned to defend the forward defensive line. The war plan calls for them to pull back as soon as conflict is imminent as a mobile reserve. Should there be a North Korean penetration, they would counter attack to blunt and defeat it, requiring our troops to move through the mine fields.

When a conflict is imminent the war plan calls for thousands of landmines to be trucked north and placed in pre-prepared holes in the military control zone. I asked the briefing officer if he knew that large numbers of civilians had moved into that area to farm the land; and when war is imminent and the civilians see military preparations, they will head south and clog the roads, preventing trucks from moving north with the mines. He admitted that had not been considered.

Even if somehow they can drive the hundreds of trucks into the military control zone and plant the mines, this doesn't prevent the United States from signing the Mine Ban Treaty. The mines already in the ground had been transferred to the South Korea Army before my visit; and if the reserve stock is still in U.S. hands, it likewise can be turned over to the South Koreans.

We've managed to work with our NATO allies, all of whom have signed the Mine Ban Treaty without any particular difficulty. If South Korea feels it needs to retain those mines and not adhere to the treaty, we can continue to work with its armed forces, just as our NATO allies have worked with us even though we are not a party to the treaty.

Let me conclude on that note to leave time for questions and comments.

Lieutenant General (USA, Ret.) Robert G. Gard, Jr. is chair of the Center for Arms Control and Non-Proliferation where he focuses on nuclear nonproliferation, missile defense, military policy, nuclear terrorism, and other national security issues. During his 31 years of distinguished military service, Gard saw combat in both the Korea and Vietnam wars, served a three year tour in Germany, served as Military (executive) Assistant to two secretaries of defense, and was president of National Defense University. After retiring from the U.S. Army in 1981, he served as director of the Johns Hopkins University School of Advanced International Studies Center in Bologna, Italy and then as President of the Monterey Institute of International Studies. Since 1996, Gard has worked in support of the International Campaign to Ban Landmines to promote the Mine Ban Treaty in the US and abroad.