

Anti-Personnel Landmines: A U.S. Policy-Making Minefield

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Commander Jimmy Lemkis just couldn't believe it. Despite all the stories he had heard throughout his twenty-one years of service, and especially during this past year at the Naval War College, he still was not prepared for what was happening to him. Reporting for duty at the Office of the Secretary of Defense (OSD) only a few hours earlier, he was now sitting in the office of his new boss, Air Force Colonel John Rockets. He had gone there expecting to get the typical welcome aboard speech and an overview of his new duties. Instead, he was met with a brief, but friendly, introduction and then quickly given the particulars of his first tasking.

"Sorry I can't give you more time to get your feet on the ground, Jimmy, but we've got to move on this fast and everyone else is already tied up with multiple missions. As I am sure you are aware, OSD has been going like gangbusters ever since President Bush took office. With all the attention paid to high profile issues like the attacks on Iraqi air defense sites, the EP-3 aircraft incident with China, and especially our on-going war on terrorism, a lot of other important work has been left somewhat unattended. However, the administration is continuing to review and modify many of the policies that were put in place during the Clinton years. One such policy currently under review involves anti-personnel landmines (APLs), and Secretary Rumsfeld needs some information from us pretty quickly before he weighs in with a formal Department of Defense (DoD) position."

Colonel Rockets paused for a moment to take a quick sip of coffee, then continued, "Basically, what the boss needs from us is a clear understanding of how the current U.S. policy on APLs came about. He also needs a summary of how we have done to date on implementing the policy and what's changed since it was first announced. Finally, he wants to know 'who's got a dog in this fight'...that is, what interested parties may try to influence the current review, why, and how." He reached across the desk to hand Jimmy a thin folder, stating "I jotted down a few names and phone numbers of folks you may want to talk with to help you get started. In case you are wondering, you got this mission for three reasons. First, since you just got here you don't have any other assignments yet and can give this your complete attention. Second, as a Navy construction expert, or Seabee, you are the closest thing I've got to a subject matter expert on landmines. Third, and most important, your Policy Making and Implementation (PMI) instructor up at the Naval War College was a classmate of mine when I was there in 1999, and he told me that you were one of his star pupils, so I

know you've got the requisite skills to handle this mission. I'll need an initial brief tomorrow. Great to have you on-board," he said as he shook Jimmy's hand and ended the meeting.

Back in his office, Jimmy began looking over the rather sparse list of names he had gotten from Colonel Rockets. One grabbed his attention right away – an Army colonel named Jack Warden from the Office of the Secretary of the Army. The notes beside Colonel Warden's name indicated that he had done some sort of review of the landmine policy back in 1999. Jimmy smiled as he dialed the colonel's number, thinking that this call might save him a lot of legwork. A female voice answered the phone, "Colonel Long speaking. May I help you?"

"Yes, Ma'am. This is Commander Lemkis from OSD. May I speak with Colonel Warden, please?" asked Jimmy.

"I'm sorry. He is no longer assigned here. May I help you with something?" replied Colonel Long.

Jimmy was immediately disappointed, but took the time to explain why he was calling in the hope that perhaps Colonel Long or someone else she knew might have worked with Colonel Warden on his review. "Do you, by any chance, know anything about the landmine policy briefing that he prepared for Secretary Caldera in 1999?" he asked.¹

"You're in luck, commander," she replied. "I remember the project. I even helped him a little bit with it. If you will leave your number, I'll try to locate a copy of it for you and I will call you back."

As he waited for her call, Jimmy dialed another number from the list, this one to the Office of Mine Action Initiatives and Partnerships at the State Department. He explained what he was working on to a secretary, who then forwarded his call to Ms. Laura Beccam. After a brief discussion, Ms. Beccam agreed to meet with him later that afternoon. As soon as he hung up, the phone rang and he was pleased to hear Colonel Long's voice on the line.

"Commander Lemkis? Patty Long here. Although I hate to admit it, I cannot find a copy of Jack's briefing. Now that I think about it, I'm not sure he ever produced a final version. However, I did locate his working file and it is full of notes and articles that I think you will find very useful. You are welcome to come look at it and even make copies of stuff, but I'm afraid I cannot let the file leave the office. Would you like to come by sometime today?"

"Yes," Jimmy said quickly. "Can I come over now?"

"No problem. I'll keep the file on my desk. If I get called out before you get here I'll leave it with the secretary up front and let her know you are coming."

After getting directions, Jimmy thanked her and headed for the door feeling much better about this project than he had when he left Colonel Rockets' office.

Colonel Warden's file was a gold mine of information about U.S. policy on APLs, at least up to the point where his work apparently ended in 1999. Jimmy had news articles, interviews, e-mail messages, hand-written notes and other documents spread all over a table near Colonel Long's office in the Army staff spaces. In addition to the workspace, Patty had given him a code for the copy machine and even offered to discuss the issue with him once he had reviewed the material. He quickly organized the paperwork into several distinct piles and then began to sketch out a timeline of events and a synopsis of current U.S. anti-personnel landmine policy.

Although elements of the policy were announced at various times in 1996 and 1997, the key decision seemed to be President Clinton's 17 September 1997 declaration of anti-personnel landmine policy.² In announcing his decision, the president stated that the United States would not sign the *Ottawa Treaty* banning APLs due to our nation's "unique responsibilities for preserving security and defending peace." He further added that, "there is a line I simply cannot cross, the safety and security of our men and women in uniform." He then reviewed his APL policy, a multi-faceted approach to the problem. This included a commitment to renew efforts to negotiate a global ban on landmines through the United Nations (UN) Conference on Disarmament (CD) in Geneva, an approach he originally announced in January of that same year. He also directed the Defense Department to develop alternative technologies to replace APLs outside Korea by 2003 and within Korea by 2006, and he committed to significantly increase funding for all aspects of U.S. demining programs. In addition, he made permanent a moratorium on the export of APLs by the United States and capped the U.S. inventory of self-destructing landmines at existing levels. Finally, he appointed General David Jones, former chairman of the Joint Chiefs of Staff, as special advisor to the president and the secretary of defense for issues related to this policy.³

Just one month later, Secretary of State Albright and Secretary of Defense Cohen further clarified the policy by introducing the president's initiative called *Demining 2010*, a program intended to eliminate, by 2010, the threat to civilians posed by landmines already on the ground. The first step in this program involved appointing Assistant Secretary of State Karl F. Inderfurth to serve as the special representative of the president and of the secretary of state for global humanitarian demining. "Looks like the major focus of this policy is going to be on the demining component," Jimmy thought to himself. "I wonder why . . . visibility? . . . likelihood of success? . . . powerful forces at work who favor this approach? . . . doing what no one else can do as well? Hmmm."

Next, Jimmy decided to prepare a brief summary of the historical facts he had derived from the folder. Since before WWII, the rules of war and international law have defined mine warfare as a *defensive strategy*. Minefields were normally placed between countries or occupied territory, and APLs were invented to inhibit breaching of these barriers. These rules generally held through the Korean War, after which both North Korea and the UN Command used APLs to help establish the Demilitarized Zone. To this day, the U.S. defense treaty with South Korea rests in part on our policy of maintaining defensive mine

warfare to protect U.S. forces. Then in Vietnam the Viet Cong started to use mines as psychological weapons, often building crude “home-made” mines from tin cans and scrap metal. In that same time frame, the United States introduced a technological breakthrough—*smart* mines capable of self-deactivation and self-destruction.

These remotely delivered smart mines were called by their acronym—FASCAM—which stands for the “Family of Scatterable Mines” and they contained both anti-armor and anti-personnel mines. Developed for both the Army and Air Force, FASCAM was widely viewed as an important force enabler to the military. Except for the dumb mines retained for use in Korea and for training, the United States currently only uses FASCAM. However, the rest of world’s major arms producers—particularly China, Russia, and Italy—continue to focus on producing *dumb* mines. Though labeled “dumb,” these mines are actually sophisticated weapons that are noted for their ease of construction, cheap cost, and lack of metal parts to foil detection. These types of mines were used extensively in the wars in the 1980s and 1990s and now constitute the problem.⁴

Patty interrupted his thoughts to offer him a cup of coffee, adding, “I’ve got a few moments if you would like to discuss any of this.”

“Sure,” said Jimmy, “and thanks for the coffee. I hope the Army’s coffee is better than the stuff we make over at OSD.”

“I wouldn’t count on it. If you don’t mind my saying so, I think this issue is potentially more explosive than you may think. DoD feels itself under attack from all sides on this issue. Although in the big scheme of things APL policy may appear to be a small-potato policy, it is anything but that! It has direct connections to debates about international law, traditional diplomacy versus new processes of arms control, rules of war and sovereignty, and what role other states, non-governmental organizations (NGOs), and the public should play in driving U.S. security policy. It is a confusing issue unless you have the timeline down.”

“I have the key dates broken out here,” said Jimmy. (See Chronology at end of case study.)

Patty took a long look at the timeline and said, “Wow, I’m impressed! You’ve gotten this together pretty quickly. Did you know our policy efforts were supported by several NGOs, and in particular the International Committee of the Red Cross, during the Cold War period? In the last several years, however, the situation has changed somewhat and new forces have emerged to attempt to force a change in our APL policy. Let’s talk about some of those forces.

“In the early 1990s the Vietnam Veterans of America Foundation (VVAFF) initiated an international effort to ban landmines and managed to enlist the support of several other NGOs. They hired an outspoken activist, Ms. Jody Williams, to serve as the coordinator of what became known as the International Campaign to Ban Landmines (ICBL).⁵ Ms. Williams championed the ICBL cause and led it from its infancy into ‘super-NGO’ status. She eventually brought together over thirteen hundred groups and organizations from ninety

countries to create a force to pressure governments into changing their landmine policies. She calls this concept for world change the use of ‘civil society.’⁶ For their efforts, she and the VVAF were co-recipients of the Nobel Peace Prize, an event that generated a great deal of favorable publicity for the cause and undoubtedly enhanced the ICBL’s credibility.

“I can understand how the ICBL might be effective in pressuring individual countries into changing their landmine policies,” Jimmy said, “but how did they manage to generate an international treaty?”

“Actually, they did not generate the treaty, although they were certainly instrumental in promoting it and pressuring countries to join,” replied Patty. “The international treaty was largely the result of efforts by Canada’s foreign minister, Mr. Lloyd Axworthy, who created the ‘Ottawa Process’—a fast-track negotiation of a convention banning landmines.

“At the conclusion of the First Review Conference of the 1980 Convention on Conventional Weapons (CCW) in Geneva in May 1996, many delegates were disappointed at the failure to achieve consensus on an outright ban of APLs. Mr. Axworthy decided to radically change the process of negotiating a landmine treaty and announced Canada’s sponsorship of a new and different kind of conference in Ottawa in October of that same year. At the end of the Ottawa Conference, Mr. Axworthy then challenged the world’s countries to come back by the end of 1997 with their respective government’s approval for a treaty to ban landmines. The Ottawa Process surprised many governments, not only because of the speed with which it operated, but also because Canada chose neither to follow the lead of their superpower neighbor to the south, nor rely upon an existing diplomatic forum. Instead, Canada formed its own process and rapidly changed the face of international diplomacy. The result was the *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction*, more commonly called the *Ottawa Treaty* or the *Landmine Ban Treaty*.⁷ For his active support and leadership in this process, the VVAF recognized Mr. Axworthy with the Senator Patrick J. Leahy Humanitarian Award in December 2000.⁸

“Would that be Senator Leahy, the Democrat from Vermont?” asked Jimmy. “I think I saw an interview with one of his congressional staffers in Colonel Warden’s folder. Yeah, here it is. He must have been a pretty active supporter of the cause to get an award named after him.”

“Senator Leahy has been impacting this process for years by continually introducing congressional legislation to limit U.S. production, export and use of APLs,” Patty replied. “He seemed to get pretty close with President Clinton on this issue . . . the details are probably in that interview.

“What about DoD—do you have any insight as to their role or inputs into the process?” asked Jimmy.

“Not a lot of specifics,” replied Patty. “I know there were many factions within DoD with strong emotions and what I think were parochial mindsets on the policy during that time

frame. The Joint Staff apparently didn't want to run afoul of their civilian leaders at OSD so they wouldn't touch it. They wanted the Army to carry the ball. The folks over in OSD actually wanted to see the APL ban go into effect early in Mr. Clinton's first term, so they weren't very happy with us because the Army took a go-slow approach.⁹ Since Secretary Rumsfeld took charge, I haven't heard as much about the issue, perhaps because everyone has been tied up with all the other stuff going on around here. I did hear that one of the reviews he commissioned has recommended abandoning the 2003 and 2006 deadlines to replace all APLs with alternative technologies. As you might imagine, this is already causing a lot of anxiety among NGOs like the ICBL and Human Rights Watch, both of whom had hoped to convince President Bush to go one step further than Clinton and actually sign the *Ottawa Treaty*.¹⁰ Further exacerbating the issue, word has gotten around that the Army has zeroed the 2003-2007 spending plan funding that was targeted for the development of a dumb APL alternative, and the word also indicates that we are going to propose that the United States abandon its efforts to develop alternatives for FASCAM mixed-mine systems.¹¹ You should try to hit some of the NGO websites to get their latest views on these issues.

"Well, I've got to get back to work," Patty concluded. "Hope I've been of some help. One last piece of advice: there are lots of competing and complementary pressures exerting themselves on this policy. Don't draw any conclusions until you've looked at the full range of participants and issues."

Jimmy thanked her for all her help, then made copies of several documents and headed back to his office to begin organizing his thoughts and making notes. He selected copies of some e-mail messages and some interview notes from his "Warden file" and began to carefully read through them.

The first e-mail message that Jimmy read was from Jody Williams herself. Although Colonel Warden's message indicated that he had asked her about the ICBL's position on banning landmine use along the Arab-Israeli borders, her response did not answer that question directly. Instead, her reply explained that with the Cold War over, small countries could gain influence if they worked together to act on a policy. She went on to say that governments would come to see that they do not need landmines to secure their borders and that their civil populations would help to bring about this change. She also spoke of how the NGOs gained credibility with the public and with international organizations and states because they were initially the only ones with the data on the destruction APLs were causing. Ms. Williams added that NGOs were adept at using information to raise domestic awareness of the problem in countries all over the world. She ended by saying that her concept of "civil society" works to form new partnerships with governments, and that these open partnerships were not the old diplomacy of the nation-states.¹²

The next message contained notices from Canada's Foreign Ministry. One noted how Canada was being praised by the UN and other countries for leading the Ottawa Process, and for influencing the U.S. policy of 17 September 1997. Another showed Mr. Axworthy at the DMZ in Korea stating that the treaty might save forty thousand casualties worldwide per year and that South Korea should eventually renounce APLs.

“Interesting,” Jimmy thought as he turned his attention to a lengthy set of notes from an interview conducted with a Mrs. Anne Sears from the National Security Council.

Colonel Warden had begun the interview by asking Mrs. Sears if she could clarify the current U.S. policy on APLs. Her response read as follows:

“Without Senator Leahy there might not have been any action. The landmine moratorium he pushed through Congress in 1993 was due to expire in 1996. When he promised to renew it with even greater restrictions, the administration launched a formal review of its landmine policy. The outcome was published in February 1996 in the first National Security Strategy in which we laid out our commitment for APL control. The strategy clearly stated that long lasting ‘dumb’ APLs were the problem, *not* the U.S. ‘smart’ FASCAM mines. So our 1996 policy was to stop the use of ‘dumb’ APLs except in Korea and for training, to destroy U.S. stockpiles of these mines, to retain our ‘smart’ APLs until we can find alternative technologies, and to have DoD conduct demining programs. We would also seek to use the Conference on Disarmament process to control other nations’ use of dumb landmines. This was a positive statement of global leadership by the president. Our allies totally supported this policy.”¹³

When asked why the president announced new policy on 17 September 1997, Mrs. Sears had said, “The NGOs came together like never before on this issue and really carried the day. We believe that even the Canadian government was surprised at how fast and how far the Ottawa Process went. Mr. Axworthy personally believed in this cause when he announced the goal of a total landmine ban in October 1996 and took the unusual step of challenging the world community to come back to Ottawa in December of 1997 to sign the treaty. By 4 December 1997 there were 122 countries that had signed the actual treaty.¹⁴ With only forty countries needed to ratify the treaty, it went into effect on 1 March 1999, and by now most of the remaining countries have also ratified it.

“Our position was that we needed to keep our smart mines—especially our mixed-mine FASCAM systems—in order to protect our troops. Those countries attending the Ottawa Conference did not accept our position; they wanted to completely ban the use, production, stockpiling and transfer of all APLs. We bargained aggressively in the Ottawa Process but to no avail, so we did not sign the treaty. The treaty advocates just wanted everything to happen almost immediately. They didn’t fully realize that government policy takes time to develop, as do the alternative technologies needed to replace our smart APLs. Our deliberate efforts through the Conference on Disarmament may achieve success and thus we can have a greater impact on everyone. Several countries involved in the proliferation of dumb APLs didn’t attend Ottawa, but they do attend the Conference on Disarmament in Geneva.”¹⁵

“The president knew he would have to publicly address his decision not to sign the *Ottawa Treaty* and was, therefore, pressured to pull the various aspects of U.S. landmine policy and practice together into a coherent and defensible alternative to the treaty. He received numerous inputs in coming to his decision, but the option that he chose was one that maintained U.S. leadership on this issue, protected our forces, and acknowledged values held by

the American public. The key new elements of his 17 September 1997 policy were the commitment to develop alternatives to APL use outside of Korea by 2003 and within Korea by 2006, and the appointment of General Jones, former CJCS and an APL ban supporter, as the president's landmine advisor. He also directed a significant increase in funding for demining operations, to include research and development, expanded training, and increased assistance for mine victims. And the last step was to renew our efforts to negotiate a global APL ban at the Conference on Disarmament in Geneva."

After reading the interview and taking more notes, Jimmy took Patty's advice and visited several websites for nongovernmental organizations, international and national special interest groups, media coverage, and governmental agencies' reports. A quick scan showed him that there were a lot of confusing facts and opinion on this policy. He noted that several of the sites included phone numbers for points of contact, so he decided to try to arrange some interviews. Although unsuccessful in getting through to the UN's Department of Humanitarian Affairs, he did manage to get appointments with the Human Rights Watch and the VVAF. He also tried to contact Will Davids, a reporter from the *Army Times* who had written an article on this issue that Jimmy had found in the file. Davids wasn't in, so Jimmy left a message and then headed to the State Department for his appointment at the Office of Mine Action Initiatives and Partnerships.

On arrival at the State Department, Jimmy entered and found his way to the office of Ms. Laura Beccam. He was somewhat surprised to note that she was located in the Bureau of Political-Military Affairs. He made a mental note to ask about reorganization, then checked in with the secretary. She informed him that Ms. Beccam would be back in a few minutes and that he was welcome to wait in her office. As he did so, he picked up an unusual comic book and began leafing through the pages.

"Hi. I'm Laura Beccam, and you must be Commander Lemkis," a tall woman of about Jimmy's age stated as she entered the room. "Well, I see the Superman and Wonder Woman comic book caught your eye. We created the first one of these for use in Bosnia, and the first lady, Hillary Clinton, introduced it in 1996. The Spanish version you're looking at is for Central America and it was unveiled in 1998 at the UN by Kofi Annan and General Wilhelm. Our State Department coordinated with *DC Comics*, a division of Warner Brothers Entertainment, to create and publish them for the UN Children's Fund (UNICEF).¹⁶ The comic books are part of our efforts to educate the public about the dangers of landmines and to match government and private partnerships to bring support to our APL policy. The project has been a huge success."

"What a great idea," said Jimmy. "I really appreciate your meeting with me on such short notice, Ms. Beccam. As I said on the phone, I'm preparing a report on APL policy and would like to discuss the State Department's views."

“Well,” she began, “as you know, our APL policy is currently under review and we are prevented from talking about specifics of the review. However, I can give you some background information and fill you in on the role State played in shaping that policy, and I can discuss some of the things that we have done since.¹⁷ Basically, the landmine problem began during the 1970s as the superpowers fought proxy wars in places such as Angola, Afghanistan, Cambodia, Nicaragua, and Vietnam. Since the Cold War many of these locations and others, including Bosnia, Kosovo, and Chechnya, have been embroiled in internal conflict and civil war. Cheap, effective, and easily obtained; APLs quickly became the weapons of choice in these conflicts, leading to their extensive and largely uncontrolled use. As a result, an estimated 70 to 110 million such mines were scattered in sixty-eight countries around the globe, causing death and serious injury to thousands of innocent civilians each year. Consider these statistics: in Cambodia one of every 236 civilians is a victim, and in Angola over 70,000 people are amputees—both are the highest proportions in the world. Our initial estimate was that 55,000 casualties were occurring yearly due to landmines. U.S. policy had to respond to these facts.¹⁸

“The State Department was the early leader among nations in advocating the control of landmines. In the late 1970’s we helped craft the Protocols to the 1949 Geneva Conventions that were eventually signed by the United States in 1982. These Protocols codified customary humanitarian law about who is a combatant and the protection of non-combatants, and they outlawed the use of indiscriminate and excessive force in war.”

“I’m confused,” said Jimmy. “Isn’t that called international law?”

“Lots of professionals get this confused.” Ms. Beccam continued. “American and European views about landmines are tied by their history and culture to customary law, and the Protocols codified them into international law. In other countries customary law does not carry the same weight, and some of those same countries did not sign the Protocols.¹⁹ Further compounding matters, international laws such as the Protocols often clash with the law of sovereignty when dealing with conflicts internal to a state. As a result, internal conflicts in places like Afghanistan and Nicaragua provided an open market for non-signatory countries to sell mines, and as I have already mentioned, the warring factions eagerly purchased and used them, usually in very irresponsible ways.

“During this timeframe the UN and several NGOs became very involved in efforts to limit the production, export and use of APLs and to minimize their impact on non-combatants. The State Department welcomed the NGO community involvement as well as the support of politicians and popular personalities. As I am sure you recall, arms control was a major priority in the 1980s due to Cold War tensions, and the State Department’s tool of choice for these negotiations was the international Convention on Conventional Weapons (CCW). At the 1980 CCW, the International Committee of the Red Cross pushed hard for a landmine ban. At this conference the delegates did negotiate Protocols to the Geneva Convention that included limitations on APLs, but the Protocols did not go far enough for many concerned parties. They did not call for an outright ban, did not cover internal wars, and lacked an important element of any arms control mechanism—strong verification and

enforcement standards. Worse for us, despite active U.S. involvement in developing the Protocols, our Senate did not ratify them until 1995! More recently, at the First Review Conference of the CCW in 1996, U.S. delegates helped amend the Protocols to address some of the landmine control, verification and enforcement issues. Not all of the parties to the CCW ratified the amended Protocols; even our own Senate did not do so until 1999.²⁰ Needless to say, these delays in U.S. ratification don't do much for our credibility when we try to influence other states during these types of negotiations.

"At the conclusion of the 1996 Review Conference, many delegations were frustrated with the lack of progress towards establishment of an outright ban on APLs. This is where Canadian Foreign Minister Lloyd Axworthy stepped in and announced his country's sponsorship of a conference in Ottawa dedicated to establishing a world-wide ban on APLs."

"I've already got a pretty good handle on the Ottawa Process," Jimmy stated. "But what can you tell me about the role of NGOs and Senator Leahy in shaping the current policy?"

"As I mentioned earlier, the International Red Cross was very involved in the process of establishing the landmine Protocols, and they were also supporters of the Ottawa Process. For its part, the International Campaign to Ban Landmines served a worthy cause in promoting the Ottawa Process, but I think the State Department's diplomatic efforts are more important. I don't want to minimize the NGOs' impact; after all, they were instrumental in getting over 140 countries to sign the *Ottawa Treaty*, and this has undoubtedly had a limiting effect on landmine use. However, the major producers of dumb APLs never joined the process, so although it may be popular and get good press, the treaty is less likely to have the same effects as efforts to negotiate APL reform at the CD and the CCW.

"Could you please explain the difference between the CD and the CCW?" Jimmy asked.

"Sure," replied Laura. "The actual 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*. Easy to understand why most folks use the shorter name or just the CCW acronym. Basically this is an international forum in Geneva for negotiating the rules of war. The Protocols to the CCW currently represent the strictest international agreement on APLs to which the United States is a party. The Conference on Disarmament, on the other hand, is an international forum for negotiating arms control issues. Simply put, agreements reached at the CCW dictate what you can and cannot do when engaged in armed conflict, whereas agreements reached at the CD dictate the types and amounts of weapons participants can produce, manufacture, stockpile, and distribute. Got it?"

"Yeah, thanks," said Jimmy. "Now I get it."

"President Clinton's decision to pursue landmine reform at the CD seemed like a logical choice at the time because it was an established forum with previous success in negotiating international controls on chemical weapons. Further, while the world's top APL-producing nations never joined the ICBL or signed the *Ottawa Treaty*, they were all party to the CD. Unfortunately, despite our repeated and concerted attempts to add APL reform to the CD

agenda, these efforts have been blocked by states who were party to the *Ottawa Treaty* because they feel the issue properly belongs to that Process.”²¹

“Wow!” exclaimed Jimmy. “You’d think that anyone supporting a landmine ban would welcome the opportunity to address the issue at a forum that includes most of the major states who are *not* party to the *Ottawa Treaty*. Do you think they view the CD effort as redundant and unnecessary, or is this perhaps an attempt to undermine U.S. diplomatic efforts out of anger or spite for not signing the treaty?”

“I’m not sure,” Laura replied. “All I know is that nothing is happening at the CD on landmine reform or anything else for that matter. However, on the good news side of things, our delegation just got back from another Review Conference for the CCW and we made good progress there. The conference resulted in an amendment to the Protocols extending their application to internal conflicts as well as international ones, and significant progress was made in negotiating controls over other unexploded ordinance such as cluster bomblets, collectively referred to as explosive remnants of war, or ERW. Our work at the CCW is one aspect of APL policy that never seems to get proper attention. We also continue to attend *Ottawa Treaty* meetings as observers to keep track of things. I think it is fair to say that U.S. leadership in humanitarian demining has deflected a lot of the criticism initially directed our way when we did not sign the *Ottawa Treaty*. In fact, some of our good NGO friends have even been overheard saying that Ottawa means nothing and that we should continue to focus on demining.”

“Even so, don’t NGOs, like the Human Rights Watch (HRW) and the ICBL, tend to overlook our contributions in demining and still beat us up on the Internet and in the press every chance they get for not signing the treaty?” asked Jimmy.

“You must remember, Jimmy, we at the State Department do state-to-state diplomacy, not popular campaigns. Those entities we deal with the most—other countries around the world and IGOs like the UN—recognize and appreciate the impact of our tremendous contributions in demining. Did you know that we have increased spending levels from \$7 million in 1997 to almost \$40 million in 2000 and 2001, for a total of almost \$142 million?²² Our worldwide demining and mine awareness education efforts are already bearing fruit, too. Remember, I said our initial estimate was that as many as 55,000 landmine casualties were occurring yearly? Later estimates suggested a much lower, but nonetheless significant, average of about 26,000 a year through the late 1990s. For the year 2000, however, the estimated number of casualties is less than 10,000 total for both landmines and ERW! This significant reduction is believed to be the combined result of fewer mines on the ground and better awareness among citizens of affected countries. Also, early estimates on the number of mines scattered around the globe ranged from 70 to 110 million; the estimates have since been reduced in part due to more accurate surveys, but also due to superhuman efforts being made to remove and destroy deployed mines. This data, as well as a lot of other useful landmine related information, is regularly made available to many audiences through our series of landmine publications called *Hidden Killers*.²³

“As for Senator Leahy’s influence, although the state that he represents—Vermont—is fairly small, it is also traditionally independent, and he has managed to be a pretty effective champion of landmine reform for years. I think it is safe to say that he is the recognized leader in Congress on this issue. President Clinton personally commended him for his dedication and moral leadership of the country on this issue, and in 1998 the VVAF even established an annual humanitarian service award named in his honor. In May of 1998 National Security Advisor Sandy Berger wrote a letter to Senator Leahy on behalf of President Clinton to let him know that if suitable alternatives are found, the United States will sign the *Ottawa Treaty* by 2006.²⁴ This commitment was well-received by the senator as well as by NGOs and many states party to the *Ottawa Treaty*, although some considered this ‘kicking the can’ since President Clinton obviously would not be in office to honor the commitment.

“You know, Senator Leahy really had more of an issue with DoD’s policy than with State’s, and most of his actions seemed to focus on changing DoD behavior. In pushing his *Landmine Moratorium Act* in 1993 he really caused a DoD policy crisis.²⁵ Interestingly, the Leahy amendment to the *Defense Authorization Act* in FY93 requiring demining operations actually helped the State Department by promoting the type of diplomacy we favor. We negotiate with countries to perform demining missions, and then you guys over at DoD, along with some NGOs and contractors, execute them. With the continued help of the Congress, DoD, and the NGOs, we here at the State Department can further the foreign policy objectives of America through our humanitarian demining programs.”

Jimmy sensed that his time with Ms. Beccam was growing short, so he quickly stated, “I know you are very busy and I don’t want to take up too much more of your time. I was wondering, though, if you could fill me in on any significant changes in landmine policy or related issues, to include any organizational changes, since the APL policy was announced?”

Laura smiled and said “No problem. There have been some organizational changes made under the new administration involving the offices charged with landmine policy, but I think the moves simply reflect a ‘better business practices’ approach to the organization rather than a shift away from commitment to the Clinton initiatives. The Office of Global Humanitarian Demining, established as part of the *Demining 2010* initiative, has been renamed the Office of Mine Action Initiatives and Partnerships, and as you can see, we are now located within the Bureau of Political-Military Affairs. Given the political and military components of the demining mission, I think this is a pretty good fit. My boss, Assistant Secretary of State for the Bureau of Political-Military Affairs Lincoln Bloomfield, Jr., was just given the additional responsibility of serving as the special representative of the president and the secretary of state for mine action on 30 November 2001.²⁶ In case you think that giving this job to an assistant secretary with other duties is somehow a downgrade of the position, I should point out that the first person to hold the special representative position, Karl Inderfurth, continued to perform his primary duties as assistant secretary for South Asia.

“As far as implementation issues, the only one impacting us at State seems to be the stalemate at the Conference on Disarmament. While we have not publicly stated so, our efforts

there have simply not panned out. Several other issues have been dominating the agenda, to include: nuclear arms control, the *ABM Treaty*, and ‘weaponization’ of space, so I do not expect much to happen at the CD with respect to landmine controls. Given the progress we made at the last Review Conference of the CCW, we will likely focus our efforts there, although I doubt that this will lead to a stated policy change.

“Other elements of the policy seem to be facing some serious challenges from your side of the house. The early word on DoD’s position going into the policy review is that someone there is pushing for abandonment of the Clinton policy commitments to eliminate the use of both dumb and smart APLs by the 2003 and 2006 deadlines. Further, I’m told that the Army has already cut back on some of its funding for alternative technology research and development, and that the Pentagon is looking at further cuts. Needless to say such changes would nearly eliminate half of the 1997 APL policy and any chances of signing the *Ottawa Treaty* by 2006, effectively breaking the commitment that President Clinton made in his letter to Senator Leahy. I’ve seen a number of NGO ‘Action Alerts’ on the Internet calling on U.S. policy makers and private citizens alike to weigh in and convince President Bush to adhere to the current policy. These actions have produced some support among retired senior military officers and in Congress. On 19 May 2001 six retired Army lieutenant generals, including two who commanded at the division-level or higher in Korea, joined ranks with a retired vice admiral and a retired rear admiral in sending a letter to President Bush urging him to sign the *Ottawa Treaty*.²⁷ Similarly, a largely partisan group of 124 members of Congress sent the president a letter expressing concerns over DoD’s proposed changes to the policy and encouraging the president to honor the current policy and work towards elimination of APLs.²⁸ Although only two of the letter’s signatories were Republicans, the current balance of power in Congress does not allow the president to take matters such as this too lightly. Remember, the Republican majority in the House is small, Democrats are in the majority in the Senate, and 2002 is an election year.”

Jimmy thanked her, left, and found a space in the lobby to type his notes. He called to confirm his NGO appointments and found out that the Human Rights Watch representatives would meet him over at the Vietnam Veterans of America Foundation. It was a short cab ride over to their headquarters, where he was shown in.

Jimmy couldn’t help being impressed as introductions were made and he discovered that he had the senior leadership of both groups in the room. While it was very convenient for him, he wondered why they would choose to meet with him this way. He came right to the point; “I would like your views on the current U.S. landmine policy.”

The room erupted with remarks from several of the veterans, including: “We don’t have policy! The State Department cooked the books when its second edition of *Hidden Killers* cut the size of the landmine problem in half to show progress! DoD has been outright stonewalling and now their trying to get Bush to blow off Clinton’s commitments to eliminate APLs! Relying on the CD process just kicks the problem down the road. We should have signed the *Ottawa Treaty*.”²⁹

After these initial outbursts, Bob Mueller, chairman of the VVAF, took the lead. “In the 1980s several of us were in Cambodia building prosthetics for landmine victims when the idea just suddenly came to me—what the world needed was a total landmine ban. Six NGOs came together and shaped the idea of the international campaign. Once formed, the ICBL grew to over one thousand NGOs and we knew we had a new mechanism for affecting policy. It was a cooperative security approach, influencing countries to declare a total ban on landmines. Canada certainly helped us, but our disappointment is with the United States.”³⁰

A VVAF member broke in. “Bob is being too modest. He struck paydirt when he was able to get key retired generals to sign a letter endorsing the ban. Generals Schwarzkopf and Galvin signed up. Even General Powell agreed with us, but wouldn’t sign. We heard General Shalikhvili actually had to call and ask generals to stop supporting our ideas, as they were counter to the administration’s.”³¹

“Interesting,” thought Jimmy. “I wonder if this is an indication of how Secretary Powell will vote on the current policy review, now that he’s at State instead of DoD.”

Bob broke in, “Let me go on. We were close to getting all of the Joint Chiefs to agree on the ban until General Luck over in Korea said he had to have landmines and the tide turned. From what we could tell landmines were not even highlighted in most of the current war plans. We heard when Walt Slocumbe, then under secretary of defense for policy, found that out he hastily had them put that into the war plans so that his technology funding wouldn’t be hurt.

One of the HRW representatives broke in, “I would like to commend Senator Leahy. The Clinton administration tried to like to say that its interagency working groups worked this policy, but I think that without Senator Leahy there would be no U.S. policy. We feel he talked President Clinton into the policy and his office actually wrote the landmine speech the president gave to the UN in 1994.”³²

“What about the Nobel Peace Prize; how did winning it affect your efforts?” asked Jimmy.

This produced a chill in the room. Bob Mueller addressed the question. “You know the Nobel Prize probably hurt us as much as it helped us. We received tremendous recognition and thus it helped to power the ICBL’s support of the treaty. We are proud of the fact that with some help from the Ottawa Process, we had a significant impact on the international arms industry, reducing production and use of APLs in several countries, and in some cases eliminating it altogether.”

“Yeah, and now the generals over in the Pentagon are worried about us using our success to go after another class of their weapons, like blinding lasers and sub-munitions.”

“Don’t confuse the Commander. Let’s stick to his subject,” said one member who continued with, “Here’s what you need to know about Jody Williams. We here at the VVAF hired her to be the coordinator for the ICBL. She did a good job, but she is no longer affiliated with us. In fact we were not only paying her, but we were housing and heavily financing the ICBL, which was not even a legal entity at the time. Determining who would speak for the

ICBL was too difficult for some; that is why after the Nobel Prize was awarded Jody Williams left. We are no longer housing the ICBL; it has moved to Paris and, with its Peace Prize funding, has established itself as an international legal organization to allow it to continue its work. For others in the campaign the movement just lost its glamour and they went on to new issues.”

Bob Mueller spoke up once again, stating “There really is no reason for the United States not to sign the *Ottawa Treaty*. President Clinton directed DoD in May 1998 to find alternatives for their mixed mine systems as well as all their APLs. He also decided at that time to commit the United States to signing the treaty by 2006 if alternatives can be developed. The truth is, suitable alternatives already exist. Our military advisor, retired Army Lieutenant General Robert Gard, Jr., wrote an excellent monograph that discusses seven viable alternatives to mixed anti-tank and anti-personnel mine systems that the DoD already has access to.³³ We know that the Clinton policy is under review by the Bush administration and that some in DoD want out of the commitments to replace APLs. We have already initiated a lobbying campaign to pressure President Bush, Congress, the State Department and especially DoD to not only honor President Clinton’s commitments, but also to sign and ratify the *Ottawa Treaty* as soon as possible. Maybe you can put in a good word as well.”

Jimmy checked his watch and realized he needed to get moving if he hoped to catch the *Army Times* reporter before the end of the day. He thanked everyone for their candid discussion and excused himself, saying, “I really appreciate the information you have given me. I promise to include your concerns in my report.”

He next placed a call to Will Davids of the *Army Times*. “Mr. Davids, this is Commander Jimmy Lemkis from the Defense Department. I’m working on a landmine policy report for the secretary and would like to include some media insights. I read a couple of interesting articles you wrote a few years ago about landmines and was hoping you might be willing to share your thoughts about the U.S. landmine policy. Can you take a few minutes to talk to me about this over the phone?”

“Sure, Commander. Just make sure I get your phone number before we are done so I can let you return the favor sometime. What would you like to know?”

“I’d like to pick your brain about this whole landmine issue, especially anything you can tell me about goings-on within DoD during the decision-making process for the current policy. And please, call me Jimmy.”

“Okay, Jimmy. First of all, everyone has been defining this issue in their own terms in order to promote their own policies and programs. There has been a real dogfight going on about this for years within DoD. The Army and Air Force both have a stake in this with their FASCAM systems. The policy issue was beginning to heat up just as General Shelton first came on board as CJCS, so the vice-chairman, Air Force General Ralston, was a big player while Shelton got his feet on the ground. Ralston was personally for the ban. I’ve spoken with a lot of Pentagon insiders about this, and some say Ralston’s support was politically motivated because a lot of this was happening as he was being nominated to be the next

chairman. Others accused him of not playing joint and of supporting the ban on APLs in order to gain more technology funding for the Air Force to pursue alternative technologies. And finally, some implied it was just the traditional Army-Air Force rivalry. This really plays itself out in the high stakes game of South Korea's defense. The Air Force strategy for the "Halt Phase" has them doing the major destruction of any North Korean attack, while Army force-planners see their ground forces at the DMZ doing the bulk of the killing.³⁴ In any case, it was clear that money and influence were potentially up for grabs on this one at the time the policy was established, and I suspect that this is still true to some extent."

"Okay," said Jimmy. "What about the media?"

"Well, naturally the Ottawa Process got a pretty good amount of press, but much of it was outside the United States. Naturally, when the ICBL won the Nobel Peace Prize they got tons of coverage, about the most attention they got at any one time. Some of the best media coverage involved Princess Diana. She was a champion of the ban with worldwide popularity and constant access to the media. Who can forget her widely televised and very brave act of walking along the minefields in Africa and talking with child victims of landmines? Her death on 31 August 1997 sparked an emotional upsurge in the demand for a solution in the Ottawa community. She is now generally viewed as a martyr for the cause. Queen Noor of Jordan, a human rights celebrity in her own right, took over Princess Di's role, and with the subsequent death of her husband, King Hussein, she has also become something of a 'martyr.'³⁵

"Have you seen very much current coverage?"

"Not a lot," Davids replied. "Periodically I see or read about another horrific landmine tragedy, usually involving children. But frankly, there really isn't a lot of public interest in the issue right now. Even when one of our Marines lost his foot to a landmine in Afghanistan, an event that got wide coverage on television and in newspapers across the country, the focus was more on the inherent dangers associated with the war on terrorism than on the fact that his injuries were caused by the type of APLs that the Ottawa Process seeks to ban.

"I do recall a pretty good *Los Angeles Times* article that discussed the administration's policy review and reservations about the APL phase-out plan. I thought they did a pretty fair job of remaining objective and giving adequate coverage to both sides of the issue. The article included an interesting quote by Colin Powell taken from a CNN interview broadcast earlier in the week; I jotted it down for future reference. Speaking about U.S. objections to some international treaties, Secretary Powell stated, 'Just because they are multilateral doesn't mean they are good.'³⁶

"More recently," Davids continued, "the *New York Times* printed an interesting piece on India's establishment of minefields along the border with Pakistan. The article highlighted the plight of the many civilians displaced from their farms and homes, and it described a number of mine-related accidents involving civilians, soldiers, cattle and dogs.³⁷ While not directly related to U.S. policy, it serves to remind the world of the many problems associated with APLs. It is also worth noting that India, like the United States, is one of only fifty-one

countries that have not yet signed the *Ottawa Treaty*. Others include China, Cuba, Iran, Iraq, Libya, North Korea, Somalia, and Syria. Did you ever think you would find the United States on the same side of an issue as those countries?”

With that as a closing comment, Jimmy thanked the reporter for his input and headed back to his office to begin compiling his report for the secretary. It looked as though he was in for a long night. “Thank goodness I hand-carried my PMI notes with me,” he mumbled in the backseat of his cab. “I’m definitely gonna need them tonight!”

LANDMINE POLICY CHRONOLOGY

<p>1982 United States signs Convention on Conventional Weapons (CCW) which limits landmine use through broad language and a weak enforcement mechanism. It does not call for a total ban.</p> <p>1991/2 Vietnam Veterans of America Foundation and five NGOs form the International Campaign to Ban Landmines. Ms. Jody Williams hired as coordinator.</p> <p>1992 Leahy amendment for one-year moratorium on APL exports signed into law by President Bush.</p> <p>1993 Leahy moratorium amendment extended for three years; passes Senate 100-0</p> <p>April 1994 State Department's first edition report on landmines, <i>Hidden Killers</i>, sparks worldwide interest.</p> <p>Sept 1994 UN General Assembly adopts President Clinton's resolution to strive for complete APL elimination.</p> <p>1995 Formal negotiations begin to amend the 1980 CCW governing use of APLs.</p> <p>Jan 1996 United States and fifty-one states sign Protocols amending CCW to strengthen rules governing APL use, but Protocol does not call for an outright APL ban.</p> <p>Oct 1996 Canada's Foreign Minister, Mr. Axworthy initiates the Ottawa Process.</p> <p>Dec 1996 UN votes 156-0 for United States initiative to negotiate a ban all APLs "as soon as possible."</p>	<p>Sep 1997 President Clinton announces United States will <i>not</i> sign <i>Ottawa Treaty</i> and outlines a new U.S. APL policy.</p> <p>States that were party to the <i>Ottawa Treaty</i> block the U.S.' efforts to add landmines to the agenda at the Conference on Disarmament.</p> <p>Dec 1997 <i>Ottawa Treaty</i> signed by 122 countries.</p> <p>May 1998 President Clinton states that the United States will sign the <i>Ottawa Treaty</i> by 2006 if alternative technologies can be found.</p> <p>Mar 1999 The <i>Ottawa Treaty</i> enters into force.</p> <p>Sep 1999 Conference on Disarmament ends with no progress on landmines or other issues.</p> <p>May 2001 Eight retired U.S. general/flag officers write letter to President Bush urging him to join the <i>Ottawa Treaty</i>.</p> <p>Aug 2001 Bush administration signals reservations about U.S. APL policy and initiates a review.</p> <p>Nov 2001 Army cancels funding of program to develop alternatives for 'dumb' APLs; Pentagon proposes cancellation of program to develop alternatives for FASCAM mixed-mine systems.</p> <p>Dec 2001 124 members of Congress write letter to the President Bush urging him to support APL ban.</p>
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Notes

1. Colonels Jack Warden and Pattie Long are fictitious characters from a 1999 case study titled "The Landmines," written by COL Edward W. Sullivan of the Naval War College Faculty and published in *Case Studies in Policy Making & Implementation*, 5th Edition, Naval War College Press. E-mail messages and interview transcripts from Colonel Warden's working file, as well as dialogue with other characters in this case study, unless otherwise noted and cited, represent paraphrased material from interviews Colonel Sullivan conducted in July 1998.
2. President Clinton, 17 September 1997, transcript of remarks given upon announcing landmine policy, White House, Washington D. C., Office of the Press Secretary, daily press releases, 17 September 1997. Several Presidential Decision Directives cover the actual policy; the most critical one for DOD and arms control is PDD 64.
3. U.S. State Department, "Fact Sheet: U.S. Government Humanitarian Demining Program," issued 20 May 1998, available from <<http://usinfo.state.gov/journals/itps/0798/ijpe/pj38lmtx.htm>> [accessed 3 January 2002].
4. Mark Hizney, *Background Paper On APL Control Measure*, (Alexandria Virginia: Defense Special Weapons Agency, report prepared under contract DSWA001-96-G-0061), May 1998, page 1.
5. International Campaign to Ban Landmines, "Temptative statutes to register ICBL in France," available from <<http://www.icbl.com.html>> [accessed: 27 May 1998].
6. Ms. Jodie Williams, speech presented at St George's School, Middletown Rhode Island, 23 October 1998, author's notes.
7. Stuart Maslen and Peter Herby, "An International Ban on Anti-personnel Mines; History and Negotiation of the 'Ottawa Treaty,'" *International Review of the Red Cross*, No. 325, 31 December 1998, pp. 693-713.
8. Vietnam Veterans of American Foundation, "Lloyd Axworthy Receives Senator Patrick J. Leahy Humanitarian Award," 1 December 2000, available at <http://vvaf.org/media/pr_120100.shtml> [accessed 10 January 2002].
9. Unless otherwise indicated and cited, information regarding the internal DOD perspectives represents paraphrased material based on interviews with officers in the Pentagon while conducting research for this case study during July 1998.
10. Human Rights Watch Press Release, "U.S.: Pentagon Mine Policy Rollback," 21 November 2001, available at <<http://www.hrw.org/press/2001/11/usmines1121.htm>> [accessed 2 January 2002].
11. Human Rights Watch Press Release, "U.S.: Pentagon Mine Policy Rollback," (Washington D.C., 21 November 2001), available on <<http://www.hrw.org/press/2001/11/usmines1121.htm>> [accessed 2 January 2002].
12. Ms. Jodie Williams, speech presented at St George's School, Middletown Rhode Island, 23 October 1998, author's notes.
13. U.S. Department of State, "Fact Sheet: U.S. Government Humanitarian Demining Program," *U.S. Foreign Policy Agenda*, (U.S.IA, Washington D.C., July 1998; issued by DoS 20 May 1998), available at <<http://usinfo.state.gov/journals/itps/0798/ijpe/pj38lmtx.htm>> [accessed 3 January 2002].
14. Anthony Depalma, "As U. S. Looks on, 122 Nations Agree to Landmine Ban," *New York Times*, 4 December 1997, page 1-2.
15. Canadian Press, "Russia Sees Continuing Need For Land-Mines," *Ottawa Citizen*, 30 May 1998, as published in the *Early Bird*, 2 June 1999, page 8. Interestingly enough even with the animosity between the ICBL and the U.S. government, Ms. Williams and a representative of the Canadian government went to Russia to attempt to have that government renounce the use of landmines and join the international community legal venues for their control.
16. D. C. Comic Books, "Superman and Wonder Woman The Hidden Killers," New York, 1998. This comic book has been translated into languages for use in Central American and Bosnia. Copies of the English and Spanish versions are in the author's possession.

17. Unless otherwise indicated and cited, the dialogue with Ms. Beccam represents paraphrasing of material obtained in interviews and correspondence with State Department personnel by the author in January 2002 and by Colonel Sullivan in July 1998 during research for the original version of this case study.
18. U. S. Department of State, *Hidden Killers: The Global Landmine Crisis*, (Washington D. C., September 1998), available at <<http://www.state.gov/global/arms/rpt-9809>> [accessed 26 October 1998].
19. Kofi Annan, "At Last, A Court To Deter Despots And Defend Victims," *International Herald Tribune*, 28 July 1998, as published in the *Early Bird*, 28 July 1998, page 11. Mr. Annan makes the point through relating a quote from the famous Roman lawyer and scholar, Cicero, who declared that "in the midst of war, law stands mute." Another Secretary General of the UN, Boutros Boutros-Ghali makes much of the same argument in his September 1994 article in *Foreign Affairs*. An effective treatment of many of the legal aspects is covered in chapter 6 of the book *The Technology of Killing: A Military and Political History of Antipersonnel Weapons*, ISBN 1 85649 357.
20. Ambassador Michael J. Matheson, *International Law and Antipersonnel Land Mines*, available at <<http://137.52>> [accessed 24 March 1999]. On 24 May 1999 the Senate finally ratified the Amended Protocols, President Clinton took this opportunity to again recognize Senator Leahy and others. White House, Washington D. C., Office of the Press Secretary. An executive summary and the text of the CCW can be found at <<http://acq.osd.mil/treaties>>.
21. Conference on Disarmament, *Disarmament Diplomacy*, Issue No. 59, July-August 2001, available at <<http://www.acronym.org.uk/dd/dd59/59cd.htm>> [accessed 3 January 2002].
22. U.S. Department of State, "Nonproliferation, Anti-terrorism, Demining and Related Programs (NADR) Funds for Humanitarian Demining Programs," Bureau of Political-Military Affairs Fact Sheet, 2 January 2002, available at <<http://www.state.gov/t/pm/rls/fs/2002/index.cfm?docid=7010>> [accessed 10 January 2002].
23. U.S. Department of State, *Hidden Killers 2001—The World's Landmine Problem*, (Washington D.C., undated), available at <<http://www.state.gov/t/pm/rls/rpt/2001/index.cfm?docid=6961>> [accessed 10 January 2002].
24. U.S. Senator Patrick Leahy, "Facts: Anti-Landmine Chronology," available on Senator Leahy's web site at <<http://leahy.senate.gov/text/issues/landmines/facts.html>> [accessed 3 January 2002].
25. Mr. Tim Reiser, Congressional staffer for Senator Leahy, interviewed by Colonel Ed Sullivan, Middletown, Rhode Island, July 1998, author's notes. Mr. Reiser offers that Senator Leahy was a critical influence in shaping Mr. Clinton's perspective on landmines, and that he also has had a continuing impact on DOD, where he feels they have been slow to respond to the landmine crisis. Similarly he also feels Senator Leahy impacted Mr. Berger's policy direction on the issue. Evidence of this is the exchange of letters between the two which shows the Senator's influence in having President Clinton publicly state that the United States is in favor now of signing the *Ottawa Treaty*.
26. U.S. Department of State Press Release, "New U.S. Landmines Official Appointed," (M2 Communications, 10 December 2001), available at <<http://www.banminesusa.org/news/977.htm>> [accessed 3 January 2002].
27. Ban Mines U.S.A, "Action Alert! Make the Military Argument!" available at <http://www.banminesusa.org/urg_act/990_generalsltr.html> [accessed 2 January 2002].
28. Ban Mines U.S.A, "Defense Department Asks President Bush to Abandon Efforts to Ban Landmines; 124 Members of Congress Send Letter to the President Urging him to Give Up the Weapon!" available at <http://www.banminesusa.org/news/975_letter.htm> [accessed 2 January 2002].
29. Unless otherwise indicated and cited, information regarding the NGOs represents paraphrased material based on interviews

- conducted by Colonel Sullivan during research for his case study during July 1998.
30. Mr. Robert Mueller, interviewed by Colonel Sullivan, VVAF Headquarters, Washington D.C., July 1998, Colonel Sullivan's notes.
 31. Unless otherwise indicated and cited, information regarding the NGOs represents paraphrased material based on interviews conducted by Colonel Sullivan during research for his case study during July 1998.
 32. Mr. Steve Goose, interviewed by Colonel Sullivan, Human Rights Watch Headquarters, Washington D.C., July 1998, Colonel Sullivan's notes.
 33. Lieutenant General Robert G. Gard, Jr., (U.S.A., ret.), *Alternatives to Antipersonnel Landmines*, (VVAF Publications, Spring 99), available at <<http://vvaf.org/gard.shtml>> [accessed 10 January 2002].
 34. Unless otherwise indicated and cited, information regarding the internal DOD perspectives represents paraphrased material based on interviews by Colonel Sullivan with officers in the Pentagon while conducting research for this case study during July 1998.
 35. G.E. Willis, "Defense vs. Offense Landmines," *Army Times*, 15 June 1998, page 12. Underestimating the impact of Princess Di for the ICBL would miss one of the critical cognitive and emotional impacts to this case. The information on Queen Noor comes from a series of e-mails Colonel Sullivan had with her press secretary's office September 1998.
 36. Norman Kempster, "U.S. Cools Toward Land Mine Phase-Out Plan," *Los Angeles Times*, 3 August 2001, available at <http://www.banminesusa.org/news/988_administration.html> [accessed 2 January 2002].
 37. Somini Sengupta, "India's Land Mines, A Bitter Harvest for Farmers," *New York Times*, 4 January 2002, as published in the *Early Bird*, 4 January 2002.

