

103^D CONGRESS
2^D SESSION

H. R. 4699

To state the sense of Congress on the production, possession, transfer, and use of antipersonnel landmines, to place a moratorium on United States production of antipersonnel landmines, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 1994

Mr. EVANS (for himself, Mr. DELLUMS, Mr. MEEHAN, Mr. BONIOR, Mrs. UNSOELD, Mr. STARK, Mr. DEFazio, Mr. FILNER, Mr. FRANK of Massachusetts, Ms. PELOSI, Mr. VISCLOSKY, Ms. FURSE, Mr. FALDOMAVAEGA, Mr. OLVER, Mr. HOCHBRUECKNER, Mr. HINCHEY, Mr. WYNN, Mr. ENGEL, Mr. FARR of California, Mr. GUTIERREZ, Mr. DURBIN, Mr. EDWARDS of California, Mr. FINGERHUT, Mr. LIPINSKI, Mr. BEILENSON, Mr. KREIDLER, Mr. SERRANO, Mr. SANDERS, Mr. SHAYS, Mr. KENNEDY, Ms. SHEPHERD, Mr. HAMBURG, Mr. FOGLIETTA, Mr. ABERCROMBIE, Mr. MILLER of California, Mr. LEWIS of Georgia, Mrs. MORELLA, Mr. VENTO, Ms. WOOLSEY, Mr. FISH, Mr. JACOBS, Mr. OWENS, Ms. SLAUGHTER, Mr. STRICKLAND, Mr. BERMAN, Mr. ANDREWS of Maine, Mr. McDERMOTT, Mr. KOPETSKI, and Mrs. SCHROEDER) introduced the following bill; which was referred jointly to the Committees on Foreign Affairs and Armed Services

A BILL

To state the sense of Congress on the production, possession, transfer, and use of antipersonnel landmines, to place a moratorium on United States production of antipersonnel landmines, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. FINDINGS.**

2 The Congress makes the following findings:

3 (1) There are approximately 100,000,000
4 unexploded antipersonnel landmines strewn in more
5 than 60 countries around the world, and tens of mil-
6 lions of antipersonnel landmines are stored in stock-
7 piles. The Department of State reports that “land-
8 mines may be the most toxic and widespread pollu-
9 tion facing mankind”.

10 (2) Like chemical and biological weapons, land-
11 mines kill and maim indiscriminately.

12 (3) After the United States adopted a unilateral
13 moratorium on the export of antipersonnel land-
14 mines, the United Nations General Assembly unani-
15 mously called for an international moratorium on
16 such exports, and the Governments of France, Ger-
17 many, Greece, Belgium, the Netherlands, Poland,
18 Slovakia, and South Africa have each announced an
19 export moratorium. The Government of Cambodia
20 has stated that it will no longer use or purchase
21 antipersonnel landmines.

22 (4) Despite such actions, far more anti-
23 personnel landmines are being strewn than are being
24 cleared. Each month, at least 1,200 persons, mostly
25 innocent civilians, are killed or injured by landmines.

1 In some countries, more than one third of all casual-
2 ties of landmines are women and children.

3 (5) With hundreds of types of antipersonnel
4 landmines being produced in at least 50 countries,
5 only international cooperation on limits on the pro-
6 duction, possession, transfer, and use of anti-person-
7 nel landmines will stop the slaughter of innocent
8 lives.

9 (6) A United Nations conference to review the
10 1980 Conventional Weapons Convention, including
11 Protocol II to the Convention (commonly referred to
12 as the “Landmine Protocol”), is planned for 1995.
13 Meetings of governmental experts to prepare for the
14 conference have begun. This is a critical time for
15 United States leadership to help solve the landmine
16 crisis.

17 **SEC. 2. POLICY.**

18 It is the sense of Congress that the President
19 should—

20 (1) actively seek an international agreement
21 prohibiting the production, possession, transfer, and
22 use of antipersonnel landmines; and

23 (2) as interim measures to be pursued during
24 the seeking of such prohibitions, actively seek inter-
25 national agreements, modifications of the 1980 Con-

1 ventional Weapons Convention, or other agreements
2 or arrangements to limit further the production, pos-
3 session, transfer, and use of antipersonnel land-
4 mines.

5 **SEC. 3. MORATORIUM ON THE PRODUCTION AND PRO-**
6 **CUREMENT OF ANTIPERSONNEL LANDMINES.**

7 (a) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that a moratorium by the United States on the pur-
9 chase and production of antipersonnel landmines would
10 encourage other nations to adopt similar measures.

11 (b) MORATORIUM.—Effective 90 days after the date
12 of the enactment of this Act, the United States Govern-
13 ment shall not purchase or produce antipersonnel land-
14 mines.

15 (c) PERIOD OF MORATORIUM.—The prohibition set
16 forth in subsection (b) shall continue until the end of the
17 one-year period beginning on the date of the enactment
18 of this Act.

19 (d) ACTIONS BY OTHER NATIONS.—(1) The Con-
20 gress urges the President, during the period referred to
21 in subsection (c), to encourage each nation which is a
22 major producer of antipersonnel landmines to adopt a
23 moratorium similar to the moratorium described in sub-
24 section (b).

1 (2) If the President determines during the period re-
2 ferred to in subsection (c) that nations that are major pro-
3 ducers of antipersonnel landmines have adopted moratoria
4 similar to the moratorium described in subsection (b), the
5 President may extend the moratorium for such additional
6 time as the President considers appropriate.

7 (3) For the purposes of this subsection, the term
8 “major producers of antipersonnel landmines” include the
9 following:

- 10 (A) Belgium.
- 11 (B) Bulgaria.
- 12 (C) The Peoples Republic of China.
- 13 (D) Egypt.
- 14 (E) France.
- 15 (F) Germany.
- 16 (G) Hungary.
- 17 (H) Italy.
- 18 (I) Pakistan.
- 19 (J) Russia.
- 20 (K) South Africa.
- 21 (L) The United Kingdom.

1 **SEC. 4. AUTHORIZATION OF FUNDS FOR DEMINING ACTIVI-**
2 **TIES FOR FISCAL YEAR 1995.**

3 There is hereby authorized to be appropriated to the
4 Department of Defense for fiscal year 1995 the sum of
5 \$25,000,000 for—

6 (1) humanitarian activities relating to the clear-
7 ing and disarming of landmines and the protection
8 of civilians from landmines (including activities re-
9 lating to the furnishing of education, training, tech-
10 nical assistance, demining equipment and technology
11 and activities relating to research and development
12 on demining equipment and technology); and

13 (2) contributions to United Nations funds and
14 to nongovernmental organizations to support such
15 activities.

16 **SEC. 5. ANALYSIS AND ASSESSMENT OF COSTS AND EF-**
17 **FECTS OF ANTIPERSONNEL LANDMINES.**

18 (a) ANALYSIS.—(1) Not later than six months after
19 the date of the enactment of this Act, the Administrator
20 of the Agency for International Development and the Sec-
21 retary of State shall submit to Congress a joint report con-
22 taining a quantitative and qualitative analysis of the so-
23 cial, economic, and environmental costs and effects of the
24 use of antipersonnel landmines.

25 (2) The analysis shall cover not less than three coun-
26 tries (as jointly determined by the Administrator and the

1 Secretary) in which the presence of landmines presents
2 significant social, economic, and environmental problems.

3 (3) In preparing the report, the Administrator and
4 the Secretary shall rely on any appropriate governmental
5 and nongovernmental materials and sources of informa-
6 tion that are available to them.

7 (b) ASSESSMENT.—(1) The Secretary of Defense
8 shall submit to Congress a report setting forth the total
9 number of members of the United States Armed Forces
10 killed or wounded by antipersonnel landmines during each
11 of the following periods:

12 (A) World War II.

13 (B) The Korean conflict.

14 (C) The Vietnam era.

15 (D) The Persian Gulf War.

16 (2) The Secretary of Defense shall submit the report
17 under this subsection at the same time that the report
18 required under subsection (a) is submitted.

19 **SEC. 6. DEFINITIONS.**

20 For purposes of this Act:

21 (1) The term “antipersonnel landmine” means
22 any of the following:

23 (A) Any munition placed under, on, or
24 near the ground or other surface area, delivered
25 by artillery, rocket, mortar, or similar means,

1 or dropped from an aircraft and which is de-
2 signed, constructed, adapted, or designed to be
3 adapted to be detonated or exploded by the
4 presence, proximity, or contact of a person.

5 (B) Any device or material which is de-
6 signed, constructed, adapted, or designed to be
7 adapted to kill or injure and which functions
8 unexpectedly when a person disturbs or ap-
9 proaches an apparently harmless object or per-
10 forms an apparently safe act.

11 (2) The term “1980 Conventional Weapons
12 Convention” means the 1980 Conventional Weapons
13 Convention on Production or Restrictions on the Use
14 of Certain Conventional Weapons Which May Be
15 Deemed To Be Excessively Injurious or To Have In-
16 discriminate Effects, done at New York on April 10,
17 1981.

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