

Cluster Bombs Are ‘War Crime’ Weapons

(Below are brief excerpts from a much longer opinion piece by John Nichols in the July 10 issue of the Nation. To read the entire piece, go to <https://www.thenation.com/article/politics/cluster-bombs-ukraine-biden-congress/>.)

Shortly after the Russian invasion of Ukraine, when reports circulated regarding the Russian use of cluster bombs, a reporter asked then–White House Press Secretary Jen Psaki about the Biden administration’s response to an action that was “potentially a war crime.” “We have seen the reports,” replied Psaki on February 28, 2022. “If that were true, it would potentially be a war crime.” The press secretary’s words have come back to haunt the Biden administration, which is now in the process of transferring stocks of this internationally banned weaponry to the Ukrainian government.

The United Nations Convention on Cluster Munitions, which was adopted in 2008 and went into force in 2010, “prohibits all use, production, transfer and stockpiling of cluster munitions.” Nearly 125 nations have ratified and signed onto the convention. Russia and the United States are not among them, but that does not change the reality that cluster bombs have long been associated with war crimes.

“Cluster munitions pose an immediate threat to civilians during conflict by randomly scattering submunitions or bomblets over a wide area. They continue to pose a threat post-conflict by leaving remnants, including submunitions that fail to explode upon impact becoming de facto landmines,” explains Human Rights Watch... The Cluster Munitions Coalition has called for “an immediate halt to transfers of the internationally banned weapon,” in a statement that urges both Russia and the United States to step back from the brink and take action to “guarantee protection of civilians and respect for international humanitarian law...” [And] While administration defenders may suggest that transferring US cluster bombs benefits Ukraine, the Friends Committee on National Legislation... points out, “Endangering kids for generations to come is not how to end a war...”

... To their credit, key members of Congress have stepped up. US Representative Barbara Lee, [D-CA]...argues, “The Ukrainian

people are engaged in a just struggle for their rights, freedom and humanity. The US and Ukraine don’t need to stoop to Putin’s level.”

Joining her in this position are 18 House members, who signed a July 7 statement that declared: “The reality is that there is no such thing as a safe cluster bomb—and using or transferring them for use hurts the global effort to eradicate these dangerous munitions, taking us down the wrong path. The U.S. history of using cluster munitions—particularly the legacy of long-term harm to civilians in Southeast Asia—should prevent us from repeating the mistakes of our past...”

Rep. Ilhan Omar (D-Minn), who came to the United States in the 1990s as a refugee from Somalia, a country where remnants of cluster bombs posed a deadly threat for many years, was unequivocal in her argument for [a proposed amendment to the 2024 National Defense Authorization Act which would prohibit the selling or transfer of cluster munitions or technology.] “We have to be clear: if the US is going to be a leader on international human rights, we must not participate in human rights abuses,” Omar said. “We can support the people of Ukraine in their freedom struggle, while also opposing violations of international law.”

Please contact your congressional representatives and tell them to block the U.S. export of cluster munitions.

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07/16/2023

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