Clearing the Falkland-Malvinas Islands

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suicide bombings to cause both mass casual-
ty and widespread panic. Again, the point is that criminals and insurgents are turning a tool necessary for national defense on those who are unsuspecting and unarmed. Sadly, legacy land-
tones—some of which have been in ground for decades—do not discriminate between war-
riors and innocents, making them an addition-
al passive, yet deadly disruptor of prosperity.

The issue of ending war well. Finally, I be-
lieve that recent on Just War Theory completed
by Bian Orend, Michael Water, and myself, pos-
cludes real-world pragmatism—post-conflict law,
or ending war
The issue of ending war well.

Pragmatic International Security
This article has demonstrated that some of the ways we think about the destructive le-
cies of war, such as ERW and the proliferation of illicit SA/LW, have roots in venerable Just
War theory; however, the Just War tradition should not be thought of as a purely academic
exercise. It marries real-world pragmatism with our hopes for security and justice.

Elsewhere I have argued that war is not post-
bellum—post-conflict law, or ending war
well—begins with political order and some-
times moves beyond mere order to justice. In a
hundred of instances, reconciliation can be the
result.1 That is the goal many of us hope for when the hot war ends; however, with-
out a durable sociopolitical order—from ba-
sic safety to confidence that the land can be
tilled and water can be drawn safely to as-
sure that the weapons of war have been safely
stored—such security is but a fantasy. Conse-
quence, the efforts of major governments and
governmental actors in this regard are crit-
ically important. For example, the U.S. State Depart-
ment funds efforts to secure and destroy

clear implications for cost. The recent U.K./Argentina feasibility study,
which included risks related to possible environmental impact.4

While the feasibility study suggests that it is possible to grade
mining the Falkland-Malvinas Islands, despite the potential cost of demining in a relatively mine-safe area.

Cost of Demining
The Falkland-Malvinas Islands clearance process will be very
expensive. First of all, the existing mines are laid mainly on the beaches
and in soft ground. The result is that the mines may move in the post
and may be affected by the tides, complicating the process. Although a
completed feasibility study shows that clearance may be possible, there
are clear implications for cost. The recent U.K./Argentina feasibility study,
which of the main element was a field survey conducted by Cranfield University,
researchers that mine clearance in the Falkland-Malvinas Islands
is possible but will present significant technical challenges and
risks, which include risks related to possible environmental impact.4

We often ask questions about the political act of neutrality in the world,
the report does not identify

No Casualties in Over 20 Years
These mines pose a minimal threat to the Falkland-Malvinas Islands. There have been no civilian casualties since 1982, and there is
little demand for the contaminated land. The Islanders themselves have been very vocal in asking the British government to spend money else-
where. Mike Summers, a member of the legislative council of the Falk-
land-Malvinas Islands government, echoes this sentiment, saying, “There
are a lot of mines on the Falklands, but they are not that intrusive. Clearly
there is an issue about clearance, but unless they are cleared 100 percent,
we are not going to take the fences down anyway. If that can be done, then
fine. If the British government was to invest money in clearing mines,
then we would be much happier for them to invest it in other countries.
Our needs are not as pressing as other people’s.” He goes on to say, “That
doesn’t mean that in the fullness of time we don’t want it done. But we
would feel somewhat embarrassed if the British government spent money
clearing mines in the Falklands if there was an opportunity to spend it
in some other territory where there are children and adults at risk.”
Environmental Harm

The clearance methods are likely to be in-\n\nnocuous and harmless to the environment. The feasibility\nstudy returned a number of po-\ntential environmental issues including digging,\n\nmilling and bulk excavation. Some of these\nmethods may endanger what have become ex-\ncellent bird sanctuaries for penguins, as the\ngroundhearing pressure of these birds is too\nsmall to set off anti-personal mines. The fea-\nsibility study identifies a number of recom-\nation techniques that will then be used to solve the\nenvironmental damage caused by the de-\nmining process, which will, of course, contrib-\nto the cost.

Total Contributions

There is also a risk that the British govern-\nment will treat this clearance as a contribu-\tion to its global mine-clearance effort. If this\nis allowed, then there may be a commer-\nerate reduction in the clearance effort in a region where it does make a difference. A parliamentary question to the British government asking for\nconfirmation that the funding to demine\nthe Falkland-Malvinas Islands will be treated as\nadditional money would be a useful way of re-\nsolving this problem.

Past Deminer Casualties

Finally, and perhaps most importantly, the\nmain reason the British Army stopped clear-\ning is allowed, then there may be a commensurate\nestatement that it is robust enough to\nhelp reduce deminer casu-\nsality that occurred during the process.\nThe feasibility study again is useful in spelling\nout a number of risk-management strategies that could be employed. The work the interna-\ntional community has done in the development of the International Mine Action Standards\nshould also be recognized as potentially being\ninstrumental in helping reduce deminer cau-\nalities. However, a reduced risk in casualties is\nstill higher than the zero risk in deminer casu-\nalties. However, a reduced risk in casualties is\nstill higher than the zero risk in deminer casu-\nalties. However, a reduced risk in casualties is

A Possible Way Ahead

This perspective may seem very negative in terms of the current formulation of the Ottawa\nConvention and in particular toward Article 5. However, I believe that the Ottawa Process\nhas been so successful in the stagnation of this approach that it is robust enough to\nsustain some amendments. One can see a new\nexample of a large number of countries having\nsurvived several significant amendments in the U.S. Constitution. Lessons can also be taken\nfrom the carbon-trading concept employed in the Kyoto Protocol. Given that landmines are\nforms of environmental pollution, countries that have a non-impact landmine\nproblem could be allowed to offset them with an equivalent donation (under Article 6) to a country that is actually suffering impact from its\nmanufacturing. An idea like this one was already suggested in the context of the Falkland-Malvinas Islands, and perhaps it is time to see it come to fruition.

Intent of Ottawa Convention

One possible objection to this approach to-\nward the Falkland-Malvinas Islands is that it would be a fundamental blow to the integrity of the Ottawa Convention, which was drafted specifically to prevent loopholes and other spe-\ncial pleading weakening its effectiveness. This\nobservation is valid; however, I would take a\nweaker view. The whole point of the campaign\nis to reduce the humanitarian suffering caused by AP mines in the sense that these weapons\nare indiscriminate and excessively injurious. Given circumstances of scarce resources, a\ncondition shared by humanitarian mine-ac-\ntion programs, it seems that to enforce part\nof the Convention in conjunction were there\nno humanitarian impact is missing the origi-\n
nal purpose of the ban.

International Support to Mine Action in Colombia: Mitigating Impact and Protecting Rights

Ending the decades-long violence in Colombia is the only way to eliminate all landmines from the country. Until that time, there is a need to mitigate their impact, minimize the number of new victims and assure better assistance to survivors.

by Charles Downs  [Downs Consulting ]

Ongoing internal armed conflict is the determining factor in the landmine problem in Colombia. It is not simply one more ingredient to be taken into consideration; it completely alters the panorama. Mines are a product of that conflict. As long as they are ac-\ntive instruments in the dispute between forces, with each mine having an interested owner, mines will be a continuing source of risk for the population. As a result, people are confined, displaced and denied access to the necessities of daily life. The impact of mines never goes away for the victims, nor for their families and their communities.

Resolving the conflict is the only way to eliminate all mines from the national territory that is today. It is the only way to allow all Colombians to live without the trauma, loss of life, and social and economic blockages pre-\nduced by landmines. All Colombians have the right to live without the risk of finding a mine in their path. They have the right to cultivate their fertile lands, many of which have been abandoned due to fear. Until the conflict is re-\nsolved, however, the impact of mines must be reduced, better assistance must be provided to all current survivors and the number of new victims must be minimized.

Colombia is one of the few countries in the Americas where anti-\npersonnel landmines are in active use. Landmine victims have been recorded every year since 1992, but the number has sharply begun-\ning in 2001. Reasons for the increase may be the heightened use of landmines by guerrilla groups, improvement of reporting measure-\nment mechanisms and the increased movement of the population.

Today the problem affects people living in 51 of the 32 Colombian de-\npartments and 60 percent of municipalities, with particular presence in rural com-\nunities. 3

Colombia is among the countries with the greatest number of new victims. According to the 2007 Landmine Monitor Report, Colombia had 1,109 mine victims in 2006, which is greater than three victims per day. That same year, two-thirds of the victims were from the Army and police, while one-third were from other parties in the world. The civilian victims alone (314, nearly one each day) were enough to place Colombia among the three countries with the most new mine victims. 4

Though there was a decrease in victims the following year, Colombia continued to have more new victims than any other country. In 2007, there were 895 victims: 195 were killed and 702 were injured. 5

The presence of landmines in the different regions of the country changes according to the evolution of the armed conflict, as demon-\nstrated by comparing the locations of civilian victims over the period 1990–2007 with those recorded in 2007. During this period, the four de-\npartments with the greatest number of civilian victims were Antioquia, Meta, Bolivar and Caquetá. Antioquia had more victims than the other three combined. In 2007, the four departments with the highest num-\ber of casualties were Antioquia, Narino, Guaviare and Arauca. Narino had more than the other three combined, reflecting the intensification of armed conflict there. 6

What Can Be Done? 7

Considering the experiences of similarly contaminated countries, there are three lines of action that can be taken by national governments and civil society with the support of international organiza-\ntions, even during a period of armed conflict. These measures include:

1. Reduce risk
2. Provide comprehensive support to victims
3. Develop the capacity to coordinate and manage a multifaceted response to the landmine problem
4. Reduce risk. People have a need and a right to know how to pro-\ctect themselves from danger, and the public sector has an obligation to inform them. There are many mine-risk education programs that have been developed around the world through mass media, schools,