

STATEMENT OF
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BEFORE THE
THE HOUSE FOREIGN AFFAIRS COMMITTEE SUBCOMMITTEE ON ASIA,
THE PACIFIC AND THE GLOBAL ENVIRONMENT

“LEGACIES OF WAR: UNEXPLODED ORDNANCE IN LAOS”

APRIL 22, 2010

Thank you Chairman Faleomavaega, Subcommittee Members, ladies and gentlemen. First of all, I would like to extend my sincere thanks to Chairman Faleomavaega, the Subcommittee and its wonderful staff for organizing this historic hearing entitled “Legacies of War: Unexploded Ordnances in Laos.”

From what I understand, this is the first U.S. House of Representatives hearing on the scourge of unexploded ordnance (UXO) in Laos, a legacy of the U.S. bombing of Laos during the Vietnam War. Tragically, more than four decades after the end of the bombing, more than 300 Lao people, one third of them children, continue to be killed or injured by UXO every year.ⁱ

Just this year, on February 19, 2010, eight children from Champassak Province came upon a cluster bomb in the rice paddies near their home. Like many bombs this deadly weapon resembled a toy, and the children tossed it around in play. The bomb exploded; two children survived, one was severely injured, and five were killed. They lived in an area not identified as having been bombed; there had been no UXO risk education in their village and the children suffered for it.ⁱⁱ Beyond this terrible human toll, UXO continues to hamper economic development in one of the poorest countries in the world.

Today is also significant because exactly 39 years ago this week the U.S. Senate held an historic hearing on the status of refugees in Laos. This hearing, chaired by the late Senator Edward M. Kennedy on April 21 and 22, 1971, helped expose the U.S. secret bombing of Laos. The bombing had begun in 1964 and had displaced hundreds of thousands of civilians within Laos but had never been disclosed to Congress or the American public.ⁱⁱⁱ

The 1971 hearing and a peace treaty between the U.S. and North Vietnam finally brought a halt to the bombings in Laos in 1973. This was the same year I was born in Vientiane, the capital of Laos. When I was six years old, my family left Laos due to the country's political instability. We spent a year in a Thai refugee camp and eventually resettled in Virginia. Many of the 400,000 Lao refugees who now reside in the U.S. have similar

stories.^{iv} We were fortunate to resettle in America, but were sad to leave behind family members and friends who we feared we might never see again.

Much has changed since then.

Over the past ten years, improved relations between the Lao and U.S. governments have allowed me to travel back to Laos numerous times. Like thousands of other tourists who visit Laos every year, I feel a deep affection for the people, culture and land that I barely remember from my childhood.

Reconnecting with my Lao heritage included discovering the dark history and lingering effects of what is often referred to as the Secret War in Laos. This discovery led me to establish **Legacies of War** (“Legacies”), where I currently serve as executive director. Legacies is the only U.S.-based organization dedicated to raising awareness about the current devastation that has resulted from the Vietnam War-era bombing in Laos. Our mission is to advocate for the clearance of unexploded bombs and provide space for healing the wounds of war. Since our founding in 2004, we have worked with Lao-Americans, bombing survivors, veterans, artists, non-governmental organizations and others to establish a credible voice for reconciliation and justice.

The 1971 Senate hearing began to expose the bombings in Laos, but it would be decades before declassified U.S military data revealed the true extent of the bombing and the ongoing devastation from UXO in Laos.

Background

We now know that Laos is the most heavily bombed country per capita in history. U.S. Vietnam War-era bombings from 1964 to 1973 left nearly half of Laos contaminated with vast quantities of unexploded ordnance. At least 20,000 people have been killed or injured by UXO in Laos since the bombing ceased.^v I would like to share with you some other disturbing facts about the U.S. bombing of Laos and its tragic aftermath:

- 260 million cluster bombs were dropped on Laos during the Vietnam War^{vi} (210 million more bombs than were dropped on Iraq in 1991, 1998 and 2006 combined).^{vii}
- An estimated 75 million cluster bombs did not detonate, scattering throughout Lao villages, rice fields, schoolyards, pastureland and forests.^{viii}
- During the bombing, the equivalent of a planeload of bombs was dropped every eight minutes, 24-hours a day for nine years.^{ix}
- About one-third of the land in Laos is littered with UXO.^x

The Clean Up So Far

For more than 20 years after the war ended, Lao villagers struggled to survive among vast quantities of unexploded ordnance without any organized technical assistance or clearance program. The relationship between Laos and the U.S. was strained, and there

were no humanitarian demining programs operational in the Lao NGO sector. In the 1970s and early 1980s, about 1,000 casualties from UXO occurred every year. This number declined slowly, and has remained at about 300 casualties per year through the 1990s and 2000s^{xi}.

The humanitarian demining program in Laos began in 1994 under the auspices of the Lao National Committee for Social and Veterans Affairs, as a result of an initiative from the U.S.-based Mennonite Central Committee with technical support and training provided by the UK-based Mines Advisory Group. Each of these organizations has provided testimony to the Subcommittee today.

In the 15 years since the demining program began, it has grown, employing Lao nationals in nine Lao provinces. Undoubtedly, thousands of lives have been saved and injuries avoided as a result of this work. Yet fewer than 500,000 of the estimated 75 million unexploded bomblets remaining at the end of the war have been destroyed, and less than 1% of the contaminated land has been cleared.^{xii}

Initially, I was surprised by the small percentage of land that has been cleared. Then, during a trip to Laos in 2008 as part of a Legacies of War delegation, I observed a clearance team working in the field. I witnessed the slow, dangerous, tedious process of surveying, detecting and detonating UXO. Over the last four decades, many of the cluster bomblets have become deeply embedded in the earth—waiting for an unsuspecting farmer to place a shovel in the earth or the Monsoon rains to uncover them. It often takes several visits to one village to detect and clear all the bomblets. I was humbled by the men and women we met during our visit to Laos, who risk their lives daily to make the land safe for others.

Clear Problem, Effective Solution

Formal UXO clearance work in Laos is now done under the auspices of the Lao government's National Regulatory Authority (NRA), with several dozen partner organizations and international donors that support the UXO clearance, victim assistance and mine risk education.

The UXO clearance sector has built up a well-trained and experienced work force. Through new, more effective equipment and careful planning, clearance teams have dramatically improved their efficiency. An official of the State Department's Office of Weapons Removal and Abatement (WRA) has called the National Regulatory Authority UXO program in Laos "one of the best programs in the world – the gold standard."^{xiii}

The NRA's newly completed strategic plan, entitled *Safe Path Forward: 2010-2020*, offers clear, achievable goals:

1. *Reduce the number of UXO casualties from 300 to less than 75 per year*
2. *Ensure that the medical and rehabilitation needs of all UXO Survivors are met in line with treaty obligations*

3. *Release priority land and clear UXO in accordance with National Standards and treaty obligations*
4. *Ensure effective leadership, coordination and implementation of the national programme*
5. *Establish sustainable national capacity fully integrated into the regular set-up of the Government*
6. *Meet international treaty obligations*

In addition to its domestic leadership, Laos was one of the first nations to sign and ratify the Convention on Cluster Munitions, an international agreement signed by 106 countries to ban the production, transfer, and sale of cluster munitions and to destroy current stockpiles.^{xiv} In addition, participating countries must clear cluster munitions from the land and provide victim assistance. The agreement emphasizes the need for increased international financial support to Laos.

The Convention enters into force in August of this year, and Laos will host the First Meeting of the State Parties in Vientiane in November to discuss implementation of the agreement. Laos' leadership in gaining international approval of the Convention and hosting the First Meeting of the State Parties signals its shift from mere victim of cluster munitions to key voice for their eradication.

Funding Requirements

According to the NRA, during each of the past three years, a total of \$12 to \$14 million was spent for clearance goals.^{xv} Funding for clearance comes from international donors, including the U.S., but the NRA estimates that the UXO sector will need at least double that amount per year to meet its ten-year goals. As it always has been, the problem for UXO clearance in Laos is the absence of a consistent, long-term funding commitment that matches the scale of the problem. In order to buy equipment and train and maintain adequate staffing, clearance organizations working in the field must have assurances of a continued, reliable stream of funding.

Consistent, increased international support for clearance would dramatically reduce the impact of UXO in Laos. With this kind of consistent support, the casualty rate would fall from hundreds a year to dozens or less, and the highest priority clearance projects would all be accomplished.

Therefore, we recommend a U.S. commitment of \$7 million to support UXO clearance in Laos in FY11, a measured increase from this year's allocation of \$5 million. Thereafter, we recommend an annual U.S. commitment of \$10 million over the next 10 years to strengthen and secure the UXO sector's capacity and bring its already effective programs to scale. **This ten-year \$100 million commitment to UXO removal in Laos would total less than what the U.S. spent in one week bombing Laos.**^{xvi}

I have focused primarily on UXO clearance in this statement, but I also want to note the related need for victim assistance. Close to 40% of UXO accidents result in death,

leaving many families without the primary breadwinner or caregiver. For the 60% who survive, their lives will never be the same. Almost 14,000 injuries have resulted in the loss of one limb, while close to 3,000 victims have lost two limbs. Many have been blinded. In Laos, the vast majority of the population is dependent on subsistence farming. UXO accidents leave many farmers unable to work in their fields. There is a serious need for better emergency health care after accidents occur as well as longer term needs for prosthetics, physical rehabilitation and vocational retraining.^{xvii}

According to the NRA, only \$2.5 million a year currently goes towards victim assistance needs in Laos. Agency staff estimates that at least \$5 million a year will be required to adequately help victims and their families.^{xviii}

Current U.S. Funding Support

The U.S. spent \$17 million a day (today’s dollars) for nine years bombing Laos.^{xix} However, the U.S. has provided on average only \$2.7 million per year for clearance in Laos over the past 15 years. **Put another way, the U.S. spent more in three days dropping bombs on Laos (\$51 million in today’s dollars) than they have spent in the last 15 years (\$40 million)^{xx} cleaning them up.**

In Fiscal Year 2010, Congress designated \$5 million specifically for UXO clearance in Laos, the largest amount allocated in any given year to date. According to the FY2010 Omnibus Appropriations Bill:

“Not less than \$5,000,000 shall be made available for unexploded ordnance removal in Laos, and that not less than \$3,500,000 shall be made available for similar activities in Vietnam. The conferees further direct the Department of State to plan for similar or higher funding levels for these purposes in subsequent fiscal years, similar to that proposed by the Senate.”

We applaud this specific allocation. It represented a tremendous step forward – or so we thought. Unfortunately, despite a specific Congressional mandate for \$5 million for bomb removal in Laos this year and in subsequent years, the Department of State is only requesting \$1.9 million for next year (FY11).^{xxi}

The funding levels for UXO clearance in Laos have always been disproportionate to the magnitude of the problem. For comparison, below we list what we understand to be the amounts proposed for FY11 and allocated for FY10 by the State Department’s WRA for select countries:

Country	Proposed for FY 2011	Allocated for FY 2010
Afghanistan	\$15M	\$15M
Angola	\$6.5M	\$6.5M
Cambodia	\$2.94M	\$2.94M
Colombia	\$ 2.5M	\$2M

Iraq	\$18M	\$18M
Laos	\$1.9M	\$5M
Lebanon	\$2M	\$2M
Mozambique	\$2M	\$2M
Peru	\$2M	\$2M
Sudan	\$3.4M	\$3.4M
Vietnam	\$1.32M	\$3.5M

Source: U.S. State Department PM/WRA^{xxii}

These examples demonstrate the stunning disparity in WRA funding for UXO clearance programs worldwide. There seems to be little regard for the level of contamination in each country or the source of the UXO. Fifty percent of the worldwide UXO casualties occur in Laos.^{xxiii} In many cases, the U.S. had no involvement in the conflicts that created UXO contamination. On the other hand, in Laos the U.S. was directly responsible for much of the problem. It is not clear why two programs that fall within the responsibility of the Bureau of East Asian and Pacific Affairs (Laos and Vietnam) are proposed to be cut so dramatically in FY11. The combined funding for all three Southeast Asian countries, Laos, Cambodia and Vietnam, in FY11 is equivalent to the funding for Angola alone.

Conclusion

It has been nearly 40 years since the secret U.S. bombing campaign in Laos was finally revealed to Congress and the American public. Yet, all these years later, massive quantities of UXO remain a dangerous threat to the daily lives of the people in Laos.



This is Mor, a four-year-old Lao girl from Thajok Village in Xieng Khouang Province.^{xxiv} Unlike hundreds of Lao children who have been killed or injured by cluster bombs each year, Mor is still alive and healthy. But she lives and plays among these deadly weapons every day. She has never known a bomb-free backyard. We must do what we can to protect children like Mor and clear the land so that when she walks to school, her family plows their fields, or her neighbor forages for bamboo in the forest, everyone returns

home safely at the end of the day. We should want this for Mor and the generations that will follow her.

The problem of UXO in Laos has been allowed to persist far too long. Too many innocent lives have been lost. Too many farmers and children have been left disabled, their lives forever changed. But it is not too late to stop this senseless suffering. This is one of those rare tractable problems with a clear and effective solution. The U.S. has a responsibility to clean up the unexploded bombs it left behind in Laos and to provide support for those who have been harmed since the end of the war. It would require only a relatively modest increase in U.S. funding to dramatically improve clearance activities and victim assistance in Laos. If we had the cure for a disease, would we let people continue to suffer and die from it? Clearing cluster bombs in Laos and supporting those injured by them is an act of humanity and decency. It is the right thing to do.

The State Department must make a sustained commitment to solving this problem. **We recommend an allocation of at least \$7 million next year followed a subsequent increase to \$10 million per year over the next 10 years.** With this kind of consistent support, the casualty rate would fall from hundreds a year to dozens or less, and the highest priority clearance projects would all be accomplished.

Thank you Chairman Faleomavaega and Subcommittee Members for the opportunity to offer our statement today. We appreciate the attention you have brought to this important issue.

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- ⁱ National Regulatory Authority of the Lao PDR, Presentation at Legacies of War, "[A Peaceful Legacy Now: Briefing & Discussion on Cluster Bomb Removal and Assistance in Laos](#)," Nov 2009
- ⁱⁱ National Regulatory Authority of the Lao PDR
- ⁱⁱⁱ *War-Related Civilian Problems in Indochina*. Hearings of the Subcommittee on Refugees and Escapees, U.S. Senate Committee on the Judiciary, Hearings of April 21-22, 1971, *available at* <http://www.clemson.edu/caah/history/facultypages/EdMoise/congref.html>
- ^{iv} SEARAC, *Southeast Asian Statistical Profile* (2004), *available at* <http://www.seasite.niu.edu/lao/seastatprofilemay04.pdf>
- ^v National Regulatory Authority of the Lao PDR, Presentation at Legacies of War, "[A Peaceful Legacy Now: Briefing & Discussion on Cluster Bomb Removal and Assistance in Laos](#)," Nov 2009
- ^{vi} U.S. Senate Congressional Record, May 14, 1975, pg. 14, 266
- ^{vii} Handicap International, *Fatal Footprint: The Global Human Impact of Cluster Munitions*, Nov 2006
- ^{viii} National Regulatory Authority of the Lao PDR, Presentation at Legacies of War, "[A Peaceful Legacy Now: Briefing & Discussion on Cluster Bomb Removal and Assistance in Laos](#)," Nov 2009
- ^{ix} U.S. Senate Congressional Record, May 14, 1975, pg. 14, 266
- ^x National Regulatory Authority of the Lao PDR, Presentation at Legacies of War, "[A Peaceful Legacy Now: Briefing & Discussion on Cluster Bomb Removal and Assistance in Laos](#)," Nov 2009
- ^{xi} Mike Boddington, National Regulatory Authority of the Lao PDR, Presentation at Legacies of War, "[A Peaceful Legacy Now: Briefing & Discussion on Cluster Bomb Removal and Assistance in Laos](#)," Nov 2009
- ^{xii} Lao National Unexploded Ordnance Programme (<http://www.uxolao.org/uxoproblem.html>)
- ^{xiii} Charles Stonecipher, U.S. Department of State, Presentation at Legacies of War, "[A Peaceful Legacy Now: Briefing & Discussion on Cluster Bomb Removal and Assistance in Laos](#)," Nov 2009
- ^{xiv} Cluster Munition Coalition (<http://www.stopclustermunitions.org/>)
- ^{xv} National Regulatory Authority of the Lao PDR, Presentation at Legacies of War, "[A Peaceful Legacy Now: Briefing & Discussion on Cluster Bomb Removal and Assistance in Laos](#)," Nov 2009
- ^{xvi} U.S. Senate Congressional Record, May 14, 1975.
- ^{xvii} Michael Boddington, National Regulatory Authority of the Lao PDR, Presentation at Legacies of War, "[A Peaceful Legacy Now: Briefing & Discussion on Cluster Bomb Removal and Assistance in Laos](#)," Nov 2009
- ^{xviii} Ibid.
- ^{xix} Senate Congressional Record, May 14, 1975
- ^{xx} U.S. Department of State, *To Walk the Earth in Safety*, July 2009
- ^{xxi} U.S. Department of State, Congressional Budget Justification Fiscal Year 2011, Foreign Operations, Annex: Regional Perspectives, p. 279, *available at* <http://www.state.gov/documents/organization/137937.pdf>
- ^{xxii} Ibid.
- ^{xxiii} Handicap International, *Fatal Footprint: The Global Human Impact of Cluster Munitions*, Nov 2006
- ^{xxiv} Phil Borges (2007)