

Stop Biden from Sending Cluster Bombs to Ukraine

By [Medea Benjamin](#) and [Marcy Winograd](#)

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President Biden may have crossed a new red line for the Democratic Party when he announced he would send banned cluster munitions to shore up Ukraine's slow counter-offensive against Russian troops.

On Friday, 19 House Democrats, led by Congressional Progressive Caucus Chair **Pramila Jayapal** (D-WA-7), [signed a letter](#) to Biden warning that his decision to send cluster munitions to Ukraine "severely undermines our moral leadership."

This time it's not just left-leaning activists in [CODEPINK](#) and the [Peace in Ukraine Coalition](#) who recoil in horror at Biden's escalation in Ukraine, but congressional Democrats who previously stood by their President. These are the same Democrats who voted to approve over \$100 billion in Ukraine spending, an estimated half for weapons and military assistance for which there is no accountability.

Rep. Betty McCollum (D-MN-4), ranking member of the House Defense Appropriations Subcommittee, told [Politico](#):

"The decision by the Biden administration to transfer cluster munitions to Ukraine is unnecessary and a terrible mistake ...The legacy of cluster bombs is misery, death and expensive cleanup generations after their use."

On Sunday other [prominent Democrats](#) took to the airwaves, with **Senator Tim Kaine** (D-VA), a former Vice Presidential candidate, telling Fox News he had "real qualms" about the President's decision, and **Congresswoman Barbara Lee** (D-CA-13), Chair of the House Appropriations Subcommittee on Foreign Operations and US Senate candidate, telling CNN, "Cluster bombs should never be used. That's crossing a line." **Senator Jeff Merkley** (D-OR) and **former Senator Patrick Leahy** of Vermont, who visited Vietnam following the US withdrawal, joined the chorus with a [Washington Post OpEd](#) explaining how they had witnessed firsthand the "devastating and long-lasting effects these weapons have had on

civilians.”

Even before the official White House cluster bomb announcement, House Democrats **Sara Jacobs** (D-San Diego) and **Ilhan Omar** (D-Mpls) introduced an [amendment](#) to the 2024 military budget to ban the issuance of export licenses for cluster munitions.

Congressman Jim McGovern (D-MA), the ranking member of the House Rules Committee, was one of the first to co-sponsor the bill. McGovern told the [New York Times](#) that cluster munitions, “disperse hundreds of bomblets, which can travel far beyond military targets and injure, maim and kill civilians — often long after a conflict is over.”

The amendment, however, will need overwhelming bipartisan support to pass—as well as a President who will obey the law should the ayes have it.

In greenlighting cluster munitions, Biden thumbed his nose at 18 NATO partners that joined with over 100 other state parties to sign the 2008 [UN Convention on Cluster Munitions](#). As Biden headed to Vilnius, Lithuania, for the NATO summit this week, Newsweek reported representatives of the UK, Canada, New Zealand and Spain were not on board for cluster bombs.

Biden also chooses to bypass current US law that restricts the use of cluster munitions to only those with a failure to detonate rate of less than one percent. In its last publicly available estimate, the Pentagon [estimated](#) a “dud rate” of 6%, meaning that at least four of the 72 submunitions from each shell failed to explode when unleashed.

With a bow to hawkish Republicans, such as Alabama’s Tom Cotton on the Senate Armed Services Committee, Biden invokes the [exception to the rule](#) embedded in the statute against the use of cluster munitions. This exception allows for shipment of cluster munitions in the interest of vital national security.

Who controls eastern Ukraine’s Donbas region, the Russian army or the Ukrainian army, is hardly a US national security interest on par with mitigating the threat of climate catastrophe or providing clean water to those with lead in their pipes or investing in housing for the unsheltered living under freeway overpasses.

Nonetheless, the same President Biden who a year ago warned of the risk of nuclear Armageddon, has reversed himself yet again to up the ante. Biden first said no, then flip flopped on a host of weapons: Stinger missiles, HIMARS rocket launchers, advanced missile defense systems, M1 Abrams tanks, F-16 fighter jets. Each one of these has been a kind of Russian roulette, testing Putin’s “red lines.”

With Biden’s latest decision to send cluster bombs to Ukraine, anti-nuclear activists wonder if the President—whose Nuclear Posture Review [approves](#) of “first use”—might also cross the nuclear red line, even though it’s Putin who has issued veiled nuclear threats—and Biden and Putin in June of 2021 signed a statement that said, “Nuclear war cannot be won and must never be fought.”

The impetus for the 2008 landmark UN Convention on Cluster Munitions came precisely from the indiscriminate U.S. use of these weapons in Southeast Asia in the 1960s and 1970s. In Laos, the U.S. military blanketed the country with almost [300 million bomblets](#), many that failed to immediately detonate, only to later—after the US withdrew from

Southeast Asia- maim adults and [children](#) who accidentally stepped on the cluster bombs or picked up the shiny balls thinking they were toys.

Both Ukraine and Russia have already used cluster bombs in Ukraine, a development [roundly condemned](#) by human rights groups documenting the resulting deaths and serious injuries of civilians. The hundreds of thousands of rounds that Biden is planning to send would significantly increase the use of these banned weapons.

Biden's appalling decision to send cluster bombs can be seen as a sign of desperation in the face of Ukraine's failing counteroffensive in southern and eastern Ukraine. Biden [told](#) CNN it was a "difficult decision" but Ukraine is "running out of ammunition." The truth is that adding this new indiscriminate weapon will not miraculously break the stalemate to achieve "military victory" but guarantee the unexploded bombs eventually kill and wound Ukrainian civilians for years to come while encouraging other countries to also violate the cluster munitions ban.

In the next week or so, the House may consider Jacobs and Omar's NDAA amendment as Congress tackles a \$920 billion military budget. Now is a critical time for constituents to click on [CODEPINK's action alert](#) requesting House representatives co-sponsor the amendment to ban the export license for cluster munitions. While skeptics may question whether Biden would respect any law limiting his power to wage war, only loud and vigorous opposition can pull the political levers that control our destiny.

Rather than escalating an arms race to risk nuclear war, the Biden administration should promote a ceasefire and negotiations without preconditions. Instead of breaking international law, the U.S. should break the military stalemate by joining the global call for a diplomatic resolution to the conflict.

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Medea Benjamin is cofounder of [CODEPINK for Peace](#), and author of several books, including *Peace in Ukraine: Making Sense of a Senseless Conflict*.

Marcy Winograd serves as the Co-Chair of the [Peace in Ukraine Coalition](#) and Coordinator of [CODEPINK Congress](#).

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