

ICBUW Report

presented to the
Geneva Workshop “Towards a Ban on DU Weapons”
on the occasion of the
*“International Day for Preventing the Exploitation of the Environment
in War and Armed Conflicts”*

1. Introduction

The reason that the International Coalition to Ban Uranium Weapons (ICBUW) has organised this workshop is to mark ‘the International Day for Preventing the Exploitation of the Environment in War and Armed Conflicts’. While the Pentagon and the British Ministry of Defence strongly believe that uranium weapons or ‘depleted’ uranium (DU) weaponry pose no threat to health and the environment, many of their own scientists do not agree with this position. The scientific debate on the impact of DU dust on health and the environment is surrounded with too many doubts to simply say that there is no risk. DU has the toxicity of heavy metals, like nickel and cadmium, and a radiotoxicity which has not been fully understood yet and which cannot be compared with the radiotoxicity of the natural analogues of uranium. Though there is mounting evidence that uranium weapons could cause Gulf War or Balkans War, syndrome-like illnesses, and widespread and long lasting contamination of the environment, still more research has to be done to come up with conclusive statements.

On the legal side of things – given the adverse consequences of military DU use – using DU runs counter to the basic rules and principles contained both in written and in customary International Humanitarian Law.

This relates, among other things, to:

- the prohibition of poisons;
- the rules that forbid the use of weapons with indiscriminate effects, or which cause superfluous injury or unnecessary suffering;
- the prohibition of devastating the environment

Two resolutions of the Sub-Commission to the UN Commission on Human Rights (1996/16 and 1997/36) state that the use of uranium ammunition is not in conformity with existing International and Human Rights Law. And finally, both International Humanitarian Law and Environmental Law are based on the principles of precaution and proportionality which, at the very least, states should adhere to.

Against this background, and in order to demand precautionary measures from the international community, an international network of grassroots organisations, NGOs and other groups founded the International Coalition to Ban Uranium Weapons (ICBUW) in 2003. In May 2004 ICBUW – from now on called: ‘the Coalition’ – decided to choose the date of November 6 as an International Action Day to Ban Uranium Weapons. The decision was taken in view of the fact that on 5 November 2001, the UN General Assembly declared 6 November of each year as the International Day for Preventing the Exploitation of the Environment in War and Armed Conflict

In a related press release the following statement can be found: “Though mankind has always counted its war casualties in terms of dead and wounded soldiers and civilians, destroyed cities and livelihoods, the environment has often remained the unpublicized victim of war. Environmental damage includes polluted air, water and land [...] In many cases, the effects are only reversible in the long term.” Though DU is not named in the press release it has been clear that the use of such a toxic and radioactive material fits very well into the description above.

In a press release from UN Secretary-General Kofi Annan to mark the first observance of this International Day, on 6 November 2002, he stated: “International conventions govern nuclear, chemical and biological weapons, but new technologies – such as depleted uranium ammunition – pose as yet unknown threats to the environment. Damage to the environment in war is also an impediment to the restoration of peace and rebuilding of society. The lesson to be drawn is that modern warfare needs environmental rules, just as earlier wars highlighted the need to regulate the impact of war on civilians and prisoners of war.”

2. Environmental Assessments

During the 2003 Iraq War UNEP, the British Royal Society and other respected scientific bodies called on the international community to carry out a clean up of the DU contaminated sites in Iraq as soon as possible after the war. The impact of DU dust could be much worse than in the aftermath of the 1991 Gulf War, because this time the uranium weapons were used mainly in urban areas. However, the US have not made the DU contaminated sites public. Because of that and the continuing fighting in Iraq, the DU poisoning of citizens, especially in the cities, continues.

Uranium weapons were used in the 1991 Gulf War, the wars in the Balkans and again in the 2003 Iraq War. In November 2000 the first field examinations of UNEP took place on the environmental impact of DU in Kosovo, followed by field examinations in Serbia and Montenegro (2002) and in Bosnia Herzegovina (2003). No field examinations have yet taken place in Iraq, where UNEP has not been granted authorisation to start activities. The Kosovo Report (2001) revealed traces of uranium-236 and other non-natural radioactive elements after analyzing four of the penetrators collected by the UNEP. Therefore the term “depleted uranium” is misleading in that uranium-236, plutonium, americium and other transuranic elements are common contaminants, contrary to industry specifications. This indicated that some of the DU came from reprocessed uranium. If reactor uranium is reprocessed, some of the transuranics may contaminate some of the equipment in the enrichment plant. Consequently uranium that was processed in the plant is contaminated with transuranics, even if the uranium was new uranium received from mines. Although the transuranics are present only in trace quantities, they significantly increase the toxicity and radioactivity of DU munitions. Moreover, in two selected soil samples from Kosovo, Danesi et al found hundreds of thousands of particles in a few milligrams of contaminated soil, indicating that there may be ‘hot-spots’ at different sites hit by DU rounds. Most of the particles examined had a diameter of < 5 microns and 50% of them had a diameter < 1.5 micron, which means that they are highly respirable. The Kosovo study took place at least 15 months after the acts of war, and the other studies were undertaken after even longer intervals. At the same time, the most contaminated sites in Kosovo had been cleaned by KFOR before the field examinations of UNEP took place.

Moreover, many DU contaminated sites could not be explored, because of the presence of landmines, cluster munitions or other explosive remnants of war. Therefore, the UNEP report on Kosovo can not be considered as a representative report on the impact of uranium weapons on the environment. The overall conclusion that there was not a measureable dispersal of DU dust in air, soil and water does not seem to cover the detailed remarks of the scientists and field researchers involved, who go on to mention that at most sites examined "...there is a risk that some DU will become airborne through wind action and be subsequently inhaled by people," or whose concern is reflected in remarks like: "There is also a risk of contamination of food (fruit, vegetables, meat etc.) and drinking water." Quite obviously, the doubts and anxiety of the scientists involved are overridden by political statements, which can only be perceived as minimising the scientific debate on the real risks of DU dust.

In the introduction to the Kosovo report (2001), UNEP Balkans Task Force chairman Pekka Haavisto remarks: "For the safety of the local population and international workers in post-conflict situations it is essential to obtain truthful and correct information regarding the environmental situation and any possible connected health risks." The former Finnish minister of Environment was quite aware of the need to start an early and proper investigation on DU as soon as hostilities ceased in the following war were finished. Unfortunately, his recommendations do not appear to have been followed up.

And finally, DU weapons cause contamination not only on the battlefield, but also during all the processes related to their manufacturing, testing, transport and storage.

3. Health assessments

With regard to this issue some official reports have been published mainly from the US and UK, the only two countries to have used DU weapons. They have all consistently underestimated the risk that DU poses to people's health, based on a limited knowledge of exposure during uranium mining and milling and using the risk assessment methodology proposed by the International Commission of Radiation Protection (ICRP). Many attribute the ill health of the veterans of recent warfare only to psychological stress. In the meantime, many affected civilians and veterans have been left to suffer without assistance.

The World Health Organisation also published a report on DU in 2001. It suggested that the use of DU weapons did constitute a health hazard based on DU's carcinogenic and teratogenic toxicity, and mentioned the necessity of follow-up studies and further research into the health effects of DU weapons. However, the report concluded that the present contamination and exposure level is safe for health because it is within "the limit of the proposed standard."

This is an example of an (under-)estimate based on the risk assessment methodologies of ICRP, which determine that only the risk of "radiation induced fatal cancer" and uranium induced kidney and lung disease be considered. It is a reflection of underestimating the effects of low doses of radiation and the dangers of internal exposure.

Many peer-reviewed scientific papers on the hazardous biological effects of DU exposure have been published. Some stem from United States military institutions that are well aware of the dangers posed by DU. The severe ill-health of veterans has been reported by medical specialists in many peer-reviewed medical journals. We think that one of the important causes for their tragic situation is probably DU exposure on the battlefield. This should in itself be a strong argument for the precautionary principle.

Just one week ago, in a landmark case decision a war pension tribunal in London ruled the Gulf War Syndrome, which includes as one of the causes exposure to depleted uranium, as 'appropriate medical label' to form the basis for pension claims.

4. Immediate action has to be taken

The Coalition demands:

- full disclosure from the governments responsible of all locations where uranium weapons have been used as well as the amounts of uranium involved;
- the release of a list of sites where uranium weapons have been used in Iraq;
- the clean up of all sites contaminated by uranium weapons along with compensation for all affected populations by the international community. The collected spent DU munitions and other contaminated scrap metal and soil have to be stored in strictly controlled facilities forever to prevent their being diffused into the environment

The Coalition calls for:

- a halt to the production, testing, sale, stockpiling, financing, transport and export of these weapons, and a decommissioning of all existing stockpiles;
- immediate medical assessment, treatment and long term monitoring of all those who have been exposed to uranium weaponry;
- financial support from organisations and individuals to provide independent medical and environmental investigations of all affected countries

Finally, the Coalition calls on governments to exclude their troops from alliances with any government that uses uranium munitions.

On the occasion of this UN International Day especially, we strongly request the United Nations to take immediate and concrete action to ban uranium weapons. They should commission health surveys of the victims of uranium weapons, call for the undertaking of environmental surveys in all affected areas, and seek ways to provide medical treatment and compensation for the victims.

5. ICBUW-activities in the past two years

Following a proposal from the Japanese ICBUW-members, an international petition was started in August 2004, online and on paper. Currently there are about 200,000 signatures, mainly from Japan, but also from various other countries in the world. The petition process will continue until a ban on uranium weapons has been achieved. In the meantime, a sample of all the signatures will be handed over on special occasions, such as at the UN Headquarters in New York (presented to the Secretary-General through the Under-Secretary-General for Disarmament Affairs in May), and at the European Parliament last June.

Around the 6 November 2004 national and regional branches of the Coalition organised protests and activities against the continuing use of uranium weapons, which included presenting our demands to the concerned foreign affairs departments concerned; holding vigils for DU weapons victims; forming picket-lines in front of uranium weapon manufacturing plants and organising debates on the (il)legality of the use of uranium weapons.

During the NPT Review Conference in May, in New York, the Japanese section organised a workshop on DU at the UN headquarters. On November 6, 2004, itself, the Netherlands organised an expert debate on uranium weapons at the Asser Institute, The Hague.

In June 2005, the Coalition, together with its General Assembly, held a conference in the European Parliament building in Brussels. In a resolution taken in 2003, the EP had called for a moratorium on uranium weapons. As a follow up to this year's EP event, the Coalition hoped that the issue of depleted uranium weapons would be put on the agenda of different EP committees.

Information about these and other activities, news and documents can be found on the Coalition's website (www.bandepleteduranium.org), which is regularly updated.

In the Gulf Wars of 1991 and 2003, many populated areas of Iraq were contaminated with fine uranium oxide dusts that are readily respirable.

Dr. Jawad Al-Ali, working at the Al Sadr Teaching Hospital in Basra, is in charge of an Iraqi epidemiological study into populations affected by DU. ICBUW is supporting this study, in cooperation with the German branch of the International Physicians for the Prevention of Nuclear War (IPPNW-Germany), other NGOs and specialists in this field.

Alongside this study, 'The Iraqi Children's Tooth Project' will collect milk teeth from Iraqi children living in, or near areas in south or central Iraq that are known to be contaminated with depleted uranium.

Although substantial increases in cancer and birth defects have been reported in Iraq after the 1991 war, there are virtually no data on the extent to which Iraqi civilians have sustained internal contamination from the environmental uranium derived from depleted uranium munitions. Everyone has trace levels of uranium in their bodies, and most of this uranium is stored in bones and teeth. Consequently, the primary teeth or deciduous teeth, that children normally lose between ages 5 and 12 years, represent valuable biologic specimens that can be used to study a child's uranium burden. These teeth will be analyzed for total uranium content as well as the content of four uranium isotopes: ^{238}U , ^{235}U , ^{234}U and ^{236}U . The resulting data will be compared to similar results obtained from teeth collected from children living in areas (northern Iraq and North America) that are not contaminated with depleted uranium.

6. ICBUW's strategy towards the prohibition of uranium weapons

The Coalition's fundamental approach lies in propagating a Draft Convention for a ban on uranium weapons. Here, the network follows the example of the International Campaign to Ban Landmines.

The Draft Convention, which – together with an Executive Summary – can be found on the Coalition's website, contains the 'philosophy', or the ultimate goal, of the movement. We are of the opinion that arriving at a treaty banning DU weapons would constitute the best solution for confirming the existing illegality of DU use. Such a treaty would not only ban the weapons, but would include the prohibition of their production, the destruction of DU stockpiles, decontamination and compensation.

On a realistic note, we are aware that the political implementation of such a treaty process will take much time and effort. For this reason, ICBUW's strategy – in addition to striving for the ultimate goal of a conventional ban – consists of various options and scenarios to be worked upon in parallel. They consist, inter alia, of:

- ‘reactivating’ the UN General Assembly First Committee on the issue;
- presenting and discussing a new Draft protocol to the Conventional Weapons Convention;
- ‘synthesising’ IHL, Human Rights and environmental law arguments, as in the case of the precautionary principle, to form a customary law substance ready for implementation;
- putting DU weapons under the review procedure of Art. 36 Additional Protocol I to the Geneva Conventions (compatibility test of new weapons with IHL);
- striving for the (full) implementation of the EP/EU moratorium on DU weaponry;
- collecting, analysing and disseminating information about all kinds of domestic “anti-DU” activities (cases, laws, parliamentary actions, divestment schemes etc.);
- working on draft model laws and model cases

It should be stressed that the Coalition will carry on these activities in solidarity and support with the DU victims themselves. It has also been emphasized that these processes must be realised with the power and cooperation of people across world. We cannot change the situation, can never force governments to move in other directions or make them give up using these weapons, without giving the anti-DU movement the power of people who are really considering the future of our planet. To this end, the Coalition is calling for the support, cooperation and actions in solidarity from people who are working not only in the anti-DU movement, but also those in peace and anti-war movements “outside”, those protesting against ‘weapons of mass destruction or indiscriminate effect,’ and those belonging to anti-nuclear, environmental protection and human rights movements.

(November, 7, 2005)

(ICBUW Editorial Team)