Welcome

Welcome to the newsletter of the International Coalition to Ban Uranium Weapons (ICBUW). Friendly Fire will be published three times a year and will collate the work of the 15 disarmament organisations from four continents who are working together to implement a global ban on the manufacture, sale and use of uranium weapons. Friendly Fire is compiled in the UK on behalf of ICBUW by the Campaign Against Depleted Uranium. Any submissions or queries about content or policy should be directed to office@cadu.org.uk. For more information on the work of ICBUW visit www.bandepleteduranium.org or contact info@bandepleteduranium.org.

European Parliament Makes Third Call For Moratorium On Uranium Weapons

On the 17th November 2005, the European Parliament issued, for the third time, a call for a moratorium on the use of so-called ‘depleted’ uranium munitions.

The resolution regarding depleted uranium is part of an 11-page document entitled, “Texts adopted by European Parliament, on non-proliferation of weapons of mass destruction; A role for the European Parliament”

The Resolution’s section No. 82 says that the EP: “Reiterates its call for a moratorium - with a view to the introduction of a total ban - on the use of so-called ‘depleted uranium munitions’.

The legal basis for the moratorium was detailed early in the document, which stated that: “All European Union Member States are Parties to the major multilateral agreements that make up the non-proliferation regime, namely the 1968 Nuclear Non-Proliferation Treaty (NPT), the 1972 Biological and Toxin Weapons Convention (BTWC), the 1993 Chemical Weapons Convention (CWC) and the 1996 Comprehensive Test Ban Treaty (CTBT).”

With white phosphorous in the news, November 2005 revealed the extent to which the US and, by association, the UK have seemed content to dismiss the rules of war in Iraq through the use of restricted weapons and tactics.

This vote is a welcome reminder to European member states that depleted uranium weapons remain illegal under a host of international conventions. As weapons of indiscriminate effect they are classified under international law with chemical weapons, fuel air bombs and napalm.

However, for the bill to become law, it must first be voted on by the Council of Ministers. The Council is composed of member states’ foreign ministers and it is likely that the bill will face tough opposition from the UK, France and others.

The UK held the EU presidency at the time and Foreign Minister Jack Straw was contacted by CADU following the vote, three months later he has still not replied. The UK’s reticence in confronting the issue boosts calls for a new treaty specifically outlawing uranium weapons.

Timeline

The latest vote is the third in a series of calls to limit member states’ use of uranium weapons and shows widespread support for a ban amongst MEPs.

In January 2001, the European Parliament called on member states that were also NATO members to place a moratorium on the use of DU weapons in accordance with the precautionary principle.

In February 2003, the EP called on its executive body, the European Council, to support independent and thorough investigations into the possible harmful effects of the use of uranium munitions on military personnel and civilians in areas where it had been used. They called for the results of these investigations to be presented to Parliament.

The 2003 resolution also called for member states to immediately implement a moratorium on the further use of cluster ammunition, depleted uranium ammunition and other uranium warheads, pending the conclusions of a comprehensive study of the requirements of international humanitarian law.
Is Belgium Close To A Ban On Uranium Weapons?
By Willem Van den Panhuysen

There are some interesting and important developments taking place in Belgium, regarding parliamentary initiatives against DU weapons. Here is a short update on the current situation. Dutch or French speakers can find more information, and the complete text of the law proposals with the justification, on the websites: www.senaat.be and www.dekamer.be

On 3rd January 1933 a law was passed in Belgium, which banned the possession and trade in certain types of weapons. This law still exists, and when the Belgian parliament believes that a new type of weapon system should be banned, this is added to the list of weapons contained in the 1933 law. Currently, the law bans various weapons including anti-personnel mines, booby trap mines, daggers, and certain kinds of guns.

On 10th June 2005, before the International Coalition to Ban Uranium gathered together in the European Parliament in Brussels, Belgian Senators Sabine de Bethune and Erika Thijs - both CD&V, Dutch speaking Christian Democrats - drafted a bill (3-1261/1) that would amend the law of 1933 to include cluster munitions, anti-handling mechanisms and "projectiles that contain depleted uranium".

Because the authors limit the definition of uranium weapons to "DU projectiles" only, the Belgian Coalition Stop Uranium Weapons submitted an amendment to all members of the Senate Commission on Foreign Affairs and National Defense. On the 24th October 2005 Senator Lionel Vandenberghe - SPIRIT, Dutch speaking progressive liberals - fully adopted this amendment (3-1261/2) and the justification made by the Coalition that aims to also include DU in armour, landmines and other weapons containing compounds of industrially manufactured uranium. These last cited documents should be discussed after a promised Hearing in the Belgian Senate.

In the House of Representatives, on 28th October 2005 Joseph Arens – CDH, French speaking humanist democrats – introduced a law proposal (doc 53 2053/001) that seeks to ban cluster munitions and munitions that contain DU. In the Belgian Senate, proposals to amend the 1933 law are easily adopted. This is not the case in the Belgian House of Representatives because of less political support for a global ban on controversial weapons.

On 25th January 2006, Joseph Arens’ proposal was disconnected from that of Senator Philippe Mahoux, which covered a ban on cluster munitions. This move was made to ease the decision making process on cluster munitions. The bill was approved on Feb 1st.

Although we support the idea of organising a hearing in the Senate about uranium weapons, we feel that a law proposal that only includes uranium weapons might have more chance of success. Handicap International, an organisation campaigning for a ban on cluster munitions, agrees with this approach.

After sending out our Uraniumwapens dossier to each member of the House Commission on National Defense we were pleasantly surprised that, on 11th January 2006, another proposal was submitted to the House of Representatives by Dirk Van der Maelen – SPA, Dutch speaking social democrats - which deals exclusively with the issue of uranium weapons. The SPA is part of the federal government.

The term used in this bill is “Weapons and munitions that contain depleted uranium or other industrially manufactured uranium”. This is exactly the same definition as proposed by the Belgian Coalition Stop Uranium Weapons. It is also clear from the explanation of the law proposal that it is intended to cover other uses of DU such as tank armour, and not just DU ammunition.

The Belgian Coalition is currently seeking the support of NGOs and parliamentarians for Dirk Van der Maelen’s bill. It is not clear which way the parties will vote, although it is likely that the Dutch speaking progressive liberals (SPIRIT) social democrats (SPA) and the French speaking democratic humanists (CDH) and social democrats (PS) will support the ban on uranium weapons. The PS may be divided on this issue as Defence Minister Flahaut (a member of this party) has stated that Belgium has no reason to ban these weapons, and some other members of the party may follow his lead. The Dutch and French speaking Green parties (Groen! and Ecolo) will also support the ban.

In the past, the Dutch speaking liberals have stated that a world without uranium weapons is a “praiseworthy goal”, although they have not committed to putting that into practice.
On a national level 2005 saw the re-introduction of two bills on depleted uranium in the U.S. House of Representatives. The first bill, H.R. 2410, The Depleted Uranium Munitions Study Act, calls for studies of the health effects of depleted uranium munitions, as well as the clean-up and remediation of manufacturing and testing sites that have been contaminated by DU.

Introduced by Congressman Jim McDermott, a Democrat from the state of Washington, the bill currently has 37 co-sponsors. Seven of the co-sponsors are from Massachusetts. The bill is in the House, Energy and Commerce Committees, but actually in the Subcommittee on Environment and Hazardous Materials. It is also in the House Armed Services Committee (Subcommittee on Military Personnel). To have any chance of success, it needs at least 50 co-sponsors.

The other piece of legislation in the U.S. Congress is H.R. 202, The Depleted Uranium Screening and Testing Act of 2005. H.R. 202 would require identification of members of the Armed Forces who have been exposed to depleted uranium during military service and would also require testing for depleted uranium exposure of military personnel who have been identified as having come into contact with depleted uranium.

In June the Commissioners of the Nuclear Regulatory Commission voted 5-0 to reject a proposal to deregulate low-level radioactive waste. Deregulation would have permitted storage of radioactive waste in landfills, garbage dumps and recycling streams.

On the state level Connecticut and Louisiana passed bills giving returning National Guardsmen and women the right to ‘best practice’ testing for depleted uranium exposure. A problem with both bills is that there is no provision for paying for the testing. Payment for testing is left to the federal government. However, some 20 other states are interested in passing similar legislation among which are Massachusetts, New York and Wisconsin. All three states are currently working on the passage of legislation.

On the legal side, Alliant Techsystems, a manufacturer of depleted uranium munitions as well as other indiscriminate weapons, won an unfortunate legal victory against peace activists from Nukewatch. The background to this is as follows:

Due to a change in the law, worked out by Alliant Techsystems in conjunction with the city of Edina and Edina city lawyers, in December, 12 activists were brought before a judge, found guilty of trespass and required to pay a fine or do community service through the probation department.

Activists had won in three consecutive jury trials, having been acquitted or found not guilty. Their defence of the charge of trespass, for protesting outside Alliant Tech, had rested on Alliant Tech's manufacture of DU and other indiscriminate weapons, which they pointed out, is prohibited by international treaties and international laws.

Alliant Tech and the city lawyers of Edina created a new ordinance that was added on to local law. The ordinance prohibits protesters from having the right to testify before a jury of their peers. The ordinance does not require a jail sentence, which gave cases of trespass the right to a jury trial. Members of the Edina City Council adopted the new ordinance without soliciting community input.

The 12 activists who appeared before a judge new to the bench in December, were found guilty because the judge said she “was bound by the law and how the law had been interpreted by previous rulings”. This was a set-back for the cause of declaring DU and other munitions produced by Alliant Techsystems to be indiscriminate weapons.
A total of 70 activists including members of NukeWatch (an ICBUW member), AlliantACTION and the DU Phil Berrigan group have been arrested for trespass against Alliant Tech since July 2004.

Another court case, which was filed in the latter part of 2005, was brought by eight New York State National Guardsmen, all of whom have been ill and all of whom are Iraq War veterans. An additional plaintiff was infant Victoria Matthew, daughter of Gerard and Janise Matthew, who was born with a birth defect. The plaintiffs filed their suit against the United States of America Department of the Army. All eight of the National Guardsmen were exposed to DU dust during their military service and all eight state that they tested positive for DU contamination.

Their lawsuit is wide-ranging and the document states, among other issues, that the U.S. Army was negligent in not warning the plaintiffs about the dangers of DU before arrival in Iraq. It also claims that ‘the geographic areas of exposure’ (in most cases Samawah, Iraq, where they were stationed near a battlefield), were known or ‘should have been known’ by the Army to be contaminated with DU before the plaintiffs were exposed. Also, that the Army did not adhere to its own rules and regulations with respect to DU exposure and that Army medical personnel did not ‘inform plaintiffs of the true nature and aetiology of their condition, symptoms and injuries’.

Grassroots Actions For Peace now has a new website: www.grassrootsconcord.org.

Gerard Matthew
Visits Japan
By Nobuo Kazashi

As a joint-project for the 2005 International Day of Action Against Depleted Uranium, ICBUW-Japan invited Mr. Gerard Matthew, a US Iraq War veteran, with his wife, Janise, to Japan last November. They arrived in Japan on November 2nd, and during their one-week stay in Japan they gave moving reports about the DU damage that their family has been suffering from. In doing so, they left indelible impressions in peoples’ minds at the meetings held in Hiroshima, Nagasaki, Osaka, and Tokyo.

Gerard Matthew’s health began deteriorating soon after he went to Iraq as a member of a transportation unit in April 2003. His daughter, Victoria, who was conceived later, was born with three fingers missing on her right hand. Matthew tested positive for DU, and, together with eight other veterans with similar health problems, is now suing the US ministry of the Army for US$5 million compensation each.

The invitation of the Matthews to Japan became possible thanks to the generous support from some 30 groups and about 100 individuals concerned about the DU problem.

The media covered their visit quite widely. For a report about the press conference they held at the Foreign Correspondents’ Club Japan in Tokyo, please refer to ‘DU Vet Gerard Matthew: My Days Are Numbered’ by Eric Prideaux, Japan Time 20th Nov 2005:
ICBUW Meets The Cluster Munitions Coalition
By Willem Van den Panhuysen

In January, ICBUW representatives met with Stan Brabant at Handicap International’s HQ in Brussels, in an effort to learn from their successful campaigns against landmines and cluster munitions.

Handicap International is an international NGO that works in three fields: the rights of disabled people, landmines and the yearly publication of the Landmine Monitor report. Handicap International works in 60 countries and the organisation gathers data from the fieldworkers in each country. Together with statistics, this information generates campaigns to ban specific weapon categories. Currently, Handicap International does not work on disabilities caused by depleted uranium, the focus is on landmines and cluster munitions. However, Stan Brabant said that in the future there may be opportunities to cover DU weapons and joint presentations on the consequences of the Iraq war may be possible. We also discussed the idea of presenting the DU topic at the next annual meeting of the Cluster Munitions Coalition.

No General Assembly

Formed in The Hague in November 2003, the Cluster Munitions Coalition is made up of 151 member organisations. It works on an international level with a steering committee consisting of 10 NGOs (Landmine Action UK, Amnesty International UK, Human Rights Watch, DanChurchAid, Pax Christi and Handicap International). The Committee was self-elected and is running the whole campaign. Every six months one of the members of the steering committee coordinates the campaign. A subcommittee of the steering committee has elected the current coordinator, Thomas Nash.

There are many policy differences among the member organisations. For example Handicap International wants a ban, but Human Right Watch strives after a moratorium on cluster munitions. Nevertheless they all share the goal to minimize the use of cluster munitions as much as possible. Everything is focused on this goal.

Although the CMC has a code of conduct that governs how the Coalition functions, Stan said: “The power is in the hands of the ones that do the work.” He emphasised the importance of getting the support of charismatic people (e.g. Princess Diana for the Landmine campaign) to raise media awareness. "You have to ask for the maximum and to look what can be achieved", he said. The campaign maintains connections with domestic groups and with networks. Depending on the target groups or fields of work, they look within the partner NGOs for people to take up the tasks.

No Draft Convention

Because of the clearer legal position of cluster munitions, they have neither a Draft Convention nor legal experts, focusing instead on existing laws and conventions. They have effective lobby campaigns on many levels with draft legislation in twelve countries. The UN first committee can be activated later.

No Membership Fees

The revenues of Handicap International come from members and private donors, not from governments. Membership fees are not collected. Organisations can contribute by setting up websites or doing research.
Australian anti-nuclear campaigners and green groups are fighting to stop the country’s biggest uranium and copper mine from destroying a unique desert ecosystem.

The Olympic Dam/Roxby Downs mine’s statistics are truly staggering. In one year it creates 10m tonnes of radioactive tailings, accounts for 8% of South Australia’s carbon dioxide emissions and uses 30m litres of water a day.

Its huge appetite for water has brought it into conflict with environmentalists and anti-nuclear groups. The source of the huge volumes of water that the mine uses is the Great Artesian Basin, a vast and ancient store of groundwater that lies underneath most of central Australia.

The basin supports unique wetland oases called Mound Springs where groundwater flows to the surface. The springs are home to dozens of species of plants and invertebrates found nowhere else on Earth and they are of profound cultural significance to the Arabunna Aboriginal people of the region.

BHP Billiton, the firm behind the mine, has just submitted an application to boost their groundwater abstraction to 120m litres a day for the next 70 years. They will pay for none of this, in spite of the fact that it is already the largest single-site user of underground water in the Southern Hemisphere.

Such is the size of the mine that BHP enjoys completely unjustifiable legal privileges. These include the Roxby Indenture Act, which overrides the South Australian Environmental Protection Act, the Water Resources Act, the Aboriginal Heritage Act and even provides exemptions from the Freedom of Information Act.

Uranium from the Roxby Mine is soon to be sold to countries outside of the remit of the Non Proliferation Treaty such as China, and as yet, the mine has no long-term plans in place to deal with the 60m tonnes of radioactive and chemically toxic tailings the it has produced. It is boom time for uranium mining ‘Down Under’ - as countries re-examine nuclear power programmes, the price of uranium ore has rocketed.

BHP is the largest mining company in the world and recorded profits of AU$8bn last August. However, in the last month, it has been implicated in the UN Oil for Food scandal after it emerged that UN contracts were inflated by $8m to recover a debt Saddam Hussein’s regime owed the London-listed group. The head of the inquiry, Terence Cole QC, said evidence suggested that BHP might have breached UN sanctions when it provided $5m worth of wheat on credit to Iraq in the mid-90s.

The uranium enrichment multinational Urenco has come under fire from green groups for exporting thousands of tonnes of depleted uranium to Russia, in spite of their appalling safety record and the fact that it is technically illegal.

Urenco, whose plant at Capenhurst in Cheshire enriches uranium for use in the UK’s power plants has exported more than 75,000 tonnes of DU to Russia since 1996.

Urenco is not alone in this practice - Greenpeace has also accused Cogema/Areva and Eurodif/Areva de Pierrelatte of involvement.

The importation of nuclear waste into Russia for the purposes of storage is illegal, but Urenco and other European uranium enrichment and reprocessing firms bypass this by arranging the return of some reprocessed material. However, around 98% of the waste has not been returned and is now being stored at four sites across Russia.

Greenpeace allege that the containers used to transport the uranium waste do not meet current International Atomic Energy Agency (IAEA) standards and pose a serious risk during the thousands of kilometres journey to the Russian dumpsites, where they are illegally dumped.

Once there, the containers, each of which contains up to 10 tonnes of DU, are left in the open air to slowly corrode. Most of the waste is in the form of hexafluoride crystals, which react violently with water and can lead to the dispersal of toxic gases such as hydrogen fluoride in the event of a leak.

In Russia, Greenpeace has filed a case in the Moscow district court against the Russian government nuclear export company, Tecksnabexport. According to paragraph 3 of article 48 of the federal law of 2001 ‘On Environmental Protection’, the importation of nuclear waste and foreign nuclear materials to the Russian Federation for the purpose of its storage or disposal is prohibited.

“The nuclear industry is opting for the cheapest, dirtiest and most dangerous option – dumping in Russia,” said Vladimir Tchuprov of Greenpeace Russia in Le Havre. “Russia already has a nuclear waste crisis, and yet EDF, EoN, and all other European nuclear utilities are making the situation worse. Disposal and even storage of foreign nuclear waste in Russia is illegal,” said Tchuprov.

The waste is sent to Sverdlovsk-44, Angarsk, Krasnoyarsk-45 and Tomsk-7, one of the most radioactive sites on Earth and a centre for plutonium production.
Depleted uranium ammunition has been carried through Ireland’s Shannon Airport on board US military cargo planes on the way to Iraq, according to a former US soldier. Ireland remains an ostensibly neutral country and has restrictions on what military aircraft can carry when refuelling at its airports.

Jim Massey, a former marine platoon sergeant in the US army, said he had used the controversial ammunition while on duty in Iraq.

“I know for a fact that ammunition has been brought through Shannon airport,” he told the Daily Ireland newspaper this week.

Mr Massey was in Ireland speaking at a series of anti-war meetings. If true, Mr Massey’s claims will be shocking for the Irish government, which has said that US military aircraft would not be given permission to land at Shannon Airport, if they were carrying depleted uranium ammunition.

A spokesperson for the Department of Foreign Affairs said that they had contacted the US Embassy about Mr Massey’s allegations: “Mr Massey’s claim is not supported by the government’s records on the transit of munitions of war.”

“The permission of the Minister for Transport, in the case of civilian aircraft, and the Minister for Foreign Affairs, in the case of foreign military aircraft, is required to transport munitions of war through Irish territory.

“The records of both departments show that, contrary to Mr Massey’s claim, there were no applications for the transport of depleted uranium munitions throughout the period of the Iraq war. The US Embassy has been contacted in relation to this matter and has confirmed that its records support this.”

Mr Massey is a founding member of Iraq Veterans against the War. He was a platoon sergeant in the 7th Marines during the 2003 invasion of Iraq. The newspaper Daily Ireland obtained a written answer from the former Minister for Foreign Affairs and current Minister for Finance Brian Cowen, given to a question on the issue of depleted uranium raised in 2004 in the Dáil – the Irish Parliament.

“Under the terms of the Air Navigation (Foreign Military Aircraft) Order 1952, foreign military aircraft are normally granted permission by the Minister for Foreign Affairs to land at Shannon Airport on condition that the aircraft meet the policy stipulations that it is unarmed and not carrying arms, ammunition or explosives. This would preclude the carrying of depleted uranium munitions,” said Mr Cowen.

Meanwhile, the Irish Minister for Defence, Willie O’Dea said that he is calling on the Minister for Foreign Affairs, Dermot Aherne, to discuss this issue in more detail at a cabinet meeting.

“I believe this issue will be discussed in the Cabinet in the not too distant future. But it really is an issue for the Department of Foreign Affairs. Condeleeza Rice has assured us that this is not going on, but that pertained to the issue of terror suspects being transported though Shannon. The issue of transporting depleted uranium ammunition is a whole new allegation and needs to be investigated in more detail,” he said.

He agreed that people do have a right to be fearful however if these claims are true.

Minister O’Dea also recently indicated that there may be a case now for allowing inspections of US aircraft using Shannon airport.

Tim Hourigan, a local anti-war activist who monitors US military use of Shannon told the Daily Ireland newspaper that: “Shannon Airport, is a major hub for CIA torture jets, US military personnel and cargo”.

He also said that the troops through Shannon are constantly increasing, with an estimated 300,000 US troops passing through Shannon airport in 2005.

“Although the troops represent only six per cent of passenger figures, 95 per cent of the security costs are from the military flights, many of which are subsidised by the Irish government. They have their own gate at the airport - Gate 42- which is reserved for the military, and it has had special fences and guard cabins erected, and regularly has armed gardai stationed there, as well as a recently installed hi-tech ‘invisible motion barrier,” said Mr Hourigan.
In October 2005 anti-DU activists met at the IPPNW office in Germany to discuss the possibility of increased co-operation and co-ordination among German organisations and individuals devoted to the abolition of uranium weapons.

At the moment, the German military has a commitment not to use DU weapons. However, as part of NATO, German troops have been present in locations where DU has been used by NATO allies. Because of this, it is possible that German soldiers may have been affected and there are certainly rumours suggesting that this is indeed the case. But more research and analysis is needed if we are to substantiate this.

Meanwhile, the Association of German Military Forces (Bundeswehrverband) promised to help in collecting evidence. There were also rumours that one of the most famous hospitals in Germany had planned a study into DU but was then stopped from proceeding with it.

In Germany, people and organisations working against uranium weapons share the view that there is a desperate need for more independent scientific research. Against this background, full support is given to the planned Iraqi epidemiology study. That support will include a series of summer schools to train physicians from the region. Responsibility for the project’s staffing and finance lies with IPPNW Germany, with the principal coordinator being Dr. Hoffmann from Greifswald University.

Participants reflected on the overall perception of the DU topic in Germany at the moment. There was agreement that after a peak of media and public debate connected with Kosovo some years ago, interest has been diminishing but, nevertheless, is still there. Thus, German environmental and other organisations might show some interest in the issue with its peace and anti-war dimensions but they also lack the necessary resources to delve further. Moreover, the DU subject is still - maybe more than ever - perceived as highly politically sensitive, if not ‘anti-American’. However, some potential lies with organisations such as WILPF who are looking for new campaign topics.

It was decided that we should try and build on the DU-related alliances already in place, such as those between IPPNW, IALANA and GAAA (Non-violent Action to Abolish Nuclear Weapons) with a view to establishing a network based on that of the Belgium Coalition. We would begin the process with a workshop either in Hannover or in Berlin. Its aim would be to brief participants on the current situation in Germany, and map out a strategy for a coalition. As a first step, we agreed to share out responsibilities between participants and to contact other organisations such as IALANA, the German Peace Network, ORL, politicians and the media.

The remainder of the meeting was devoted to the possibility of co-operation with the German Cluster Munitions Campaign. Friends from their campaign joined us for this part of the meeting.

It soon became evident - and this has been confirmed at later meetings - that creating a formal political and lobbying link between the two topics might be difficult, and even counter-productive. However, this should not exclude co-operation and co-ordination on an informal level. This might include discussion on common topics such as the protection of civilian populations and the environment, and also the problems of environmental remediation from a remnants-of-war perspective.

Finally, thought was given to possible joint activities such as shared press conferences, meetings with politicians and parliamentarians and lunch seminars. We would also aim to encourage the exchange of information regarding changes in legislation and planning pressure campaigns like divestment.

Since the initial meeting, we have had a very stimulating and promising meeting with the head and staff of the German Bundeswehrverband (Soldier’s Association). The Bundeswehrverband expressed strong support for ICBUW’s aims as they have a keen interest in protecting German soldiers from the effects of DU exposure.

This experience, together with the substance of the meeting and of its follow-up, have given us all fresh impetus in pursuing the goal of a German Coalition.