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SIPDIS

SENSITIVE
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E.O. 12958: DECL: 03/21/2012
TAGS: PARM, MARR, PREL, BE
SUBJECT: BELGIANS SET TO PASS BILL BARRING USE OF DEPLETED
MUNITIONS BY BELGIAN FORCES

Classified By: Political Counselor Theodore H Andrews, Reason
1.4 (B)

1. (SBU) Summary: In a move designed to placate the vocal pacifist lobby, Belgium's House of Representatives is poised on March 22, 2007 to pass legislation barring Belgium's armed forces from using depleted uranium munitions. A compromise forged by mingling proposals tabled by the Flemish Socialists, the French-speaking Greens, and the French-speaking Christian Democrats, the proposed law would not come into effect until two years after publication of the implementing regulations. We believe we have succeeded in protecting U.S. interests -- the law will not prevent Belgian troops from participating, planning, or assisting operations (e.g. with transportation) in which other troops are using depleted uranium weapons. End Summary

2. (U) Belgian parliamentary leaders have confirmed press reports that the lower house is likely to pass legislation on March 22, 2007 that would make it illegal for Belgian troops to use munitions employing depleted uranium. The vote should be uneventful. It follows the unanimous passage of the draft measure by the parliament's defense committee and the active sponsorship of the proposal by the governing coalition's parliamentary floor leader, Dirk Van Der Maelen, a Flemish Socialist.

3. (C) In response to urgent queries by the embassy, both Van Der Maelen and Defense Committee Chairman Stef Goris have admitted that the measure is nothing more than a gesture. They also have insisted that it serves a useful electoral purpose for the socialists and liberals who make up the coalition, not least by taking the steam out of a parallel movement to enact more burdensome restrictions on the use of cluster munitions. In addition, the bill lets the Flemish

socialists play to the pacifist movement, a significant element of their base, while permitting the Liberals to burnish their image in the same community.

4. (SBU) Also in response to questions about the potential for harm to the interests of the U.S. or other allies who use depleted uranium, our contacts have pointed to several points. Noting our concerns about restrictions on the transit of U.S. material, the bill makes "absolutely no mention" of the issue. The accompanying committee report of the bill notes explicitly that Belgian forces can freely participate, plan, and assist operations with troops using depleted uranium. The bill itself includes language indicating it applies exclusively to depleted uranium munitions and to no other type of material.

5. (SBU) Comment: We are willing to accept assurances that this proposed bill will do as little as its sponsors seem to think. In the absence of large-scale press attention (such as occurred with regard to the cluster munitions bill), it appears likely that the current proposal will secure passage and then get placed on the shelf. We will remain vigilant nonetheless. New elections occur on June 10 that could bring an even more favorable majority to power. End comment.

Imbrie

;"2007-03-23 06:02";"PARM (Arms Controls and Disarmament)

MARR (Military and Defense Arrangements)

PREL (External Political Relations)

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SIPDIS

STATE FOR EUR/WE, EUR/RPM AND ISN

E.O. 12958: DECL: 10/23/2018
TAGS: PARM, MNUC, UNGA, PREL, BE
SUBJECT: BELGIUM LIKELY TO VOTE YES ON DE-ALERTING, ABSTAIN
ON DEPLETED URANIUM IN UN FIRST COMMITTEE

REF: A. STATE 111744
B. STATE 107247

Classified By: Political Economic Counselor Richard Eason, reason 1.4(b)
) and (d)

1. (C) Summary: Belgium intends to vote yes on the UN First Committee resolution on de-alerting after abstaining in 2007. It will not co-sponsor the resolution, but it does want to increase pressure on nuclear weapons states to disarm. It would like to see more attention paid to targeting of nuclear weapons as well. The GOB will continue to abstain from the depleted uranium (DU) resolution. That position may change to support of the resolution if scientific study cannot produce sufficient evidence of safety before a 2007 Belgian law banning DU weapons takes effect in 2009. End Comment.

DE-ALERTING

2. (C) On October 23 Poloff discussed Belgium's position on potential resolutions in the UNGA First Committee with Werner Bauwens, Director of the MFA Office of Non-Proliferation and Export Controls. Bauwens said that Belgium is likely to vote yes on the de-alerting resolution. Bauwens was aware of U.S. opposition to the resolution and of discussion of the issue in the NATO Council. However, Bauwens said, the significance of the First Committee and disarmament exceeds the NATO Council's mandate. Since last year, he said, the tide of public debate has been turning in favor of renewed efforts for greater disarmament. He sees a potential for additional, actual de-alerting in the future and expects there will be a lot of diplomatic action around the issue. As a result, he said, the de-alerting resolution is "a useful signal with which Belgium would want to be associated." It may facilitate progress at the next NPT conference and put pressure on nuclear weapon states to further disarmament, he said.

3. (C) Bauwens continued that there is still language in the resolution with which the Belgians are not satisfied. He does not want the discussions in the First Committee to "get emotional", either. Bauwens recognized that NATO has already significantly de-alerted its tactical nuclear arsenal and decreased its stockpile of weapons. When talking about de-alerting, UN members must not forget that de-targeting is important as well, he said. Russia in particular can be criticized about its ambiguous position on targeting, as some Russian officials have made rash statements linked to missile defense in the Czech Republic and Poland. On the other hand, he said, Russian MFA and MOD officials had disavowed such intentions when the EU protested, which he considered a responsible action. Bauwens said that the Belgians will not co-sponsor the de-alerting resolution, as such vigorous support of the resolution would not be consistent with Belgium's status as a NATO ally.

DEPLETED URANIUM

4. (C) Bauwens noted that the Belgian Parliament passed a law in 2007 banning DU weapons from its territory. However, he said, the government has succeeded in delaying implementation of the law until 2009 to allow time for more study of the health risks of the substance. He said IAEA and WHO reports have been submitted to the Secretary General which do not show clear evidence of a danger to public health, in his opinion. Because of the 2007 law, Belgium would like to see evidence that will establish the risks one way or the other. Since the First Committee resolution calls for such research, as it did last year, Belgium will stick to its abstention despite accusations by domestic politicians that abstention is inconsistent with the 2007 law. Bauwens hopes that future reports to the Secretary General and other international organizations will establish an absence of health risks, so that implementation of the 2007 law can be headed off and Belgium can continue at least to abstain from future UN resolutions on the issue.

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";"2008-10-24 16:05";"PARM (Arms Controls and Disarmament)
MNUC (Military Nuclear Applications)
UNGA
PREL (External Political Relations)
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SIPDIS

STATE FOR EUR/WE, L, PM, EUR/RPM AND ISN

E.O. 12958: DECL: 01/12/2019
TAGS: PREL, PGOV, MARR, MOPS, MNUC, BE
SUBJECT: BELGIAN LAW BANNING DEPLETED URANIUM TO TAKE
EFFECT IN JUNE 2009

REF: A. 07 BRUSSELS 949
B. STATE 107247
C. STATE 111744
D. BRUSSELS 1649

Classified By: Political-Economic Counselor Richard Eason, reason 1.4(b)
) and (d).

1. (U) This is an action request, see para 8.

2. (C) Summary: A law passed in 2007 banning depleted uranium (DU) munitions and armor-plating will come into effect in June 2009. Post requests that the Department (PM, IO, EUR, ISN, L and other interested bureaus) consider whether the law could have an effect on transit or storage of munitions or equipment with DU content by the U.S. or NATO in Belgium. Post believes that in the future, the law could influence Belgium's stance on depleted uranium in multilateral fora and wider public opinion on the issue in the world. Post is ready to work with the Department to craft a strategy to deal with the issue. End Summary.

3. (C) Belgium has been the center of a strong pacifist movement since much of the country was devastated by World War I. One result of this social and political trend has been a series of laws that have outlawed the production, storage and transport of certain weapons, including poison gas, antipersonnel mines, and cluster munitions. The latest in this series of laws is a law that prohibits inert munitions and armor-plating that contain depleted uranium or any other type of industrial uranium. The law was passed in May 2007 (ref A). Because of concerns by the Belgian government then in power about the uncertain state of the scientific facts regarding the dangers associated with depleted uranium, the law was written so as to come into force two years from date of publication, in this case June 20, 2009. As such, the law will come into effect on June

20, 2009 unless action to reverse is taken by the Belgian government and Parliament.

4. (C) The 2007 law amends the general law on individual and economic activities with arms (published June 9, 2006) to state that depleted uranium weapons are prohibited along with a list of other weapons. While Article 27 of the 2006 general law exempts the state from most of the law's prohibitions, it specifically prohibits "the use, storage, acquisition, and delivery by the state or public administration" of anti-personnel mines, cluster munitions and as of June 2009, depleted uranium munitions and armor. The law also gives the Belgian state three years from June 20, 2007 to destroy its existing stock of depleted uranium weapons and armor.

5. (C) The 2007 law deserves attention for two reasons. One potential concern is for transit and storage by the United States and other NATO members of depleted uranium weapons on and through Belgian territory. The port of Antwerp has been an important trans-shipment point for materiel for operations Iraqi Freedom, Enduring Freedom and ISAF. The other is the implications of the law for Belgium's position on depleted uranium issues in international fora. On the first point, we have been assured by Werner Bauwens, Director of the Non-Proliferation and Export Controls Office of the Ministry of Foreign Affairs, that the law will not impact transit or storage of such weapons by the United States and NATO. He states that as a civil law jurisdiction, Belgium's treaty obligations to the United States and NATO take precedence over its domestic law. We also note that as a matter of fact, similar Belgian laws prohibiting anti-personnel mines and cluster munitions have not had an impact on U.S. or NATO operations.

6. (C) Bauwens himself is not pleased by the law on depleted uranium munitions, because he believes the scientific evidence on depleted uranium is still not clear on the safety of the material. He said that later this year there will be a discussion within the Belgian government about whether to challenge the coming into force of the 2007 law. Should the law come into force, it will be difficult for the GOB to continue to abstain on UNGA First Committee resolutions on depleted uranium, such as the one that was the subject of refs B and C. Bauwens said that he came under significant pressure from ecological groups at the time of this year's first committee resolution, but resisted because the 2007 law still had not come into force. The Belgian law would provide a focal point and argument for groups that oppose depleted uranium munitions, and not only in Belgium.

7. (C) So far as we can tell, the law on depleted uranium

passed the Belgian House of Representatives unanimously in 2007, and reversing it may be difficult. However, it may not be impossible that an amendment further delaying the implementation of the law might pass with strong enough support from the government. Meanwhile, post would appreciate having a compendium of the research on the subject that supports the U.S. position on depleted uranium for use

with Belgian officials and as appropriate, the media. At the same time, Bauwens has warned us that too much interference in the legislative process by the United States would be counterproductive, so any public diplomacy effort would have to be thoroughly discussed and undertaken with a light touch.

8. (C) Action request: Post requests that the Department consider the potential impact of the depleted uranium law on transit and storage of DU materials by the U.S. and NATO, as well as whether the law adversely impacts USG positions on DU in international fora and in public opinion. Post needs information on the state of the scientific debate over DU as well. We stand ready to work with the Department to craft an appropriate strategy on this issue.

BUSH

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";"2009-01-28 16:59";"PREL (External Political Relations)
PGOV (Internal Governmental Affairs)
MARR (Military and Defense Arrangements)
MOPS (Military Operations)
MNUC (Military Nuclear Applications)
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