
Depleted Uranium Weapons

INTERNATIONAL COALITION TO BAN URANIUM WEAPONS (ICBUW)

Background

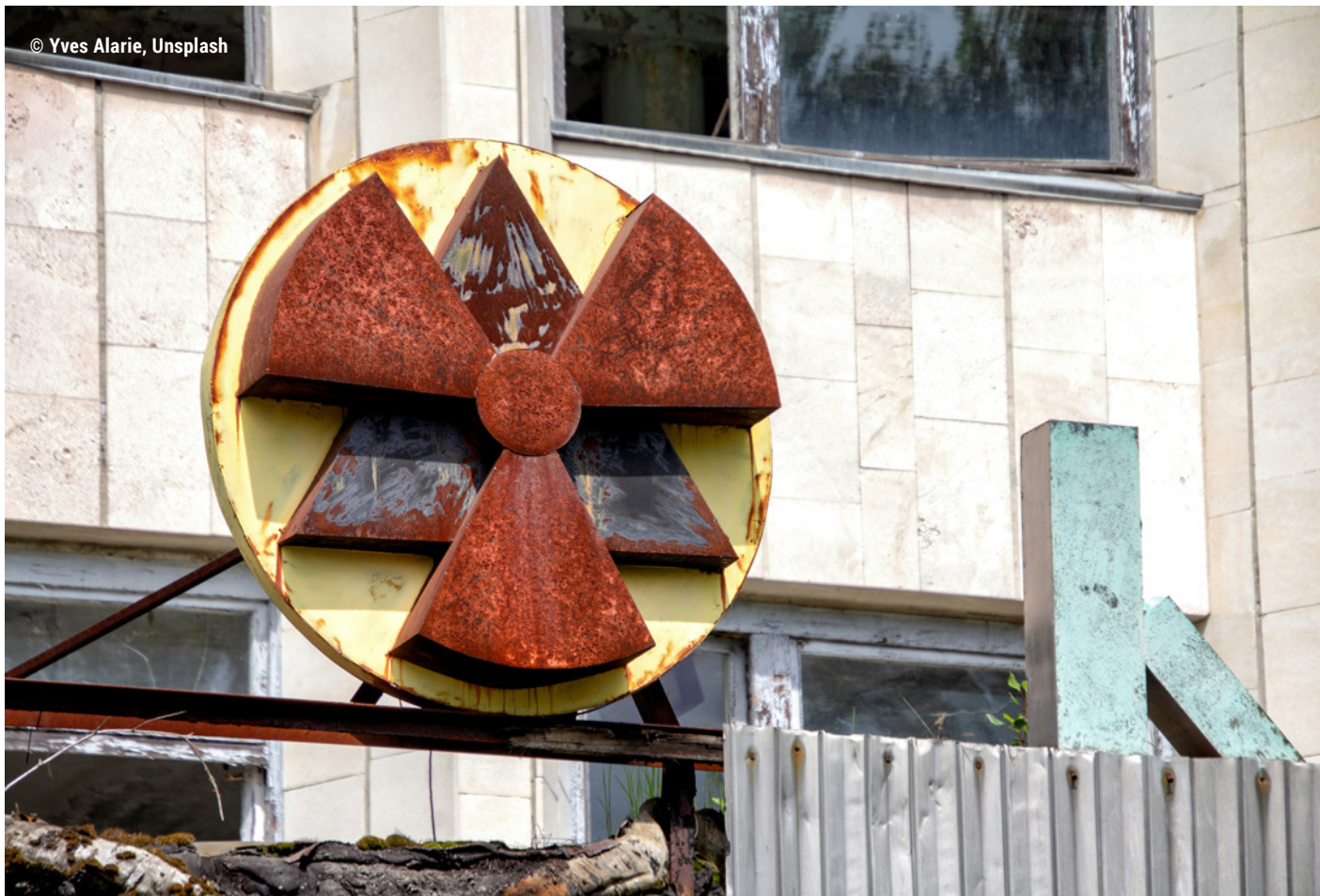
Depleted uranium (DU) is a by-product of the uranium enrichment process. It is used by a number of states in armour-piercing-incendiary ammunition fired by tanks, armoured fighting vehicles, and aircraft. The first major use of DU weapons was in the 1991 Gulf War, followed by the Balkans and other war areas. Radioactive and chemically toxic, DU use creates hotspots of persistent contamination of soil and groundwater that present a hazard to communities long after conflict ends. DU may form part of complex pictures such as the Gulf War or the Balkan syndromes. ICBUW has compiled and published a **collection of scientific articles** reflecting on the effects of DU and the assessment of associated risks.

The refusal by some states to acknowledge the civilian health risks from DU contrasts starkly with the protective measures provided to their military personnel, as well as their own domestic standards for radioactive waste management. The investigation of possible, or alleged DU use (e.g. in the **Gaza context**) should be linked to both the military or combat scenario (e.g. tank battles) and to the weapon systems operating in the area. ICBUW has updated a detailed file on "**Depleted Uranium Weapons and Platforms Worldwide**" that

outlines the various types of depleted uranium weapons and the platforms that can deploy them.

Though there is not yet a legally binding treaty prohibiting the possession, development, production, or transfer of DU weapons (as proposed in terms of ICBUW's **Draft Convention**), their use can arguably already be regarded as illegal under existing international law by applying, inter alia, the following arguments or standards:

- The principle of distinction (between civilians and combatants) and environmental protection obligations under international humanitarian law (IHL);
- The human right to a healthy environment as well as the protection against toxic substances under human rights and environmental law (EL); and
- The precautionary principle under IHL and EL, according to which scientific uncertainties do not relieve states from taking precautionary measures against environmental risks.



© Yves Alarie, Unsplash

Current Context

In 2022, the United Nations General Assembly adopted a **resolution** on “Effects of the use of armaments and ammunition containing depleted uranium” (A/RES/77/49). The resolution—like previous ones—contains references to principles that are important for the DU issue, such as transparency, assistance and support, and the precautionary approach.

Meanwhile, there is growing national jurisprudence (especially in **Italy**) to acknowledge compensation claims of DU victims based on a corresponding causal link. Civilian victims of DU use in Southern Serbia have been reported—as recommended by ICBUW—through the complaint procedure run by the UN Office of the High Commissioner for Human Rights.

The ongoing war in Ukraine once again emphasises the urgency of the problem. In view of DU-capable Russian tanks and DU ammunition deliveries by the United Kingdom and the United States, more than **concerns** remain. Through coordination with demining actors, ICBUW continues to carefully monitor the situation and to call for a non-use of DU weapons on both sides to prevent long-lasting environmental damage, especially in the field of **agriculture**.

These recent negative trends in favour of DU weapons use are at odds with a previous tendency of replacing DU by less toxic alternatives—which was a tacit acknowledgement of its unacceptability due in part to civil society influence.

The health and environmental legacy of DU use should be viewed in the context of growing concern over the polluting legacy of armed conflict. The International Law Commission (ILC) has adopted "Draft principles on protection of the environment in relation to armed conflict," no. 26 of which is devoted to "toxic and hazardous remnants of war," their removal, or rendering them harmless. These and similar rules and documents are directly applicable in cases of DU use, forming the basis for victim assistance and environmental remediation, which has also found entry in Articles 6 and 7 of the Treaty on the Prohibition of Nuclear Weapons (TPNW).

In general, it looks like the DU issue is high on the political and media agenda, as expressed in statements, articles, films, and more. ICBUW's work, which is directed at reducing the human cost of weapons through banning uranium weapons, represents a specific but relevant contribution to the New Agenda for Peace, to the fight against war and for disarmament, as well as a peaceful solution of international conflicts.

Recommendations

During First Committee, delegations should:

- Continue to raise concerns over the use and potential use of DU in past and current conflict areas and the need for support to DU victims;
- Exchange on ways of further discrediting DU weaponry and exerting influence to not use or threaten to use DU; and

- Explain how they are implementing A/RES/77/49 and develop ideas as to improve the resolution during this First Committee session, inter alia, by emphasising links to environmental and human rights protection within the draft text.

Beyond First Committee, states should:

- Disclose and exchange targeting coordinates of any use of DU weapons to facilitate clearance and civilian exposure studies;
- Contribute technical and financial assistance to states affected by DU contamination and support DU victims;
- Help strengthen the global norm against the use of DU weapons and dealing with their consequences; and
- Work towards a universal ban on DU weapons directed at their elimination on the basis of ICBUW's Draft Convention.

**Authors: Manfred Mohr
and Ilia Kukin**

