

Unexploded ordnance and depleted uranium ammunition

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European Parliament resolution on the harmful effects of unexploded ordnance (landmines and cluster submunitions) and depleted uranium ammunition

The European Parliament,

- having regard to its resolutions of 17 January 2001 on the consequences of using depleted uranium munitions⁽¹⁾ and of 13 December 2001 on cluster bombs⁽²⁾,

A. reaffirming the need to establish moratoriums on these types of ammunition pending a total ban,

B. having regard to the work of the Group of Governmental Experts (GGE) on Explosive Remnants of War and Anti-Vehicle Mines, which has been discussing and will begin to negotiate in 2003 on weapons and weapons systems, including cluster submunitions that produce unexploded ordnance,

C. having regard to the excellent progress that the Commission has made in the area of mine clearance support,

D. having regard to the ongoing use of anti-personnel landmines and anti-vehicle landmines in many major armed conflicts; whereas landmines are mainly used in conflicts in which both state and non-state armed groups are involved,

E. recognising that most Member States have signed the Ottawa Treaty to globally ban anti-personnel landmines, and hence do not use these types of weaponry any longer; recognising that NATO has de facto banned the use of anti-personnel mines,

F. whereas cluster submunitions have been and are currently widely used in armed conflicts,

G. having regard to the use of depleted uranium ammunition in past military interventions,

H. whereas NATO has not banned these types of weapons,

I. whereas - whilst acknowledging that international law does not refer specifically to the issue of depleted uranium at present - credible efforts are needed to ensure that any use of such weapons is not in violation of the Additional Protocol I to the Convention on Conventional Weapons,

J. whereas international law does not currently provide for compensation for possible harmful effects of such weapons and weapons systems,

K. whereas, furthermore, states, including Member States, are willing to help in the effort to address this shortcoming by providing assistance, in the form of economic assistance, land clearance, social assistance and medical support, to those affected by such weapons,

L. whereas EU citizens serving as civilian and military members of peacekeeping and peace enforcement operations could have been, and could yet become, victims of such weapons when engaged in humanitarian civilian and military missions and potentially under future ESDP missions,

M. whereas the targeting of civilians in any conflict is contrary to international humanitarian law, and the use of weapons against them might be considered a war crime under the competence of the ICC,

N. whereas the EU, in developing its ESDP and deploying armed forces, must uphold international humanitarian law and the rules governing arms control,

1. Calls on the Council and the Member States to review and monitor the design and development of weapons, ensuring that these are in line with applicable international law and meet the highest international standards directed against technical misuse, misdeployment, mistargeting and malfunction;
2. Calls on the Council and the Member States, as well as on NATO and the members thereof which are not EU Member States, to make a public declaration guaranteeing that they will not use weapons or weapons systems that have been banned or are deemed to be illegal under international law in present or future armed conflicts;
3. Calls on the Council and the Member States, as well as the candidate countries, to fully support the Group of Governmental Experts in its efforts to negotiate a new or amended protocol to the 1980 Convention on Conventional Weapons in order to tackle the issue of explosive remnants of war, in particular so as to establish benchmarks for the speedy provision of assistance to victims;
4. Calls on the Council to fully support the Commission's programmes in the area of mine clearance; emphasises that these programmes should be extended to cover the broader area of explosive remnants of war; calls on the Commission to make a statement on how this could be done;
5. Calls on the Commission to issue a communication on this matter outlining in detail how it is strengthening its efforts in favour of projects to assist the victims of anti-personnel mines or unexploded ordnance (primary care or social and economic reintegration projects) and by what means it is encouraging the third countries concerned to set up a national policy for the assistance of these victims;
6. Calls on the Commission to issue a communication on its assessment of priorities and best practice which might usefully be included in any international legal efforts to address the issue of unexploded ordnance, in support of the efforts made in Geneva by the States Parties to the 1980 Convention on Conventional Weapons;

7. Asks the Commission, in the light of the results of these scientific investigations on the use of DU ammunition, to monitor developments in relation to the possible serious, widespread contamination of the environment, as well as any acute or appreciable long-term hazard to human health, and to keep it regularly informed;

8. Supports the stepping up of the EU contribution to the fight against anti-personnel landmines, and asks the Commission to play a prominent role in fostering cooperation and coordination with the Member States, the United Nations and the US and to give effective support to the achievement of coordination between the main programmes of activities and the partners on the ground;

9. Calls on the Council and the Member States to take all necessary steps to promote the universalisation of the 1997 Ottawa Treaty and the 1980 Convention on Conventional Weapons;

10. Calls for a ban of the use, production, stockpiling and transfer of anti-personnel landmines by non-state armed groups; calls on the States Parties to the Ottawa Treaty to address this issue at their forthcoming meeting in Bangkok and to support the efforts of specialist NGOs and international humanitarian organisations to ensure that non-state armed groups respect the ban on landmines;

11. Calls on the Council to support independent and thorough investigations into the possible harmful effects of the use of depleted uranium ammunition (and other types of uranium warheads) in military operations in areas such as the Balkans, Afghanistan and other regions; stresses that such investigations should include consideration of the effects on military personnel serving in affected areas and the effects on civilians and their land; calls for the results of these investigations to be presented to Parliament;

12. Requests the Member States - in order to play their leadership role in full - to immediately implement a moratorium on the further use of cluster ammunition and depleted uranium ammunition (and other uranium warheads), pending the conclusions of a comprehensive study of the requirements of international humanitarian law;

13. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, all members of NATO which are not EU Member States, the UN Secretary-General and the Organisation for Security and Cooperation in Europe.

⁽¹⁾ OJ C 262, 18.9.2001, p. 167.

⁽²⁾ OJ C 177 E, 25.7.2002, p. 309.