



MINISTERIE VAN PROPAGANDA.EU

Clusterbommen

+ Nis

Sagitar

Van: "Paul Polansky" <pjpknzselo@gmail.com>
Datum: zaterdag 21 november 2020 08:01
Aan: <nico.s@slobodan-milosevic.org>; <center@slobodan-milosevic.org>
Onderwerp: NATO CLUSTER BOMBING OF NISH

Dear Nico Steijnen,

I am an American author writing a book and making a documentary film on the NATO cluster bombing of Nish in May 1999.

I have lived in Kosovo and Serbia since 1999, the last 16 years in Nish.

To date I have filmed interviews with 28 witnesses to the bombing (several were badly injured). Yesterday we interviewed a widow whose husband and brother were killed by the bombing. We have 22 more families to interview who lost a loved one to the bombing.

I would like to correspond with you about your court case in 2004 when you sued NATO and the Dutch government. I am also interested in tracking down the Dutch Royal Air Force pilots involved. Any idea on how I can find their names?

Thank you in advance for any help you can afford me.

Best regards,

Paul Polansky
paulpolansky.net

3-12-2008

VERDRAG STIGMATISEERT GEBRUIK CLUSTERMUNITIE

Oslo, 3 december 2008 –

Minister Verhagen heeft 3 december in Oslo zijn handtekening gezet onder het clustermunitiveverdrag. Achttien van de 26 NAVO-lidstaten hebben het verdrag ondertekend. De Verenigde Staten, Rusland, India en Israël waren daar niet bij. Desondanks viert Miriam Struyk, die namens de Nederlandse Clustermunitive Coalitie in Oslo is, de ondertekening als een overwinning.

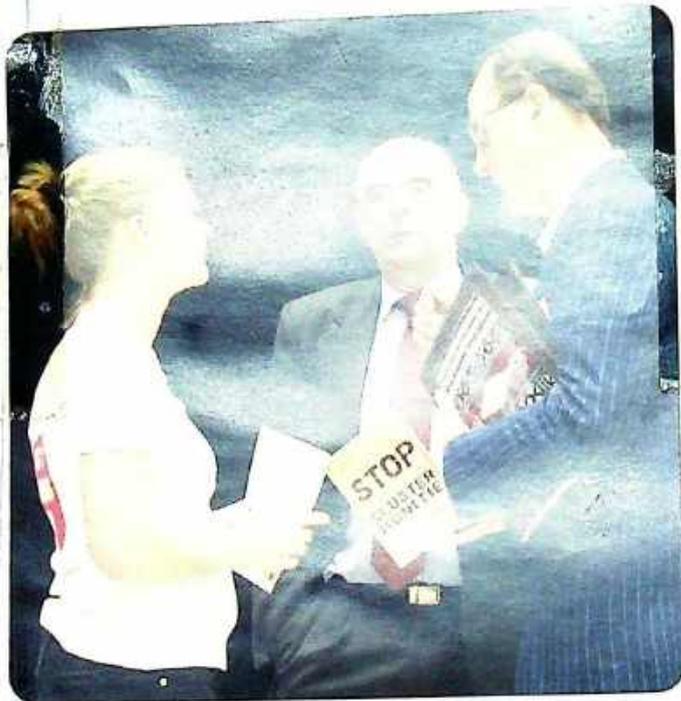
‘Dit verdrag stigmatiseert het gebruik van dit type wapen ook voor de niet-ondertekenaars. Dat was ook zo bij het Landmijnenverdrag. Landen zoals de Verenigde Staten, Rusland en Israël riskeren veroordeling door de rest van de internationale gemeenschap als ze clusterbommen gebruiken,’ zegt Struyk.

Verhagen benadrukte in zijn toespraak het stigmatiserende effect dat uitgaat van het verdrag. ‘Hele gemeenschappen zijn ontwricht door onontplofte bommen. Daar maken we nu samen een einde aan.’ Verder noemde hij de tragische dood van cameraman Stan Storimans die 12 augustus in Gori, Georgië gedood werd door een Russische clusterbom. Hij riep zowel Georgië als Rusland en alle andere niet-ondertekenaars op het verdrag te ondertekenen. De Minister kende Stan persoonlijk van een reis naar Afghanistan. ‘Dit verdrag bewijst wat er bereikt kan worden als staten en maatschappelijke organisaties samenwerken,’ vindt Struyk. ‘Het is nu aan de nationale overheden om de daad bij het woord te voegen en hun verplichtingen ook echt na te komen.’ Voor de inwerkingtreding van de Conventie zijn dertig ratificaties nodig.

De Conventie over Clustermunitive zet de hoogste standaard binnen het internationale recht tot nu toe wat betreft hulp aan slachtoffers en hun gemeenschap. Het verplicht landen om hun voorraden binnen acht jaar te vernietigen en om getroffen gebieden binnen tien jaar te ruimen. Nederland zegde toe direct te ratificeren en is al begonnen met het vernietigen van de voorraden. Staten moeten bovendien jaarlijks rapport uitbrengen over de voortgang.

Clustermunitie *Maart 2008*

In 2008 leidt IKV Pax Christi een grootschalige campagne tegen clusterbommen in Nederland en internationaal (Cluster Munition Coalition). De actie met een petitie, radiospotjes en lobby richting leden van de Tweede Kamer heeft resultaat: in december 2008 ondertekent de minister van Buitenlandse Zaken Maxime Verhagen een verdrag voor een totaalverbod op clustermunitie. Op de foto Mirjam Struyk, IKV Pax Christi programmaleider Veiligheid en Ontwapening, met IKV-voorzitter Jan Pronk en generaal-majoor der mariniers (b.d.) Patrick Cammaert, na ondertekening van de petitie Stop Clustermunitie.



NVMP schrijft mee aan een brief aan de informateur

Muni 21
INZET VOOR KWAPENVRIJE WERELD

Jan Hoekema: kernwapens zouden eigenlijk in het museum van de Koude Oorlog thuishoren. Dat is een hele logische gedachte. Reagerend op Tom, natuurlijk moet er een sterke slottekst komen uit de NPV-toetsingsconferentie. Verlengen met een nietszeggende tekst is in ieder geval uit den boze.

Ingeborg Denissen: *No first use* is een actueel debat maar niet elk land is daar even enthousiast over. Steun je dan je bondgenoten wel of juist niet als je zoiets aanneemt? NPV moet je zeker niet weggooien zolang je niets nieuws hebt want dan heb je helemaal geen houvast meer. TPNW helpt wat dat betreft wel, het geeft een mate van urgentie aan. Afspraken over kernontwapening moet je in een bredere context van bewapening en nieuwe technologie zien. Het is ook maar de vraag hoe we over vijftig jaar aankijken tegen nieuwe technologieën die nu worden ontwikkeld, die kunnen heel gevaarlijk blijken. Politieke wil en onderling vertrouwen is cruciaal voor ontwapening; als dat er onvoldoende is, zul je het eerst op moeten bouwen.

Peter Buijs, afsluitend: Ik denk dat we blij mogen zijn dat ons ministerie van Buitenlandse Zaken zich zo opstelt om op dit niveau een open debat te voeren. Daarvoor zijn wij zeer erkentelijk. Tijdens de evaluatie van ons samenwerkingsproject 'vijftig jaar NVMP' in het Vredespaleis, 26-11-2021, stelde BuZa voor de samenwerking voort te zetten, waarmee wij graag instemden, met als invulling: zoveel mogelijk synergie te ontwikkelen tussen wat het maatschappelijk middenveld kan doen en wat het ministerie op dit kernwapenthema. Oftewel, maatschappelijk druk ontwikkelen en regeringen die dit zo goed mogelijk proberen te vertalen in diplomatieke stappen lijkt mij de enige weg om op vreedzame wijze uit dit gigantische probleem te komen. Dank aan Ingeborg die ondanks alle beperkingen die voor ambtenaren gelden, zeker met een demissionair kabinet, hier met open vizier haar medewerking verleend heeft.

Tom Sauer: daar wil ik graag bij aansluiten, in België is het niet mogelijk om met het ministerie van Buitenlandse Zaken zo in debat te gaan. Wat dat betreft 2-1 voor Nederland! ☹️

Van: Breed maatschappelijk beraad voor een kernwapenvrije wereld

Datum: 11-05-2021

Onderwerp: Regeerakkoord & actieve inzet voor een kernwapenvrije wereld

Geachte mevrouw Hamer,

"Dit kabinet zet zich actief in voor een kernwapenvrije wereld". Aldus een kernboodschap uit het Regeerakkoord uit 2017 dat politiek en maatschappelijk breed werd gesteund. Sindsdien is de internationale situatie helaas danig verslechterd. Belangrijke verdragen (INF, Iran-deal, Open Skies) zijn opgezegd en er is een nieuwe wapenwedloop tussen de VS en Rusland gaande: voor astronomische bedragen moderniseren zij hun kernwapens en ontwikkelen nieuwe. Algehele nucleaire ontwapening conform artikel VI van het vrijwel universeel getekende NPV (Non-Proliferatie-verdrag) lijkt nog ver weg. Experts achten de kans op een nucleaire catastrofe groter dan ooit.

Als breed maatschappelijk beraad voor een kernwapenvrije wereld vragen wij daarom dringend aan een nieuw kabinet om de ingezette koers te intensiveren en te concretiseren. De eerste gelegenheid biedt de a.s. 10e NPV-Toetsingsconferentie, met ons land als vicevoorzitter. Het slagen ervan moet een topprioriteit voor Nederland zijn, dat immers een 'aanjagende, bruggenbouwende rol' wil spelen. Dat zal hard nodig zijn om wereldwijd zoveel mogelijk politieke en maatschappelijke krachten te helpen mobiliseren en bundelen om de kernwapenstaten zover te brengen eindelijk hun verdragsverplichtingen tot algehele nucleaire ontwapening na te komen.

- Natuurlijk dient ons land ook zelf bij te dragen aan die ontwapening. Dat kan door:
1. de verouderde Amerikaanse kernbommen op Volkel niet te vervangen, zo mogelijk samen met andere Europese 'gastlanden'. Dat zou sporen met het uitgangspunt van het derde kabinet-Rutte. 'Inzet blijft dat Nederland geen nucleaire taak meer zou hoeven te vervullen als de F-16 definitief wordt vervangen door de F-35';
 2. de 1e Meeting of States Parties van het VN-kernwapenverbod TPNW bij te wonen als waarnemer, ter voorbereiding op ondertekening en ratificatie, en anderen daartoe op te roepen;
 3. het debat te starten over de vervanging van het onhoudbare 20e-eeuwse concept van *credible nuclear deterrence* door een duurzaam, 21e-eeuws, niet-nucleair veiligheidsalternatief;
 4. bij alle 9 kernwapenstaten aan te dringen op vertrouwenwekkende maatregelen om zo veilig mogelijk te kunnen werken aan een kernwapenvrije wereld, zoals *no-first-use-verklaringen*, *de-targeting* en *de-alerting*.

Hoopvolle geluiden uit de VS bieden Nederland extra ruimte voor een actieve rol op het wereldtoneel om de permanente nucleaire dreiging te helpen beëindigen. Mede omdat veruit de meeste Nederlanders al jaren kernwapens afwijzen en het VN-verbod TPNW onderschrijven, bevelen wij U van harte de volgende zin aan voor een nieuw Regeerakkoord: "Dit kabinet intensiveert en concretiseert zijn actieve inzet voor een kernwapenvrije wereld, met name door de laatste Nederlandse nucleaire taak af te stoten en aansluiting te zoeken bij de TPNW."

U veel inspiratie, creativiteit en sterkte toewensend,

met vriendelijke groet,

- Geert van Rumund, voorzitter Burgemeesters voor Vrede
- Faiza Oulahsen, hoofd Klimaat en Energie bij Greenpeace Nederland
- Mechtild van den Hombergh, directeur a.i. Humanistisch Verbond
- Phon van Biesen, co-president International Association of Lawyers Against Nuclear Arms
- Peter Buijs, voorzitter NVMP - Artsen voor Vrede
- Jan Hoekema, voorzitter Pugwash Nederland
- Kees Nieuwerth, vicevoorzitter Raad van Kerken in Nederland





Tom Sauer

ontwapening'. Dat nu leidt tot de stand 1-1.

De uitvoering van dat regeerakkoord is een ander paar mouwen maar een concrete eerste stap zou kunnen zijn deelnemen aan de eerste bijeenkomst van landen die TPNW al wel ondertekend hebben, in januari 2022. Dat verplicht tot niets maar toont wel *goodwill* ten opzichte van het verdrag. België zou daarmee het eerste NAVO-land zijn om die stap te zetten, andere lidstaten zullen dan zeker volgen. Tactische kernwapens moeten weg uit België ze hebben echt geen militair nut, de NAVO zal nooit kernwapens inzetten om Baltische staten te hulp te schieten. Dat zal alleen maar gebeuren met conventionele wapensystemen.

Tenslotte iets over het Non-Proliferatie Verdrag, hoe lang moeten we nog geduld hebben met het NPV en dan met name de uitvoering van artikel VI? We hebben het al decennia lang over verwijdering van die tactische kernwapens maar het gebeurt niet. Spreek niet over concrete stappen want die zijn er niet, integendeel de stappen gaan juist de andere richting op. Alle kernwapenstaten zijn hun arsenaal aan het moderniseren, dat is faliekant tegen de verplichtingen genoemd in artikel VI. Waarom wordt er dan nog zoveel geloof gehecht aan het NPV? Bij Tom is het geduld op.

Discussie

Dirk Hoogenkamp: vraag aan mevrouw Denissen. Als Nederland zich actief wil inzetten voor een kernwapenvrije wereld, zou het dan geen goede eerste stap zijn van Nederland om haar eigen kernwapentaak af te stoten en de kernwapens op Volkel weg te doen?

Ingeborg Denissen: ik denk niet dat we die taak zo maar af kunnen stoten alsof het ons niets kost. Het is niet alleen een bilaterale afspraak met Amerika maar het gaat ook om solidariteit binnen de NAVO. Daarnaast gaat het om de veiligheidscontext en die zit ingewikkeld in elkaar. Het vertrouwen tussen de NAVO en Rusland bevindt zich op een dieptepunt; dan is een discussie over kernontwapening moeilijk te voeren, het onderlinge vertrouwen ontbreekt. Nederland is voor haar veiligheid afhankelijk van de NAVO en dat speelt erg mee.

Jan Hoekema: we moeten in eerste instantie met de Amerikanen gaan praten. Met hen zijn die afspraken gemaakt. Opmerking aan het adres van Tom Sauer, hij staat heel kritisch tegenover het NPV maar ik zou zeggen gooi geen oude schoenen weg voordat je nieuwe hebt. We moeten het ermee doen. Probeer de goede punten van het NPV en TPNW bij elkaar te brengen.

Peter Buijs: de kernwapens op Volkel zijn hier vanwege een bilateraal verdrag met Amerika, dus geen NAVO-afpraak. Er zijn al NAVO-lidstaten die ons voorgegaan zijn met het terugsturen van kernwapens of het weigeren ze op hun grondgebied te plaatsen en dat zijn keurige NAVO-lidstaten als Canada, Griekenland, Noorwegen, Spanje en de UK. Het kabinet Rutte III heeft bovendien in een kamerbrief aangegeven dat Nederland geen kernwapentaak zou moeten hebben voor de JSF.



Dirk Hoogenkamp tijdens een actie bij Volkel

Gerrit van der Wal: een vraag aan Tom Sauer over zijn ongeduld met het NPV-artikel VI. Wat wil je precies, wil je daar dan uitstappen?

Tom Sauer: allereerst een reactie op Jan Hoekema. Kunnen we NPV en TPNW niet samenbrengen, omarmen? In principe wel, immers TPNW is een extensie van artikel VI van het NPV. Wij moeten onderkennen dat NPV opgesteld is door de *haves* (de P-5) om macht te kunnen blijven uitoefenen over de vele *have nots*. De NPV is van de Koude Oorlog, van 1968. Anno 2021 is het NPV zeer discriminerend en bovendien hypocriet omdat India, Pakistan en Israël niet met het NPV meedoen en Noord-Korea zich eruit heeft teruggetrokken. Dus vier van de negen nucleaire staten vallen niet onder het NPV. Het Verbodsverdrag / *Treaty on the Prohibition of Nuclear Weapons* (TPNW) of *Ban Treaty* van 2007 is van de *have nots* maar de P-5 van de NPV doen niet mee. Ik voorstel dat als er niets gebeurt, vele landen uit het NPV zullen stappen waardoor alle landen gelijk komen te staan. Elk land dat kernwapens wenst kan die dan nemen. Dat zou misschien zelfs een goed signaal zijn, dan zouden de kernwapenstaten zien dat er een probleem is. Laten we het NPV dan nog één kans geven, de volgende toetsingsconferentie komen er duidelijke afspraken met deadlines. Over diepe *reductions in de aantallen kernwapens*, *No-first-use*, tactische Amerikaanse kernwapens terug naar eigen grondgebied en stop nucleaire modernisering. Dan is het NPV gered. Maar de kans dat deze afspraken gemaakt worden is zeer gering.

Hans van Iterson: wat me opvalt is dat de discussie hier nauwelijks gaat over de derde vraag die genoemd werd bij dit symposiumthema, namelijk het zoeken naar een niet-nucleair veiligheidsalternatief. Lubbers zei: 'Kernwapens zijn politieke wapens, je hebt ze niet om te gebruiken maar juist om te voorkomen dat ze gebruikt worden'. Zijn kernwapens geen erfenis uit de Koude Oorlog waar je militair gezien niks mee kunt? Natuurlijk zijn veiligheids garanties belangrijk maar kun je die ook niet bereiken zonder kernwapens? Moet daar ook bij de NPV niet op ingezet worden?

Vervolg op pagina 24

haviken in hun eigen regeringen. Shultz's prestaties zijn des te opmerkelijk omdat hij in een vaak uitdagende sfeer in Washington moest werken, maar zijn taak werd vergemakkelijkt door de verminderde invloed van de hardliners. Shultz was een begaafde onderhandelaar, aldus de vaste tolk Pavel Palazhanko. De tolk vroeg zich wel af hoeveel Shultz begreep van de beperkte manoeuvreerruimte van Gorbatsjov en Shevardnadze. Het was niet duidelijk hoe het Politburo over de onderhandelingen dacht. Het was wel een goed teken dat eind 1986 Andrey Sakharov uit zijn verbanning in Gorky naar Moskou terugkwam.

De diplomaat als tuinter. Shultz's overtuiging was dat afgevaardigden van supermachten verre hoofdsteden moesten bezoeken, respect en belangstelling tonen, de leiders leren kennen en vertrouwen opbouwen, zodat wanneer er toch een crisis uitbreekt, men kan teruggrijpen op een netwerk van vrienden en bondgenoten.

Diplomatie eerst: het was zijn overtuiging dat diplomatie een leidende rol moet spelen in het Amerikaans buitenlands beleid. Hij richtte het *Foreign Service Institute* in Virginia op waar diplomaten getraind werden in talen, wereldpolitiek, regionale studies, management en leiderschap. Volgens hem waren de persoonlijke kenmerken van een effectieve diplomaat: goed luisteren, een persoonlijke band opbouwen en het belangrijkste: vertrouwen creëren. ☞

Geraadpleegde literatuur

SIPRI rapporten van 2010, Jaarboek, en mei 2021, *New Technology and Nuclear disarmament. Outlining a way forward.*
Gorbachev and Shevardnadze door tolk Pavel Palazhenko, 1997.
Learning from experience, GP Shultz, 2016
Hoover Institution Press.
Turmoil and Triumph. My years as Secretary of State en The war that never must be fought.
Dilemmas of Nuclear Deterrence, Hoover Institution, GP Shultz, 2015.
Foreign Affairs, mei 2021: *Crisis of Demand.*
American's Broken Civil-military Relationship Imperils National Security; Lente 1985; George P Shultz. *New realities and New Way of thinking*; 2008: *The Diplomat as Gardener.* What G Shultz *Understood about American Power*:
The Wall Street Journal, januari 2008. *Zavarski Nuclear-Free World*, G Shultz, J Perry, Henri Kissinger, Sam Nunn.

Mondiaal stijgen de militaire budgetten, daarmee ook onze veiligheid?

MONI 21

Een kwaadaardig sprookje spekt de defensie-industrie

Wil Verheggen, bestuurslid NVMP-Artsen voor vrede

Eind april, publiceerde het gezaghebbende SIPRI, het Stockholm International Peace Research Institute het Jaarboek 2021. Volgens de gepubliceerde gegevens zijn de totale wereldwijde militaire uitgaven in 2020 gestegen tot 1981 miljard USD, een reële stijging van 2,6 procent ten opzichte van 2019, bij een mondiale vermindering van het bruto binnenlands product (bbp). Per wereldbewoner werd er vorig jaar 283 USD aan militaire uitgaven besteed!

De vijf grootste uitgevers hiervan in 2020, die samen goed waren voor 62 procent van de wereldwijde militaire uitgaven, waren de Verenigde Staten, China, India, Rusland en het Verenigd Koninkrijk. De militaire uitgaven van China zijn voor het 26e achtereenvolgende jaar gestegen.

Nederland draagt ook zijn steentje hieraan bij. Nederland zit met zijn defensiebegroting nu op 1,4 procent van het bbp, nog altijd niet op de 2 procent die in de NAVO in 2014 is afgesproken. Over drie jaar moeten alle NAVO-partners op die 2 procent zitten. De vraag is of het daarbij zal blijven. Ik vrees dat dit in de nabije toekomst niet te verwachten is zonder ommekeer in het veiligheidsdenken.

Het zijn met name de Amerikaanse bedrijven die groeien. Amerikaanse bedrijven bereiden zich voor op de nieuwe wapenprogramma's die in 2017 zijn aangekondigd door president Trump. Om die reden fuseren veel

bedrijven, zodat ze straks beter in staat zijn nieuwe wapensystemen te produceren en zo dus meer kans maken op het binnenslepen van opdrachten van de overheid. De wapenproducenten zien een gouden toekomst tegemoet.

De wapenproductie is een autonoom proces geworden, zonder dat er een politieke analyse aan ten grondslag ligt die aangeeft wat nodig is voor de veiligheid. Zo'n proces is nou net waar VS-president en oud-generaal Dwight D. Eisenhower in zijn afscheidsspeech in het Amerikaanse Congres op 17 januari 1961 al voor waarschuwde: de vervlechting van belangen en de invloed van het militair-industrieel complex, waarbij politiek leiderschap, militair leiderschap en de wapenindustrie met elkaar zijn verweven.

Als we kijken naar de militaire uitgaven in de wereld zien we grote verschillen. Die landen die ons potentieel zouden bedreigen, blijken veel minder uit te geven dan ons eigen NAVO-blok. De groei van de wereldwijde defensie-uitgaven werd in hoge mate beïnvloed door de uitgaven van de Verenigde Staten (778 miljard USD) en China (252 miljard USD), samen goed voor iets meer dan de helft van het wereldtotaal. In de wereldrangorde komt Rusland pas kijken op de vierde plaats met 65 miljard USD. De defensie-uitgaven van de Europese NAVO-lidstaten zijn nu al vier keer hoger dan de Russen te besteden hebben. Hoe komt het dan dat we ons nog steeds bedreigd moeten voelen?

Er zijn inderdaad geopolitieke spanningen met Rusland en China, daar moet je niet naïef mee omgaan, maar dat daardoor het defensiebudget omhoog moet, is een aangepaard kwaadaardig sprookje, bedoeld om de defensie-industrie te spekken.

van civiele leiders naar hun militaire tegenhangers, iets waar Shultz zich tegen verzette omdat hij vasthield aan het primaat van de diplomatie.

Einde van de Koude Oorlog

De belangrijkste uitdaging voor de regering Reagan en de belangrijkste zorg van de Europeanen waren de betrekkingen en wapenonderhandelingen tussen de VS en de Sovjet-Unie. Er waren twee reeksen onderhandelingen: de SALT-onderhandelingen, die betrekking hadden op de intercontinentale raketten, die Reagan hernoemde als de *Strategic Arms Reduction Talks* (START) en de meer dringende INF (*intermediate nuclear forces*) onderhandelingen. De sterk anticommunistische Amerikaanse regering verontrustte velen in Europa. Reagan was aanvankelijk terughoudend in het voeren van onderhandelingen. Hij wilde wachten tot zijn verhoogde uitgavenprogramma de Amerikaanse macht had hersteld. Hij had dus pas in februari 1983 zijn eerste ontmoeting met de Sovjet-ambassadeur, Anatoly Dobrynin, en in 1984 de eerste besprekingen met de minister van Buitenlandse zaken, Andrei Gromyko. Shultz wilde het risico op verrassingsaanvallen, misrekening of misverstanden verminderen. Hij richtte een kleine groep op binnen de *National Security Planning Group* met de taak om nieuwe kanalen te openen met het Kremlin.

In september 1984 sprak Reagan de Algemene Vergadering van de VN toe met een voorstel voor een nieuw kader voor de Amerikaans-Sovjetrussische nucleaire wapenbesprekingen. Kort daarop sprak hij Gromyko in Washington, die hard als graniet bleef en niet bereid was zich te committeren. De hardliners drongen aan op het aftreden van Shultz en de nationale veiligheidsadviseur Robert Mc Farlane. Maar na de herverkiezing van Reagan hervatten de besprekingen. Gorbatsjov kwam aan de macht en verving Gromyko als minister van Buitenlandse zaken door Eduard Shevardnadze. Schultz merkte later op: het contrast tussen Shevardnadze en Gromyko was adembenemend. Shevardnadze begreep dat er meer in de wereld was dan de VS, de USSR en Europa. Hij kon lachen, converseren, overtuigen en zich laten overtuigen; er was nu een echte

diplomatie-competitie. In november 1985 hielden Gorbatsjov en Reagan beleefde en vriendelijke gesprekken in Genève. Hoewel er geen doorbraken waren op inhoudelijke kwesties, was er toch een positief resultaat: ze leken elkaar aardig te vinden en begonnen elkaar te vertrouwen. Reagan bleef echter voorzichtig en hield zich aan de harde lijn. De daaropvolgende 11 maanden hebben zij regelmatig gecorrespondeerd, hun standpunten uiteengezet en soms scherpe woorden uitgewisseld over andere onderwerpen zoals Nicaragua, Afghanistan en mensenrechten. Gorbatsjov bood aan een concessie te doen en de link tussen Sovjet-SS-20's en Britse en Franse kernwapens te laten vallen. De twee leiders kwamen dicht bij een overeenstemming om alle ballistische raketten te verwijderen. Het belangrijkste obstakel bleef Reagans voortdurende inzet van SDI, het zogenaamde Raketschild in de ruimte. In oktober 1986 vond de beroemde top in Reykjavik plaats, enkele maanden na de Chernobylramp.

Thatcher was verontrust door het vooruitzicht de strategische kernraketten te elimineren; zij achtte ze fundamenteel voor vrede en veiligheid. Shultz echter ondernam een reeks moeizame onderhandelingen met Gorbatsjov en Shevardnadze om in september 1987 een INF-verdrag te bereiken waarin de lange afstandswapens uit Europa werden verwijderd. En zie daar een van de belangrijkste wapenverdragen aan de twintigste eeuw op een top in Washington: het betrof de verificatie

van de vernietiging van alle vanaf de grond gelanceerde kernraketten met een bereik van 500 tot 5500 km in Europa en Azië. Het INF verdrag, snel geratificeerd door de Amerikaanse Senaat, zag de vernietiging van 1846 Sovjetkernwapens en 864 Amerikaanse wapens in de volgende drie jaar. Gorbatsjov vertelde de VN op 7 december 1988 dat de wereld minder ideologisch werd en dat geweld en dreiging met geweld niet langer instrumenten waren van het buitenlands beleid. Hij zou de conventionele Sovjettroepen met 500.000 man verminderen. Dit was voor Shultz het meest indrukwekkende moment van de onderhandelingen. Hij besefte toen dat de Koude Oorlog voorbij was.

Diplomatie

De samenwerking tussen Reagan en Shultz had buitengewone resultaten opgeleverd. Reagan wist dat hij een minder gevaarlijke relatie met de Sovjet-Unie wilde, maar wist niet hoe dit te bereiken. Shultz bood twee belangrijke troeven: zijn vasthoudende zoektocht naar praktische doelen en zijn talent om de verdeelde Amerikaanse overheden met elkaar te doen samenwerken, hij was een geduldige onderhandelaar. Hij werd vergeleken met de schildpad die de race van de haas won. Shultz had ook een opmerkelijke samenwerking met Shevardnadze ontwikkeld; de ontmoetingen verliepen in een warme vriendschappelijke sfeer, wat een positief effect had op hun eigen delegaties. Ze hadden hiermee ook invloed op de

Vervolg op pagina 18



Ronald Reagan en George Shultz

Worden we met meer militair materiaal wel veiliger? Het antwoord is eenvoudig NEE.

De verhoudingen tussen de grote wereldmachten zijn ronduit slecht, vol wantrouwen naar elkaar, de communicatie is tot het vriespunt gedaald. Kernwapens worden steeds "gebruiksvriendelijker" vergeleken met de stand van kernbewapening in de jaren tachtig van de vorige eeuw. Ontwikkelingen op het gebied van digitale en elektronische oorlogvoering, raketaandrijving, hypersonische projectielen, militarisering van de ruimte, en kunstmatige intelligentie zorgen slechts voor een veront-rustende schijnveiligheid. En met het niet nakomen van VN-kernwapenverdragen wordt de wereld er alleen maar onveiliger op. Doorgaan op deze geld-verslindende weg moet worden gestopt. De wereld kent heden ten dage grote existentiële bedreigingen: de dreiging van een kernoorlog, de klimaatcrisis en niet te vergeten de coronacrisis. De blik moet gericht gaan worden op een mondiale aanpak van deze existentiële dreiging voor de mensheid.

Wat is daarvoor noodzakelijk? Investeren in vertrouwenwekkende maatregelen tussen staten, investeren in het behalen van de klimaatdoelen van Parijs, investeren in een wereldwijde vaccinatiecampagne tegen het Covid-19



virus, want van dit virus zijn we voorlopig nog niet af. Het is noodzakelijk daarin te investeren in plaats van geld te pompen in onze eigen vernietiging. Nogmaals: STOP die groei, als eerste

stap om bovengenoemde investeringen te kunnen doen. ☒

Dit opiniestuk verscheen ook in het Brabants Dagblad van 3 mei '21





June 1999

Vol. 11, No. 6 (D)

TICKING TIME BOMBS

NATO's Use of Cluster Munitions in Yugoslavia

I. SUMMARY AND RECOMMENDATIONS

II. TICKING TIME BOMBS

Use of Cluster Bombs in Yugoslavia

High Dud Rate

Human Rights Watch's Concerns

III. WHAT ARE CLUSTER BOMBS?

Widespread Cluster Bomb Use in the Gulf War

Dangers to the Civilian Population

ACKNOWLEDGMENTS

APPENDIX A: DESCRIPTIONS OF CLUSTER BOMB TYPES

CBU-87 Combined Effects Munition

BL755

CBU-89 Gator

SUMMARY AND RECOMMENDATIONS

Human Rights Watch condemns the use of cluster bombs by NATO in its bombing campaign (Operation Allied Force) against the Federal Republic of Yugoslavia. Because of the high dud, or failure, rate of the submunitions contained inside cluster bombs, these submunitions in effect become antipersonnel landmines, unable to distinguish between combatants and innocent civilians and ready to detonate on contact.

Both U.S. and British forces have acknowledged using cluster bombs in the bombing campaign, which began on March 24, 1999. The use of these weapons reportedly already has led to civilian casualties, including children. Because of the cluster bomb submunitions' appearance (the CBU-87 and RBL755 bomblets are bright orange/yellow soda-can sized objects, while the ATACMS bomblets are bright baseball-sized spheres) children are particularly drawn to the volatile live remnants. In the short term, live submunitions impede civilian and refugee movement; in the long term, they inhibit agriculture and economic recovery. As the 1991 Gulf war experience indicates, the widespread use of cluster bombs can also pose a severe hazard to friendly ground force operations, including peacekeeping forces.

Cluster bombs have an estimated 5 percent mechanical and fuse failure rate. For Operation Allied Force, the historical record and testing experience would tend to indicate that for every single CBU-87 used, there will be an average of some ten unexploded bomblets, and for every RBL755, there will be an average of five unexploded bomblets. Cluster bomb submunitions, like antipersonnel landmines, therefore have the unique potential to injure and kill civilians both during and after a conflict (cluster bombs *despite*, and antipersonnel landmines *because of* their design).

It is possible that, if the bombing campaign continues, the U.S. Air Force may start using the CBU-89 Gator Scatterable mine system, which holds a mix of antitank and antipersonnel landmines. The use of antipersonnel landmines, an inherently indiscriminate weapon, is banned under the 1997 Mine Ban Treaty, which came into force in March 1999. The United States has not signed the treaty, but all other NATO members except Turkey have.

Human Rights Watch calls on NATO to:

- _ Stop the use of cluster bombs.
- _ Refrain from using the CBU-89 Gator mine system.



This Web page was created using a BETA Version of [HTML Transit 4.0](#).



II. TICKING TIME BOMBS

The announcement by the U.S. Defense Department at the end of April of a move toward the use of more Aarea weapons@ in Operation Allied Force, and the reports of a growing shortage of precision-guided weapons, point to an increased use of unguided (Adumb@) weapons by North Atlantic Treaty Organization (NATO) forces in the war against Yugoslavia, including so-called cluster bombs.¹ Human Rights Watch is concerned that the use of cluster bombs raises questions of humanitarian law, and that the use in particular of the CBU-89 AGator@ scatterable mine would directly violate the 1997 Mine Ban Treaty, which bans the production, use, trade, and stockpiling of antipersonnel landmines.²

The extensive use in armed conflict of cluster bombs, which contain large numbers of submunitions, uniquely threatens the civilian population. These submunitionsCwhich are expendable because they are designed simply to make them plentiful and individually less expensiveCare dispersed over large areas, creating a grave lingering danger for the noncombatant civilian population. This is because cluster bomb submunitions have been shown to have a significant Adud.@ or failure, rate.³ The duds in effect become antipersonnel landmines, incapable of distinguishing between combatants and innocent civilians.

The Gulf war experience verifies the unique dangers involved in the use of cluster bombs. Hundreds of thousands of weapons were fired from the ground and the air at Iraqi forces in 1991, comprising tens of millions of submunitions. One consequence of this massive use of fire power was the post-war unexploded ordnance challenge represented by hundreds of thousands of bomblets that had not detonated on contact nor as a result of secondary fuses or Aself-destruct@ mechanisms. The hazardous after-effect of the war was particularly acute because cluster bomb submunitions cannot be Adefused@: they must be destroyed in place.

Recognizing the danger to civilians inherent in the use of cluster bombs, air combat commander Maj. Gen. Michael Ryan (now U.S. Air Force chief of staff) decided during Operation Deliberate Force in Bosnia in 1995 to prohibit their use. AThe problem was that the fragmentation pattern was too large to sufficiently limit collateral damage and there was also the further problem of potential unexploded ordnance,@ says one Air Force-sponsored study.⁴

The mounting toll of civilian casualties caused by NATO's air war against Yugoslavia is taking place against a backdrop of widespread abuses against civilians in Kosovo. Human Rights Watch has documented summary executions, including numerous massacres, incidents of rape and other physical violence, and the indiscriminate shelling and razing of entire villages by the Yugoslav National Army (JNA) and Serbian special police forces, as well as a number of paramilitary units, since the NATO bombing campaign began on March 24, 1999. Attacks on civilians and the systematic destruction of villages have effectively Acleansed@ large areas of Kosovo of ethnic Albanians. However, civilians have been the targets of war crimes and other violations of humanitarian law since the very beginning of the Kosovo conflict in early 1998.⁵

Use of Cluster Bombs in Yugoslavia

Despite their acknowledged threat to civilians, cluster bombs have already been used in Operation Allied Force. Both the U.S. and Britain have acknowledged using cluster bombs. U.S. F-15E and F-16 aircraft have dropped CBU-87 cluster bombs,⁶ and British Royal Air Force (RAF) Harrier GR7s began dropping RBL755 cluster bombs on April 6.⁷ (Appendix A contains a description of the main cluster bombs mentioned in this report.) The CBU-87 and RBL755 weapons have been used against airfields, communications and early-warning sites, vehicle concentrations on roads, Yugoslav Army command posts, troop compounds and concentrations, artillery, and armor units.⁸ There have been reports of cluster bombs being used at Batanica airbase near Belgrade and Podgorica airfield in Montenegro, as well as in the following areas in Kosovo: an Aagricultural school@ on the outskirts of Pristina, near Belacevac, Djakovica, Doganovic, Lukare, Mt. Cicavica (northwest of Pristina), Mt. Pastrik (near Prizren), and Stari Trg (near Kosovska Mitrovica).⁹

Though probably no more than a few hundred air-delivered cluster bombs have been used to date in Yugoslavia, there reportedly already have been civilian casualties. A NATO airstrike involving cluster bombs on an airfield in Nis on May 7 went off target, hitting a hospital complex and adjoining civilian areas. On April 24, five boys were reported to have been killed and two injured when what was evidently a cluster bomb submunition exploded near the village of Doganovic, fifteen kilometers from Urosevac in southern Kosovo. The munition was described as having a yellow-colored jacket, identical to that of the CBU-87 or RBL755 bomblets.¹⁰

High Dud Rate

The CBU-87 and RBL755 are both mixed antipersonnel/antiarmor weapons that dispense explosive and incendiary submunitions fused to explode on contact. With 202 individual bomblets, the CBU-87 disperses its submunitions over an area at least the size of a football field. The RBL755 dispenses 147 bomblets. Most cluster bombs are intended for Asoft@ targets, that is, troops or unarmored vehicles, as well as fixed targets of a dispersed yet

unprotected nature, such as communications sites.

The weapons are kept relatively inexpensive (in comparison with guided weapons) through the economical use of fuses and materials.¹¹ The side-effect of keeping the expense of individual bomblets low is a significant dud rate. Estimates of overall dud rates vary from the conservative 2-5 percent claimed by manufacturers, to up to 23 percent observed in acceptance and operational testing, to some 10-30 percent observed on the ground in areas of Iraq after the Gulf War.¹² Human Rights Watch has used a conservative estimate of 5 percent mechanical and fuse failures to estimate the humanitarian effect.¹³ This number seems credible to most experts. In the Gulf war, cluster bomb use left some two million unexploded bomblets behind in Iraq and Kuwait, almost half from air-delivered bombs. It is important to note that these are dud rates associated with some of the *newest* technologies in the U.S. arsenal.¹⁴ Older Vietnam-era cluster bombs such as the Rockeye (not yet used in Operation Allied Force, according to current information) may have much higher dud rates.

Thus for Operation Allied Force, the historical record and testing experience would tend to indicate that for every single CBU-87 used, there will be an average of some ten unexploded bomblets, and for every RBL755, there will be an average of five unexploded bomblets. Bombing in Operation Allied Force to date has been almost exclusively from medium altitudes (circa 15,000 feet), raising important questions regarding the ability to control the collateral damage effects of the use of cluster bombs, and the number of dispersed unexploded bomblets.¹⁵ It is also important to note that the experience of cluster bomb use in the Gulf war and other conflicts indicates that the failure to fuse properly does not mean that submunitions on the ground are harmless. Cluster bomb submunitions, however fused, may explode at the slightest touch, even after extended periods of time.¹⁶

Human Rights Watch's Concerns

The current use of CBU-87 and RBL755 cluster bombs in Operation Allied Force raises serious concerns under international humanitarian law (also known as the laws of war). Article 51 of Protocol I Additional to the Geneva Conventions (1977) prohibits indiscriminate attacks, which include attacks which employ a method or means of combat the effects of which cannot be limited as required by this Protocol.¹⁷ The high dud rate of cluster bomb submunitions turns these weapons effectively into antipersonnel landmines that do not distinguish between combatants and noncombatants, detonate on contact, and may lie undisturbed for years after a conflict has ended until someone happens upon one. Cluster bomb submunitions, like antipersonnel landmines, therefore have the unique potential to injure and kill civilians both during and after a conflict. Cluster bombs *despite*, and antipersonnel landmines *because of* their design.

Moreover, because of the cluster bomb submunitions' appearance the CBU-87 and RBL755 bomblets are bright orange/yellow soda-can sized objects, while the ATACMS bomblets are bright baseball-sized spheres. Children are particularly drawn to the volatile live remnants. In the short term, live submunitions impede civilian and refugee movement; in the long term, they inhibit agriculture and economic recovery. As the Gulf war experience indicates, the widespread use of cluster bombs can also pose a severe hazard to friendly ground force operations (see below).

Human Rights Watch is disturbed by the possibility that more cluster bombs, and new types of cluster bombs, will be brought into the mix as NATO's military campaign in Yugoslavia continues to unfold. The U.S. Army is deploying 155mm artillery guns and Multiple-Launch Rocket System (MLRS) launchers as part of Task Force Hawk in Albania. Both of these systems are capable of dispensing submunitions. The ATACMS missile fired from the MLRS launcher dispenses as many as 955 bomblets.¹⁸ There has also been speculation that the CBU-89 Gator scatterable mine is available for use, and the U.S. government has stated that it reserves the right to use this weapon should the need arise, despite its being banned under the 1997 Mine Ban Treaty, which came into force in March 1999.¹⁹ The United States has not signed the treaty, but all other NATO members, except Turkey, have.

Human Rights Watch condemns NATO's use of cluster bombs in Yugoslavia, given the proven high dud rate of the submunitions employed, and indiscriminate in effect and the equivalent of using antipersonnel landmines. Human Rights Watch also calls on the United States not to use the CBU-89 Gator scatterable mine system, because this is an inherently indiscriminate weapon. Finally, Human Rights Watch is concerned that cluster bombs may be used in attacks on urban centers. This would present a particularly hazardous condition for the civilian population and should therefore be avoided.

1 To date, over 90 percent of all weapons used have been precision-guided weapons. The remaining 10 percent are a mix of unguided bombs, including some cluster bombs. On April 12, a Department of Defense official stated that the percentage of precision weapons being used was in the high 90s. Maj. Gen. Chuck Wald, Vice Director J-5, JCS, DOD News Briefing, April 12, 1999.

2 The U.S. military defines a scatterable mine as a mine laid without regard to classical pattern and which is designed to be delivered by aircraft, artillery, missile, ground dispenser, or by hand. Joint Chiefs of Staff (JCS), Joint Doctrine for Barriers, Obstacles and Mine Warfare, Joint Pub. 3-15, June 30, 1993, p. GL-8.

3 A dud is defined as a submunition that does not explode upon impact, as is intended.

4 Michael O. Beale, Bombs Over Bosnia: The Role of Airpower in Bosnia-Herzegovina, thesis presented to the faculty of the School of Advanced Airpower Studies, Air University, June 1996. See also Air University, Deliberate Force: A Case Study in Effective Air Campaigning, Final Report of the Air University Balkans Air Campaign Study, June 1998, p. 8-32. According to these sources, one U.S. Air Force A-10 unit dropped two CBU-87s as a result of a miscommunication during the Bosnia campaign, but there was no subsequent use.

5 Human Rights Watch has published a number of reports on human rights conditions in Kosovo and the Federal Republic of Yugoslavia in 1998 and 1999. They include: *A Week of Terror in Drenica* (New York: Human Rights Watch, 1999); *Academic Freedom: Deepening Authoritarianism in Serbia*, Human Rights Watch Short Report, vol. 11, no. 2, January 1999; *Detentions and Abuse in Kosovo*, Human Rights Watch Short Report, vol. 10, no. 10, December 1998; and *Humanitarian Law Violations in Kosovo* (New York: Human Rights Watch, 1998). News flashes on

the war in the former Yugoslavia can be found at Human Rights Watch's web site at <http://www.hrw.org/campaigns/kosovo98/>.

6 Kenneth Bacon, DOD spokesperson, and Maj. Gen. Chuck Wald, Vice Director J-5, JCS, DOD News Briefing, April 15, 1999; and Maj. Gen. Chuck Wald, Vice Director J-5, JCS, DOD News Briefing, April 12, 1999. On April 15, General Wald said: "We have been dropping cluster bombs. They're well within the confines of international law."

7 John Phillips, "Cluster-bombing ends frustration of Harrier pilots," *Times* (London), April 7, 1999. The RBL755 is a modified version of the BL755, which the British Royal Air Force used in the Gulf war in 1991 (see below).

8 "War Briefing, Days 31 & 32," *Irish Times* (Dublin), April 26, 1999; "Harriers Use Cluster Bombs on Enemy HQ," *Birmingham Post*, April 23, 1999; David A. Fulghum, "Isolated, Serb Army Faces Barrage," *Aviation Week & Space Technology*, April 19, 1999; and Tim Butcher, "Conflict in the Balkans: Rains restrict the full wrath of NATO air offensive: Rogue bomb has set back allies—propaganda war," *Daily Telegraph* (London), April 10, 1999.

9 "Five Boys reportedly killed by NATO cluster bomb," *Pristina Media Center*, as reported in BBC Summary of World Broadcasts, April 26, 1999; "ANATO accused of dropping cluster bombs on Kosovo," *Pristina Media Center*, as reported in BBC Summary of World Broadcasts, April 22, 1999; "ANATO planes continue to bomb civilian facilities," *ITAR/TASS*, April 20, 1999; "Conflict in the Balkans; Balkans Notebook; Cluster Bombs Killed Refugees?," *Atlanta Journal and Constitution*, April 18, 1999; "ANATO reported to have dropped >over 10 cluster bombs—on southwest Kosovo," *Tanjung News Agency*, as reported in BBC Summary of World Broadcasts, April 17, 1999; Paul Watson, "Dispatch from Kosovo: Break in Clouds Can Give Allies Clear Views of Targets; Yugoslavia: If weekend skies brighten as expected, Milosevic's forces won't be able to hide from NATO," *Los Angeles Times*, April 3, 1999; and "Yugoslav news agency says NATO missiles shot down, repeats cluster bomb charge," *Tanjung News Agency*, as reported in BBC Worldwide Monitoring, March 31, 1999.

10 Paul Watson and Elizabeth Shogren, "Dispatch from Kosovo," *Los Angeles Times*, April 25, 1999; "Children play with NATO bomb, five killed—Serbian media centre," *Deutsche Presse Agentur*, April 24, 1999; Paul Watson, "Unexploded Weapons Pose Deadly Threat on Ground," *Los Angeles Times*, April 28, 1999; and "Five boys reportedly killed by NATO cluster bomb," *Pristina Media Center*, as reported in BBC Summary of World Broadcasts, April 26, 1999.

There was also some press speculation that cluster bombs were used in NATO attacks on roads in Kosovo on April 14. Observers reported seeing two-foot long fin-shaped bomb remnants with the name ALCOA stamped on the side. According to the *Los Angeles Times*, the metal fins of the fragments contained the numbers: ALCOA 2 B24, a serial number 8377401, followed by ALCOA 7075, and the number 961. Paul Watson, "Dispatch from Kosovo: Cluster Bombs May Be What Killed Refugees," *Los Angeles Times*, April 17, 1999. There are a number of cluster bombs that the general description could correspond with, though the link made by the *Times* to the U.S. manufacturer ALCOA is likely to be in error, as ALCOA is not known to have been a producer of cluster munitions. It should be noted that the weapons fragments could also be Yugoslav mortar rounds or artillery fragments. See also, "Conflict in the Balkans; Balkans Notebook; Cluster Bombs killed Refugees?," *Atlanta Journal and Constitution*, April 18, 1999.

11 The materials used in cluster bomb submunitions are of inferior quality compared to the materials used in single bombs, especially laser-guided smart weapons, primarily because the bomblets are considered expendable.

12 The U.S. General Accounting Office (GAO) found that as many as 23 percent of MLRS rocket submunitions failed to explode during acceptance testing. U.S. Congress, General Accounting Office, "Operation Desert Storm: Casualties Caused by Improper Handling of Unexploded U.S. Submunitions," *GAO/NSIAD-93-212*, August 1993, p. 4.

One U.S. army expert estimated 15 percent of submunitions failed to detonate in 1991: "Sometimes you get 50 percent duds," *Quoted in James Vincent Brady, "Kuwaitis dying from old menace: unexploded bombs," Fort Worth Star-Telegram*, January 12, 1992. Another report on unexploded ordnance states that "around one third of submunitions failed to explode due to landing in soft sand," *Trevor Nash, ARO in Kuwait: The Big Clean-Up, Military Technology*, July 1991, p. 59. Another U.S. expert said that "at least 600 bombs, rockets and artillery shells dropped or fired every day of the war will have failed to explode and thus constitute a continuing hazard somewhere in the war theater," *Quoted in Ken Ringle, "After the Battles, Defusing the Debris," Washington Post*, March 1, 1991. See also Chris Hedges, "With a Bang! Bang! Bang! War Cleanup Goes On," *New York Times*, October 15, 1992; and Rick Atkinson, "Doing a Bang-Up Job: With Cautious Gusto, Troops Explode Iraq's Munitions," *Washington Post*, March 26, 1991.

13 A submunition has a primary fuse that is designed to ignite on contact. Failing that, a secondary fuse is ignited via a time-delay mechanism. A mechanical failure refers to instances in which the submunition does not detonate either because the parachute fails to deploy (the deploying of the parachute is designed to pull the pin that arms the fuse), or the explosive itself fails to go off, or the spring malfunctions.

14 These numbers have been extensively discussed with U.S. Army and Air Force ordnance experts. Military officials agree that in Desert Storm 3 to 5 percent of the artillery projectiles and bombs failed to explode on average, although soft sand and water likely increased this dud rate to up to 15 percent in some areas. Some weapons types also experienced higher failure rates, such as the air-delivered Rockeye and ground-delivered 155mm artillery submunitions.

15 The higher the altitude at which cluster bombs are dropped, the wider will be the dispersal radius of the submunitions, and the greater, therefore, the potential risk to nonmilitary targets. Moreover, at higher altitudes, pilots have a reduced capability to make sighting corrections. Finally, at greater altitudes, the bomblets do not necessarily have the opportunity to fuse properly, and the dud rate is therefore likely to be higher.

16 The Mennonite Central Committee has done extensive work on the disposal of unexploded bombs left in Laos after the Vietnam War, and continues to find unexploded cluster bomb submunitions to be a significant problem. Experts in Laos have noted, moreover, that submunitions become less stable and therefore more dangerous with each passing year. See Mennonite Central Committee, "Cluster Munitions as Inhumane and

Indiscriminate Weapons, @ December 1997.

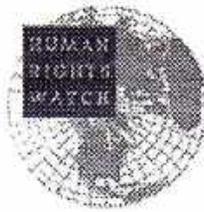
17 Moreover, article 35 of Protocol I stipulates that AIn any armed conflict, the right of the Parties to the conflict to choose methods or means of warfare is not unlimited. @

18 There have also been reports that the new CBU-97 Sensor-Fused Weapon (SFW) has been used, but this has not been confirmed. See David A. Fulghum and Robert Wall, AWeather, Weapons Dearth Slow NATO Strikes: Military officials worry that the limited number of air sorties is undermining the effectiveness of air strikes, @ Aviation Week & Space Technology, April 5, 1999.

19 Based on Human Rights Watch discussions with U.S. Defense Department officials, April 8 and April 15. See also Tom Curry, APentagon Denies Land Mine Report, @ MSNBC, April 14, 1999, located at <http://www.msnbc.com/news/259325.asp> and Kenneth Bacon, DOD spokesperson, and Maj. Gen. Chuck Wald, Vice Director J-5, JCS, DOD News Briefing, April 14, 1999. Bacon said: AWe have dropped, as General Wald said, cluster bombs, but we have not dropped the ones that he was talking about, which are a combination of anti-tank and anti-personnel landmines. These are the self-destructing ones called Gator. @



This Web page was created using a BETA Version of [HTML Transit 4.0](#).



III. WHAT ARE CLUSTER BOMBS?

Modern cluster bombs are of two main types—those delivered by surface artillery or rockets (including 155mm and 203mm artillery projectiles and Multiple-Launch Rocket System rockets), and those delivered by air. The bombs are designed to disperse submunitions (often called Agrenades@ in ground-delivered weapons and Abomblets@ in air-delivered weapons) over a large area, thereby increasing the radius of destructive effect over a target. The large number delivered increases the density of explosives in the target area, with submunitions designed to strike every few feet or so. They saturate an area with explosives and tiny flying shards of steel. Depending on the type, bomblets can be dispersed to areas as large as the size of several football fields. An air attack typically disperses thousands of submunitions within a small space; a common target area for a single weapon covers an area of roughly 100 x 50 meters.

Air-delivered cluster bombs are composed of a large dispenser with attached fins (called the tactical munitions dispenser (TMD) in the newest systems); fuses and electronic devices to control, spin, and direct the weapon during fall; and submunitions or bomblets. The bomblets themselves are of a variety of designs. Submunitions for the older CBU-52/B are softball sized, the CBU-58A/B and CBU-71/B have baseball-sized bomblets, and the Mk20 Rokeye carries dart-shaped bomblets with a small fuse in the point end. Once released, cluster bomb units (CBUs) fall for a specified amount of time or distance before the dispenser opens, allowing the submunitions to cover a wide-area target. Depending on the type, the submunitions are activated by an internal fuse, and can detonate above ground, at impact, or in a delayed mode.

Cluster bombs can be set to determine height of burst and the dispersal pattern. As the aircraft drops the TMD, tail fins open and stabilize the bomb body. At the selected time or altitude, the dispenser begins to spin, the spin rate determining the dispersal pattern. As the bomblets fall and disperse, they arm in different ways depending on their design. In the case of the CBU-87 soda-can sized bomblets (individually called BLU-97s), a Aspider@ cup is stripped off the body, releasing a spring which pushes out a nylon Aparachute@ (called the decelerator), which inflates and then stabilizes and arms the bomblet. The bomblets orient perpendicular to the ground for optimal top attack, and the descent is slowed to approximately 125 feet per second. On impact the primary firing mechanism detonates the bomblet.²⁰ A secondary firing system is included to detonate if the bomblet impacts other than straight on, or if the bomblet lands in soft terrain or water.²¹

The newest BLU-97s on the CBU-87 are made up of the parachute-like decelerator, the firing system and fuse, and the downward-firing shaped charge, all packed in a steel case with a fire-starting (incendiary) zirconium ring. The case is the main part, made of scored steel designed to break into approximately 300 preformed thirty-grain fragments upon detonation of the internal explosive. The fragments then travel at extremely high velocities in all directions. The explosive shaped charge (a formed molten copper jet slug) is the primary antiarmor weapon. If the bomblet has been properly oriented, the downward-firing charge travels at 2,570 feet per second upon detonation. The zirconium ring provides for fuel and other fires by spreading small incendiary fragments.

The impact diameter of individual cluster bomblets can vary from 250 to 500 feet, depending on the altitude of detonation. The shaped charge has the ability to penetrate five inches of armor on contact. The tiny steel case fragments are powerful enough to damage light armor and trucks at fifty feet, and to cause human injury at 500 feet. The incendiary ring can start fires in any combustible environment.

Widespread Cluster Bomb Use in the Gulf War

The 1991 Gulf war saw the most extensive and widespread use of cluster bombs in the history of armed conflict, both air- and ground-delivered. Given the flexibility in delivery modes for the newer bombs, particularly the capacity for delivery at extremely high speeds, and the reliability in comparison with Vietnam-era cluster bombs, CBU-87s became, according to the U.S. Air Force, the Aweapon of choice.@²² About one quarter of the total number of weapons dropped by aircraft on Iraq and Kuwait were cluster bombs, a total of 62,000 air-delivered cluster bombs. In addition, some 100,000 Dual-Purpose Improved Conventional Munition (DPICM) artillery shells and 10,000 MLRS rockets were expended (see Table 2). This translates, overall, into the dispersal of somewhere on the order of 24-30 million submunitions.²³ Assuming a dud rate of 5 percent, the number of individual live submunitions left on the battlefield, and in other areas of Iraq and Kuwait, can be reasonably estimated to be, at a minimum, 1.2 to 1.5 million.

Cluster bombs were used in attacks demanding dispersed yet fairly accurate damage against fixed Asoft@ targets (for example, radar, surface-to-air missile, and communications installations). Air-delivered cluster bombs were also in high demand for attacks intended to destroy Iraq=s widely dispersed tanks, armored personnel carriers, and artillery guns. They were extensively used in attacks on the Iraqi transportation system as part of the effort to find and destroy mobile Scud missiles. Aircraft patrolling from medium and high altitudes randomly delivered cluster bombs on roads and highways, and around culverts and bridges suspected of being missile traveling routes or hide sites.²⁴ From February 19 onwards, in addition, B-52 heavy bombers flying at extremely high altitudes dropped cluster bombs on suspected Scud launch areas and on roads leading to these areas, releasing bombs at timed intervals.²⁵ Towards the end of the war, B-52 bombers, together with many types of tactical fighter aircraft, also delivered cluster

bombs on tank and vehicle columns retreating from Kuwait, including along the so-called Ahighway of death.²⁶ In northern Iraq, in addition, aircraft flying from Turkey dropped cluster bombs on military and dual-purpose civilian installations.

Bombing from medium or high altitudes had a significant impact on both cluster bomb accuracy and reliability. Not only was there a greater dispersal pattern for the submunitions than was intended with low-altitude delivery, but pilots were outside the range needed to make sighting corrections or assess damage.²⁷ Vietnam-era CBU-52/58/71 cluster bombs, intended originally solely for low-altitude delivery, also Aperformed poorly throughout the war.²⁸ according to the Gulf War Air Power Survey.²⁸

One of the unexpected problems involved in medium- and high-altitude delivery of cluster bombs in Operation Desert Storm, even with the newer CBU-87s, was that the weapons began to experience what has been termed Aexcessively high dud rates.²⁹ Despite contact fuses and secondary firing systems, an enormous number of submunitions failed to detonate, particularly when landing in soft sand, shallow water, or mud.

One of the most immediate problems raised by the large number of unexploded bomblets that was being observed on the ground was the threat to U.S. and coalition forces in ground operations. The situation became so critical that the use of cluster bombs by aircraft was cut back by U.S. Central Command during the ground war for fear of friendly casualties.³⁰ As the ground war began, in some instances, Aground movement came to a halt because units were afraid of encountering unexploded ordnance.³¹ Troops with the U.S. 1st Armored Division said that the principal threat they faced was Aunexploded ordnance believed to have been left over from an earlier American bombardment.³² The *Washington Post* observed on March 3 that Aunits of the army=s 1st Cavalry Division that had suffered no combat casualties in their unopposed drive through southern Iraq have seen several of their soldiers killed or wounded by bombs or mines in the area they are holding.³³

Post-war injuries to U.S. and U.K. soldiers from submunitions on the battlefield, mostly because of excessively high dud rates of one type of grenades in the 155mm artillery projectile and MLRS rockets, subsequently received much press attention in the United States and Britain, as well as U.S. Congressional interest. The General Accounting Office (GAO) concluded that during Operation Desert Storm at least twenty-five U.S. military personnel were killed and others were injured by submunitions fired by their own forces.³⁴ Unexploded submunitions also caused many casualties among disposal specialists.³⁵

Dangers to the Civilian Population

The use of cluster bombs in Kuwait, on and around roads in southern, northern, and western Iraq, as well as in urban areas in Iraq led to a particularly hazardous situation for the noncombatant civilian populations of both Iraq and Kuwait.³⁶ Almost immediately after the end of the fighting, the civilian impact from the large scale-use of submunitions became evident. Soldiers found large amounts of unexploded submunitions and air-delivered mines in areas outside the immediate battlefield. In the Iraqi town of Safwan, for example, as the refugee population swelled after the cease-fire, Athe number of injuries caused by unexploded ordnance rose alarmingly.³⁷ There were widespread and consistent reports of Iraqi and Kuwaiti civilians being killed or injured by unexploded bomblets from coalition cluster bombs. Unexploded submunitions were a hazard to Kurdish refugees and foreign relief operations in the north.³⁸

The widespread and indiscriminate use of cluster bombs in civilian areas thus generally impeded post-war recovery for the civilian population. Iraqi authorities claim to have cleared over one-half million items of unexploded ordnance in urban areas of the country, and removed tens of thousands of unexploded submunitions from electrical power plants and telephone, television, and radio communications installations, from the approaches to bridges, and from civilian neighborhoods.³⁹ Even if the Iraqi authorities and the experiences of other observers in Iraq were not to be believed, one of the first tasks of the Allied forces in extinguishing the oil fires in Kuwait after the war was clearing unexploded ordnance, particularly coalition submunitions. The Kuwaiti minister for electricity and water stated that delays in restoring services were caused by the discovery of Aunexploded cluster bombs and minefields at crucial spots in the electric grid.⁴⁰

Cluster bomb submunitions that failed to detonate were also responsible for a considerable portion of the immediate post-war civilian injuries in Iraq.⁴¹ It is estimated that more than 1,600 civilians (400 Iraqi and 1,200 Kuwaiti) were killed and over 2,500 injured in the first two years after the end of the Gulf war from accidents involving submunitions.⁴²

A particular problem for the civilian population, particularly children, was the very design of the submunitions. AToy-size bombs designed to kill tanks and soldiers [also] appear as white lawn darts, green baseballs, orange-striped soda cans.⁴³ one report from Kuwait reported almost a year after the war ended. These attractively arrayed and intriguing unexploded submunitions Aproved deadly to children.⁴³ Kuwaiti doctors stated that some 60 percent of the victims of unexploded ordnance injuries were children aged fifteen and under.⁴⁴

The Alawn darts⁴⁵ referred to are Vietnam-era Rockeye submunitions that were used in huge numbers in 1991. The baseball-like remnants are from older CBU-52/58/71 cluster bombs and the ground artillery- and rocket-delivered bomblets. The orange-striped Asoda cans⁴⁶ are the distinct remnants of the BLU-97 bomblets from the CBU-87 and the British BL755.

The distinct shapes and colors of cluster bomb submunitions have posed particular hazards in Iraq and Kuwait, but even so, these live submunitions have been far less detectable than large unexploded bombs, particularly as they were covered by shifting sand or pools of water. In addition, with anti-handling fuses on some submunitions, and a deterioration of inexpensive electronic components caused by the passage of time and widely fluctuating temperatures, there came to exist Aperhaps the most dangerous pieces of ordnance in our arsenal, from a dud-fired standpoint... They can only be blown in place or neutralized remotely.⁴⁵

20 A crushed piezoelectric crystal generates an electrical pulse that is sent through a cable to the Mk 96 detonator, initiating the explosion. Capt. Kelly Leggette, "The Air Force's New Cluster Weapon: The Combined Effects Munition," *USAF Fighter Weapons Review*, Spring 1986, pp. 24-32.

21 The working of the secondary firing mechanism is described as follows: At impact, a loose steel ball at the base of the secondary fuse moves outward, regardless of the impact angle, forcing a sleeve upward.... This movement releases the secondary firing pin release balls and allows the firing pin spring to force the firing pin into a Mk 55 stab detonator which in turn crushes a second piezoelectric crystal. The resultant burst of electrical current is routed to the Mk 96 detonator and initiates the explosive train in the same manner as the primary fuse. *Ibid.*

22 U.S. Air Force, Gulf War Air Power Survey (GWAPS), vol. 3, part 1 (1993), p. 246 (hereafter referred to as GWAPS).

23 This is based on the calculation of the number of artillery shells times seventy-two submunitions each, rockets times 644 submunitions each, and bombs times an average of two hundred submunitions each.

24 F-16 aircraft primarily delivered CBU-87s in eastern Iraq as part of these operations, and the F-111F aircraft delivered CBU-89 Gator antitank and antipersonnel mines in western Iraq. GWAPS, vol. 4, part 1, pp. 43, 48.

25 *Ibid.*, p. 290.

26 *Ibid.*, p. 231.

27 *Ibid.*, vol. 2, part 2, pp. 162-163.

28 *Ibid.*, vol. 2, part 1, p. 261. See also *Ibid.*, vol. 4, part 1, p. 222.

29 *Ibid.*, vol. 2, part 1, p. 261. See also GWAPS, vol. 4, part 1, p. 222.

30 Large quantities of cluster bombs were never used after the start of the ground war because of the rapid advance of allied forces and the fear that they would encounter undetonated bomblets. U.S. Congress, General Accounting Office, "Limitations on the Role and Performance of B-52 Bombers in Conventional Conflicts," B-252126, June 22, 1993, p. 61.

31 U.S. Congress, General Accounting Office, "Operation Desert Storm: Casualties Caused," p. 9.

32 Douglas Jehl, *Los Angeles Times*, Pool Report with the 1st Armored Division, February 25, 1991.

33 William Branigan, "Gruesome Examples of Horrors of War Abound in Iraqi Desert," *Washington Post*, March 3, 1991.

34 U.S. Congress, General Accounting Office, "Operation Desert Storm: Casualties Caused." The GAO investigation solely related to the Army's experience with its own M42, M46 and M77 artillery- and rocket-delivered submunitions. According to "EOD Alert," *Marine Corps Gazette*, January 1994, p. 9, thirty U.S. soldier deaths and 104 injuries were caused by unexploded ordnance overall.

35 "A90 Explosive Experts Killed So Far - Heat May Add to Pollution Problem," *Arab Times*, July 8, 1992.

36 Frank P. Ragano, "Operation Desert Sweep Ousts Battlefield Waste," *National Defense*, March 1994, p. 30; Pamela Pohling-Brown, "ACMS Goes Clean and Green," *International Defense Review*, February 1993, p. 132; John Boatman, "Sweep up after the Storm," *Jane's Defence Weekly*, May 9, 1992; Ron Martz, "Mines Pose Hidden Danger in Kuwait," *Atlanta Journal & Constitution*, December 15, 1991; John G. Roos, "ACMS Encountered Minefield in US Before Winning Kuwait Clean-Up Award," *Armed Forces Journal International*, November 1991, p. 24; Nash, "ARO in Kuwait"; Atkinson, "Doing a Bang-up Job"; and Branigan, "Gruesome Examples."

37 U.S. Army, Office of the Chief of Staff, *Certain Victory: The U.S. Army in the Gulf War* (1993), pp. 321, 328.

38 U.S. Congress, Senate Armed Services Committee, *Operation Desert Shield/Desert Storm*, Hearings, 1991, p. 35. See also Clyde Haberman, "In Kurdish Havens, the Big Danger is Underfoot," *Washington Post*, May 27, 1991. According to 39th Tactical Group, Incirlik Air Base, Turkey, "Challenges Overcome During Operations Desert Storm and Provide Comfort," n.d. (1993), released under the Freedom of Information Act, explosive ordnance disposal experts cleared 2.7 tons of unexploded ordnance from the runways and operating areas of the northernmost Iraqi airfield bombed in Sirsenk. Of course, the major danger to the Kurdish population was presented by the landmines emplaced by Iraq both during the Iran-Iraq war and the Gulf war. See Middle East Watch, *Hidden Deaths: Land Mines and Civilian Casualties in Iraqi Kurdistan* (New York: October 1992).

39 This is based on testimony and observations of the first Harvard Study Team in Iraq in May 1991, and by the International Study Team in Iraq in August-September 1991. See also "Teams Defuse 11 U.S.-Made Bombs in Ninawa," Baghdad INA (Iraqi News Agency), FBIS-NES-93-099, May 25, 1993, p. 35; "Cluster Bombs Kill Boy 16 Apr.," Baghdad INA, FBIS-NES-93-073, April 19, 1993, p. 22; "Engineers Clear Saddam Dam Area of Cluster Bombs," Baghdad INA, FBIS-NES-93-071, April 15, 1993, p. 19; "Civil Defense Says 464,599 Bombs Defused Through Feb.," Baghdad INA, FBIS-NES-93-040, March 3, 1993, p. 18; "Bombs, Other Ammunition Defused in Dhi Qar," Baghdad INA, FBIS-NES-92-245, December 21, 1992, p. 32; "16 Cluster Bombs Defused in al-Muthanna Province," Baghdad INA, FBIS-NES-92-218, November 10, 1992, p. 34;

Recent Destruction of Munitions in al-Basrah, @ Baghdad INA, FBIS-NES-92-128, July 2, 1992, p. 21; Exploding War Bombs Causing Civilian Casualties, @ Baghdad INA, FBIS-NES-91-243, December 18, 1991, p. 22; Ordnance Defused in al-Anbar, @ Baghdad INA, FBIS-NES-91-243, December 18, 1991, p. 22; A>Text= of Ministry Statement on Defused Bombs, @ Baghdad INA, FBIS-NES-91-228, November 26, 1991, p. 21; and U.S.-Kuwaiti Force Reportedly >Infiltrated= Farms, @ Baghdad INA, FBIS-NES-91-204, October 22, 1991, p. 12.

40 Tom Diaz, ABasic needs still unmet in Kuwait, @ *Washington Times*, March 18, 1991. See also Eliot Marshall, ATo Stop Kuwait=s Fires, First Clear the Mines, @ *Science*, June 21, 1991, p. 1609. The submunitions were not limited to purely military targets. At one elementary school alone in Fahaheel neighborhood of Kuwait City technicians recovered 1,220 Rocket submunitions. Brady, AKuwaitis dying. @

41 This was certainly the case in the immediate post-war period (see, for example, Nora Boustany, ABorder Town Becomes Wasteland of Refugees, @ *Washington Post*, March 20, 1991; and Susan Okie, A30,000 Fleeing War Get Shelter in Iran, U.N. Officials Say, @ *Washington Post*, March 20, 1991), and continues even to this day.

42 The Iraqi figures are derived from interviews conducted by the author of this report, William Arkin, with Iraqi civil defense officials in August-September 1991 and February 1993. The Kuwaiti figures were estimated by the Kuwaiti Defense Ministry and from discussions with analysts at the National Ground Intelligence Center. See also Brady, AKuwaitis dying @, NBC Nightly News, April 29, 1991; Matthew L. Wald, AMines and Old Bombs Are Still a Threat in Kuwait, @ *New York Times*, May 12, 1991; Nora Boustany ABorder Town @; and Susan Okie, A30,000 Fleeing War. @

43 Cited in Brady, AKuwaitis dying. @

44 Ibid.

45 AOrdnance advice ignored, @ Letter to the Editor, *Army Times*, May 18, 1992, p. 30.

PAGE < TO > PAGE >

This Web page was created using a BETA Version of [HTML Transit 4.0](#).

PAGE < TOC PAGE >



ACKNOWLEDGMENTS

This report was written by William M. Arkin, a consultant with the Arms Division of Human Rights Watch, and edited by Joost R. Hiltermann, the executive director of the Arms Division, and Michael McClintock, deputy program director of Human Rights Watch.

Human Rights Watch acknowledges with appreciation the support of the Rockefeller Foundation and the Ruth Mott Fund. Human Rights Watch takes sole responsibility for the content of this report.

PAGE < TOC PAGE >

This Web page was created using a BETA Version of [HTML Transit 4.0](#).



APPENDIX A: DESCRIPTIONS OF CLUSTER BOMB TYPES

CBU-87 Combined Effects Munition

The U.S. CBU-87 Combined Effects Munition (CEM) is the newest standard air-delivered cluster bomb unit (CBU) in the U.S. arsenal.⁴⁶ It has been in the U.S. Air Force inventory since 1986 (and in production since 1984), and has replaced aging and less effective Vietnam-era cluster bomb units and antitank mines. A myriad of delivery settings (high and low altitudes, extremely high speeds, and various toss modes) makes it a significant advance over older bombs. Combining light antiarmor capabilities with antipersonnel and incendiary effects, it is the only weapon in the U.S. inventory to include all three Akill mechanisms.⁴⁷

The 1000-lb. class cluster bomb is compatible with virtually all current tactical fighter aircraft, U.S. and foreign.⁴⁷ It is manufactured by Alliant Techsystems of Minnesota.

The weapon contains 202 bomblets (designated with the nomenclature BLU-97/B). The bomblets (officially called Acombined effects bomblets,⁴⁸ CEBs) are seven inches long, with a two-and-a-half inch diameter and a weight of 3.41 pounds.

In contrast with earlier cluster bombs, the ground pattern size and shape of the bomblet dispersal can be determined in the CBU-87 by setting the spin rate of the dispenser and the height of burst. A single CBU-87 set at a low spin rate (e.g., 500 rpm) can disperse bomblets to an area 120 by 200 feet, with bomblets scattered an average of nine feet apart. A range of impact patterns from 70 by 70 feet to 150 by 450 feet can be achieved depending on altitude.⁴⁸ In general, the bomblets cover an area of 800 by 400 feet, given medium- to high-altitude delivery.⁴⁹

In order to even more fully control the accuracy of the weapon, the CBU-87 is being upgraded under the Wind Corrected Munition Dispenser (WCMD) program. This is a retrofitted tail kit manufactured by Lockheed Martin.

BL755

The British BL755 air-delivered cluster bomb is carried by all active Royal Air Force and Royal Navy attack aircraft, most notably the Harrier, Jaguar, and Tornado. A dual-role⁵⁰ weapon similar to the U.S. CBU-87, it is designed to attack a range of both Ahard⁵⁰ and Asoft⁵⁰ targets. The TMD weighs 600 lb, and contains 147 Abeer-can size⁵⁰ bomblets similar in appearance to the U.S. BLU-97 bomblet delivered by the CBU-87.⁵⁰ It entered service with the RAF in 1972.

When the BL755 is dropped, the primary fuses arm. After a set interval, the initial cartridge is fired, which produces the gas pressure to blow off the two-part TMD body Askins,⁵¹ and fire the main cartridge. Each bomblet is 5.87 inches (0.15m) when it is fired. This extends to 24.69 inches (0.62m) once the nose probe and retarding parachute extend. The BL755 is manufactured by Hunting Engineering.⁵¹

The BL755 cluster bomb was originally designed for low-altitude delivery only, and in the Gulf war proved ineffective for medium-altitude strikes. During the war, the RAF used U.S. CBU-87s.⁵²

A modified AR⁵³ variant of the BL755, called the RBL755, was developed after the Gulf war to provide medium-altitude operations. This variant of the BL755 has been used by NATO in Operation Allied Force in Yugoslavia. It can be dropped from medium altitudes (above 10,000 ft).⁵³

CBU-89 Gator

The U.S. CBU-89/B is the latest cluster bomb in the Gator family of scatterable mines (which also includes the older CBU-78/79 U.S. Navy weapon). The 1000-lb SUU-64/B TMD of the CBU-89 holds seventy-two antiarmor and twenty-two antipersonnel landmines (or sixty mines in the case of the CBU-78). Gator=s mines are the BLU-91/B antitank mine and BLU-92/B antipersonnel mine. The BLU-91/B antitank mine detects targets, distinguishes armored vehicles, and detonates when the target reaches the most vulnerable approach point. The BLU-92/B antipersonnel mine serves to discourage clearing of the antitank mines. The system is built by Aerojet Ordnance Company.

The mines arm immediately upon impact with the ground. Each has an integrated fuse: the antitank mine has a magnetic influence fuse to sense

armor, and the antipersonnel mine has a deployed trip wire that activates when personnel walk on or disturb it. The antipersonnel mine has a fragmenting case warhead that is triggered by the trip wires. Upon activation, the mine sends high-velocity steel fragments in a horizontal plane over a wide area. Another feature of the Gator is the random-delay function, allowing for detonations over several days to provide area denial and harassment. Both mines also have a programmable self-destruct feature which can be set just prior to aircraft takeoff using a selector switch on the dispenser.

Gator can be delivered by tactical aircraft or heavy bombers. The minefields are used for area denial, diversion of moving ground forces, or to immobilize targets to supplement other direct attack weapons. During Operation Deliberate Force over Bosnia in 1995, the CBU-89 was slated to be used, according to a U.S. Air Force study: A60 Gator mines were to be used for area denial and funneling of troops and equipment during BSA [Bosnian Serb Army] withdrawals, but the plan was never implemented because of the cease fire and the desire to avoid non-combatant casualties, fratricide, and civilian vehicle damage.⁵⁴

Function/ Weapons Type or Name	Weapons Designation	Sub-munition	Number
Ground Delivered			
105mm Artillery	M444 ICM	M39	18
	M915/M916 DPICM	M80	42
155mm Artillery	M449 ICM	M43A1	60
	M864 DPICM	M42/M46	72
	M483A1 DPICM	M42/M46	64/24
203mm (8 inch) Artillery	M404 ICM*	M43	104
	M509A1 DPICM*	M42/M46	180
MLRS	M26	M77	644
	M26A1	M77	518
ATACMS		M74	1000
Air Delivered			
	MK15*	M40	2020
Rockeye I	MK20	MK118	247
	MK22	MK38	2020
	CBU-7/A*	BLU-18	1200
	CBU-12/A*	BLU-17/B	213
	CBU-24/B*	BLU-26/B	670
	CBU-25/A*	BLU-24/B	132
	CBU-29/B*	BLU-36/B	670
	CBU-46/A*	BLU-66/B	444
	CBU-49/B*	BLU-59/B	670
	CBU-52/B	BLU-61A/B	217
	CBU-58A/B	BLU-63/B	650
Rockeye II	CBU-59/B	BLU-77/B	717
	CBU-60/A*	BLU-24/B	264
	CBU-63/B*	M40	2025
	CBU-70/B*	BLU-85/B	79
	CBU-71/B	BLU-86/B	650
	CBU-75A/B*	BLU-63/86	1420/355
Gator	CBU-78/79	BLU-91/B-92/B	45/15
	CBU-81/A	BLU-49A/B	45
CEM	CBU-87/B	BLU-97/B	202
CEM WCMD	CBU-87/B	BLU-97/B	202
Gator	CBU-89/B	BLU-91/B-92/B	92
Sensor Fused Weapon	CBU-97	BLU-108/B	10
SFW WCMD	CBU-105	BLU-108/B	10
JSOW	AGM-154A	BLU-97/B	145

JSOW	AGM-154B	BLU-108/B	6
------	----------	-----------	---

* Obsolete or no longer in widespread active use by the U.S. military.

The CBU-72/B containing the BLU-73A/B is classified as a fuel-air explosive, and contains three submunitions.

AGM: air-to-ground munition
 ATACMS: Army Tactical Missile System
 BLU: Bomb Live Unit
 CBU: Cluster Bomb Unit
 CEM: Combined Effects Munition
 DPICM: Dual Purpose Improved Conventional Munition
 ICM: Improved Conventional Munition
 JSOW: Joint Standoff Weapon
 MLRS: Multiple Launch Rocket System
 SFW: Sensor Fused Weapon
 WCMD: Wind Corrected Munitions Dispenser

Source: Office of the Secretary of Defense, U.S. Air Force, Air Land Sea Application Center, *UXO: Multiservice Procedures for Operations in an Unexploded Ordnance Environment* (FM 100-38, MCRP 4-5.1, NWP TP 3-02.4.1, ACCPAM 10-752, PACAFAM 10-752, USAFEPAM 10-752), July 1996.

Table 2
Air-Delivered Cluster Bomb Use in the Gulf War

Type	Number Used		
	Air Force	Navy	Marines
CBU-52/58/71	21,696 ¹	0	0
CBU-59	0	0	186
CBU-78 Gator	0	148	61
CBU-87	10,035	0	0
CBU-89 Gator	1,105	0	0
Mk20 Rockeye	5,345	6,814	16,014
Subtotal	38,181	6,962	16,261
Coalition	RAF		
BL755	8		
CBU-87	387		
Subtotal	395		
Total			61,799*

* Does not include a complete count of allied use of cluster bombs, particularly French and Saudi.

Sources: U.S. Air Force, Gulf War Air Power Survey (GWAPS), Volume III, Part I, p. 235; Volume IV, Part I, p. 65; Volume V, Part I, pp. 550-552; House of Commons, Preliminary Lessons of Operation Granby (July 1991), p. 86. Sources vary on the number of CBU-52/58/71 cluster bombs expended, some stating 17,831. The higher official number was chosen; see GWAPS, Volume III, Part I, pp. 234, 256.

46 Much of the detail on CBU-87 and BLU-97 characteristics and operations is derived from Leggette, AThe Air Force's New Cluster Weapon@, fact sheets prepared by Alliant Techsystems and Aerojet; and the fact sheet appended to Letter, Department of the Air Force, Wright-Patterson AFB, Ohio, May 18, 1994, in response to a Freedom of Information Act request.

47 The dispenser has been approved for use on the A-10, AV-8B, F-15, F-16, F/A-18, B-1, and B-52 aircraft. International aircraft currently certified for the CBU-87 include the British Hawk and Harrier, French Mirage V, German Alpha Jet, Japanese F-1 and FX, and multinational Tornado and Jaguar.

48 The spin rate can be set from 0-2500 rpm. The radar sensor allows selection of heights of burst ranging from 300 to 3,000 feet. See ACombined Effects Munitions (CEM) Safe Separation.@ *USAF Fighter Weapons Review*, Summer 1992, p. 33; and Edmond Dantes, ACBU-87 Combined Effects Munition: The Pilot's Weapon of Choice.@ *Asian Defence Journal*, March 1991, p. 79.

49 Information provided to Human Rights Watch by the U.S. Air Force in 1999.

50 Phillips, ACluster-bombing ends frustration.@

51 Information provided by the Royal Air Force, located at http://www.raf.mod.uk/front_line/a_sshort.html.

52 U.K., House of Commons, Preliminary Lessons of Operation Granby (July 1991), p. 86.

53 Nick Cook, ANATO battles against the elements, @ *Jane's Defence Weekly*, April 21, 1999.

54 U.S. Air Force, Air University, ADeliberate Force: A Case Study in Effective Air Campaigning, Final Report of the Air University Balkans Air Campaign Study, @ June 1998, p. 8-33.



This Web page was created using a BETA Version of [HTML Transit 4.0](#).

van holst en steijnen

From: Jankovic, Tika <Tika.Jankovich@micrel.com>
To: <bekkerw@zonnet.nl>
Cc: <miroslav@antic.org>; <hans.hupkes@tomaatnet.nl>; <n.h.van.holst@freeler.nl>;
 <despot@wishmail.net>; <miltep@EUnet.yu>; <pelkinsin@aol.com>
Sent: vrijdag 20 april 2001 13:59
Subject: RE: snimci zrtava claster bombi u Nisu

Dear Mr. Bekker,
 Yes, there was a typo in the E-mail address of Dr. Milorad Mitkovic.
 I apologize for the inconvenience it has caused to all the readers in the loop.

Since I am at work right now, and the above address is stored in my home PC, I will you retransmit his correct address, must be with a "YU", as soon as I get home.

I will, also, do my best to get you the required photos and the addresses of the victims from Dr. Mitkovic ASAP.
 I have only a video footage of his presentation of the victims to the cluster bombs, he gave in the hospital on the colored slides in May 2000, for my records.

Besides, I have Dr. Mitkovic's brochure on this subject, and would be happy to mail you a copy of as soon as I know your mailing address. My home E-mail address is PELKINSIN@AOL.COM.

Respetfully,

Tika Jankovic, California

> ---Original Message---

> From: SNN [SMTP.miroslav@antic.org]
 > Sent: Thursday, April 19, 2001 2:05 PM
 > To: G.W. Bekker, Tika Jankovich
 > Cc: Miroљub Minja Veljanovic; Hans Hupkes; Nico Stijnen; Ruza
 > Despotovic; Milan Tepavac
 > Subject: RE: snimci zrtava claster bombi u Nisu

> Eunet.com koliko znam ne postoji.

> dakle eunet.yu je tacno

> Mika

> ---Original Message---

> From: G.W. Bekker [<mailto:bekkerw@zonnet.nl>]
 > Sent: Thursday, April 19, 2001 9:16 AM
 > To: Tika Jankovich
 > Cc: Miroљub Minja Veljanovic; Miroslav Antic; Hans Hupkes; Nico
 > Stijnen; Ruza Despotovic; Milan Tepavac
 > Subject: Fw: snimci zrtava claster bombi u Nisu
 > Importance: High

> Postovani,

> Nazalost, mail administrator vraca uporno poruku za Dr. Milorada
 > Mitkovica.
 > Adresa mitkovic@eunet.com <<mailto:mitkovic@eunet.com>> isp[ostavlja
 > se netacnom.

> Da li mozda treba da bude mitkovic@cunet.yu
> <<mailto:mitkovic@cunet.yu>>?

> — Original Message —

> From: G.W. Bekker <<mailto:bekkerw@zonnet.nl>>
> To: Tika Jankovich <<mailto:Tika.jankovich@micrel.com>>
> Cc: Miroљub Minja Veljanovic <<mailto:veljanovic@dplanet.ch>>;
> Miroslav Antic <<mailto:miroslav@antic.org>>; Hans Hupkes
> <<mailto:hans.hupkes@tomaatnet.nl>>; Nico Stijnen
> <<mailto:n.h.van.holst@freeler.nl>>; Ruza Despotovic
> <<mailto:despot@wishmail.net>>; Milan Tepavac <<mailto:miltep@EUnet.yu>>
> Sent: Thursday, April 19, 2001 3:06 PM
> Subject: snimci zrtava cluster bombi u Nisu

> Postovani gospodine,

> Vi ste nedavno Stalnoj Komisiji za (holandske) ratne zlocine
> pocinjene u Jugoslaviji poslali adresu Dr. Milorada Mitkovica
> ortopeda-hirurga iz Nisa. Mi Vam zahvaljujemo srdacno. Nasoj komisiji je
> potreban
> sav dokazni materijal koji je moguće pribaviti posto mi vec vodimo
> proces za nadoknadu odstete stradalnicima u RTS-u pa nameravamo to isto da
> pokrenemo i za zrtve klaster bombi u Nisu.
> Bili bismo Vam veoma zahvalni ako imate snimaka koje mozete da nam
> dostavite preko Interneta a koje bismo mi preko printera presnimili. To
> mozete dostaviti i na ovu adresu putem RE-odgovora.

> U iscekivanju Vasceg odgovora i srdaean pozdrav,

> mr. N.M.P. Steijnen
> PC-lawyer

> U ime Stalne Komisije za (holandske) ratne zlocine,

> D. Bekker-Isakovic.

van holst en steijnen

From: Duska Bekker Isakovic <isakovicd@zonnet.nl>
To: Nico Stijnen <n.h.van.holst@freeler.nl>
Cc: Ruza Despotovic <despot@wishmail.net>; Hans Hupkes <hans.hupkes@tomaatnet.nl>
Sent: maandag 16 april 2001 08:14
Subject: Fw: Adrese naslednika zrtava kasetnih bombi u Nisu

> —Original Message—

> From: pelkinsin@aol.com [<mailto:pelkinsin@aol.com>]
 > Sent: Monday, April 16, 2001 12:48 AM
 > To: miroslav@antic.org
 > Cc: mitkovic@eunet.yu; Sorabia@yahogroups.com
 > Subject: [sorabia] Adrese naslednika zrtava kasetnih bombi u Nisu

>
 >
 > Saljem vam elektronsku adresu Dr. Milorada Mitkovic,
 > (mitkovic@eunet.com), hirurga-ortopeda iz Nisa, koji je lecio,
 > i jos uvek leci, zrtve ovih americkih neljudskih oruzja.
 > Ja imam izvesnu video dokumentaciju iz NATO rata na Srbiju,
 > na kojoj su dokumentovani i ovakvi slucajevi. Ako bi i ovo pomoglo
 > napore Stalne komisije u Holandiji, za ratne zlocine pocinjene
 > u Srbiji od strane holandskih ubica i pljackasa nase otadzbine,
 > javite mi.

>
 > Tika Jankovic
 > Kalifornija

>
 > Beste Nico,
 Hierboven staat het volgende:
 Hierbij de electronische adres van Dr. Milorad Mitkovic,
 (mitkovic@cunet.com), chirurg-orthooped uit Nis, de arts die destijds
 de slachtoffers geholpen heeft en deze nog steeds helpt, de slachtoffers van
 de amerikaanse wapens (cluster bommen).
 Ik ben in het bezit van video documentatie uit NAVO oorlog tegen Servie,
 waarop gedocumenteerd ook deze gevallen. Als dit de inspanning van de
 Permanente Commissie in Nederland, voor oorlogs misdaden begaan in Servie
 door de nederlandse moordenaars van ons vaderland, zou kunnen helpen dan
 hoor ik het graag.

Tika Jankovic
 Kalifornie

>
 P.S. Deze man heeft aan Antic al eerder hierover bericht.
 Dr. Milorad Mitkovic zou jullie aan alle adressen van de slachtoffers en de
 familie
 leden ervan in Nis kunnen helpen. Schrijf hem een mailtje (denk alleen
 dat het
 in de Servische taal zou moeten.)

Duska.

>
 >

van holst en steijnen

From: G.W. Bekker <bekkerw@zonnet.nl>
 To: Nico Stijnen <n.h.van.holst@freeler.nl>
 Cc: Ruza Despotovic <despot@wishmail.net>; Hans Hupkes <hans.hupkes@tomaatnet.nl>
 Sent: donderdag 3 mei 2001 11:55
 Subject: Fw: Zrtve klaster bombi u Nisu

Beste Nico,
 Hierbij de vertaling van onderstaand e-mail brief van Dr. Mitkovic uit Nis die via mij is gekomen.
 Grootjes, Duska.

Geachte heer Stijnen,

Dank voor uw e-mail van 19.4.2001, waarop ik niet meteen kon antwoorden. Dank u hartelijk dat u uw energie inzet om de onschuldige slachtoffers van de oorlog te helpen en dat via Permanente Commissie voor (Nederlandse) oorlogs misdaden begaan in Joegoslavië (PC), welke u daar heeft opgericht. Ik heb de slachtoffers geholpen en nu nog help ik meer dan 30 zeer zwaar gewonden. Bij ons in kliniek zijn 99 gewonden behandeld. Ik heb persoonlijk het maken van een foto documentatie daarover georganiseerd, het ziet er verschrikkelijk uit vooral die bewuste dag - 7. mei 1999, toen op Nis 3 containers met cluster bommen zijn gegooid (een op Klinisch centrum in Nis, andere op de stads markt en derde op een woonwijk). Ik ben in het bezit van documentatie alleen van het klinisch centrum en van de gewonden. Veel energie heb ik ingestopt in humanitair werk, om in dusdanige moeilijke economische situatie, de gewonden die het overleefd hebben te helpen en hen het beste genezing te verzorgen die mogelijk is in zulke omstandigheden. Deze dagen zullen wij de overlevende gewonden inlichten over uw inspanning, en indien zij accoord gaan, zullen wij hun adressen en hun foto's aan u sturen.

Hoogachtend,

Prof. Dr. Milorad Mitkovic
 Orthopedisch-traumatologische kliniek
 Brace Taskovic 48
 18000 Nis
 Yugoslavia

ADRES

+ 2 MAANDEN GELEDEN
 HEM PER E-MAIL OP NIEUW
 GEVRAAGD OM MEDEWERKING
 GEEN REACTIE ONTVANGEN
 DIE BEWUSTE E-MAIL VAN IK
 (NOG) NIET VAN OËN
 (NIET VERWERKT NOG
 IN HET ARCHIEF)

— Original Message —

From: Mitkovic Milorad <mitkovic@EUnet.yu>
 To: G.W. Bekker <bekkerw@zonnet.nl>
 Cc: Tika Jankovich <Tika.jankovich@micerel.com>
 Sent: Thursday, May 03, 2001 3:04 PM
 Subject: Zrtve klaster bombi u Nisu

- > Postovani gospodine Steijnen,
- > Hvala Vam na vasem e-mailu od 19.4.2001, na koji nisam bio u mogucnosti
- > da odmah odgovorim. Hvala Vam sto ulazete energiju da pomognete neduznim
- > zrtvama rata a preko Stalne Komisije za (Holandske) ratne zlocine
- > pocinjene u Jugoslaviji (PC), koju ste tamo osnovali. Ja sam lecio i

van holst en steijnen

From: <Pelkinsin@aol.com>
To: <mitkovic@eunet.yu>
Cc: <miroslav@antic.com>; <hans.hupkes@tomaatnet.nl>; <n.h.van.holst@freeler.nl>; <despot@wishmail.net>; <miltep@eunet.yu>; <bekkerw@zonnet.nl>; <cvet@cent.co.yu>
Sent: zaterdag 21 april 2001 11:37
Subject: Kasetne Bombe i Njihove Zrtve u Nisu

Dragi Dr. Milorade,
 Odavno nemam vesti od Vas. Molim Vas, odazovite se pozivu nasih prijatelja i zastitnika iz Holandije, dole pomenutih, sto pre mozete.

Vi imate dokumentaciju o zrtvama NATO bombardovanja Nisa. Nasi prijatelji zele adrese i imena rodjaka nastradalih od americkih "kasetnih" bombi, o kojima Vi znate mnogo. Vasa brosurica o ovom podmuklom oruzju, sa dokumentacijom o unakazenju zrtva je bolno i tesko optuzujece svedocanstvo, koje treba objaviti svetu i traziti osudu i kaznu za zlocince.

Molim Vas, obratite se ovim nasim prijateljima i pomozite da ova dokumentacija sto pre dodje do njih. Fotografije se mogu elektronski kopirati i kao takve slate na donje elektronske adrese.

Posaljite mi kopiju Vase korespondencije sa nasim Holandjanima. Neka se i Duca i Ivan ukljuce u ovu akciju. Ja imam video snimak Vaseg predavanja o kasetnim bombama i njihovim zrtvama, koji sam napravio u Vasoju bolnici proste godine, ali Komitetu su potrebne fotografije, pored ostalog.

U Beograd dolazim 13. maja. Donosim pomoc kao i do sada, svakog maja i decembra. Zeleo bih da pomoc odnesem i izbeglicama u Bujanovcu, kao i proste godine. Nastojacu da svratim i do Nisa.

Vas Tika Jankovic

Subj: RE: snimeci zrtava cluster bombi u Nisu
 Date: 4/20/01 1:57:26 PM Pacific Daylight Time
 From: Tika.Jankovich@micrel.com (Jankovic, Tika)
 To: bekkerv@zonnet.nl ('bekkerw@zonnet.nl')
 CC: miroslav@antic.org ('miroslav@antic.org'), hans.hupkes@tomaatnet.nl ('hans.hupkes@tomaatnet.nl'), n.h.van.holst@freeler.nl ('n.h.van.holst@freeler.nl'), despot@wishmail.net ('despot@wishmail.net'), miltep@EUnet.yu ('miltep@EUnet.yu'), pelkinsin@aol.com ('pelkinsin@aol.com')

Dear Mr. Bekker,
 Yes, there was a typo in the E-mail address of Dr. Milorad Mitkovic. I apologize for the inconvenience it has caused to all the readers in the loop.

Since I am at work right now, and the above address is stored in my home PC, I will you retransmit his correct address, must be with a "YU", as soon as I get home.

I will, also, do my best to get you the required photos and the addresses of the victims from Dr. Mitkovic ASAP.

I have only a video footage of his presentation of the victims to the cluster bombs, he gave in the hospital on the colored slides in May 2000, for my records.

Besides, I have Dr. Mitkovic's brochure on this subject, and would be happy to mail you a copy of as soon as I know your mailing address. My home E-mail

address is PELKINSIN@AOL.COM.

Respetfully,

Tika Jankovic, California

> —Original Message—

> From: SNN [SMTP:miroslav@antic.org]
 > Sent: Thursday, April 19, 2001 2:05 PM
 > To: G.W. Bekker; Tika Jankovich
 > Cc: Miroljub Minja Veljanovic; Hans Hupkes; Nico Stijnen; Ruza
 > Despotovic; Milan Tepavac
 > Subject: RE: snimci zrtava claster bombi u Nisu

> Eunet.com koliko znam ne postoji.

> dakle eunet.yu je tacno

> Mika

> —Original Message—

> From: G.W. Bekker [<mailto:beckerw@zonnet.nl>]
 > Sent: Thursday, April 19, 2001 9:16 AM
 > To: Tika Jankovich
 > Cc: Miroljub Minja Veljanovic; Miroslav Antic; Hans Hupkes; Nico
 > Stijnen; Ruza Despotovic; Milan Tepavac
 > Subject: Fw: snimci zrtava claster bombi u Nisu
 > Importance: High

> Postovani,

> Nazalost, mail administrator vraca uporno poruku za Dr. Milorada
 > Mitkovica.
 > Adresa mitkovic@eunet.com <<mailto:mitkovic@eunet.com>> isp[ostavlja
 > se netacnom.
 > Da li mozda treba da bude mitkovic@eunet.yu
 > <<mailto:mitkovic@eunet.yu>>?

> — Original Message —

> From: G.W. Bekker <<mailto:beckerw@zonnet.nl>>
 > To: Tika Jankovich <<mailto:Tika.jankovich@miercl.com>>
 > Cc: Miroljub Minja Veljanovic <<mailto:veljanovic@dplanet.ch>> ;
 > Miroslav Antic <<mailto:miroslav@antic.org>> ; Hans Hupkes
 > <<mailto:hans.hupkes@tomaatnet.nl>> ; Nico Stijnen
 > <<mailto:n.h.van.holst@freeler.nl>> ; Ruza Despotovic
 > <<mailto:despot@wishmail.net>> ; Milan Tepavac <<mailto:mittep@EUnet.yu>>
 > Sent: Thursday, April 19, 2001 3:06 PM
 > Subject: snimci zrtava claster bombi u Nisu

> Postovani gospodine,

> Vi ste nedavno Stalnoj Komisiji za (holandske) ratne zlocine
 > pocinjene u Jugoslaviji poslali adresu Dr. Milorada Mitkovica
 > ortopedija-hirurgija iz Nisa. Mi Vam zahvaljujemo srdacno. Nasoj komisiji je
 > potreban
 > sav dokazni materijal koji je moguće pribaviti posto mi vec vodimo
 > proces za nadoknadu odštete stradalnicima u RTS-u pa namcravamo to isto da
 > pokrenemo i za zrtve klaster bombi u Nisu.
 > Bili bismo Vam veoma zahvalni ako imate snimaka koje mozete da nam
 > dostavite preko Interneta a koje bismo mi preko printera presnimili. To
 > mozete dostaviti i na ovu adresu putem RE-odgovora.

> U iscekivanju Vaseg odgovora i srdačan pozdrav,

> mr. N.M.P. Steijnen

> PC-lawyer
>
> U ime Stalne Komisije za (holandske) ratne zlocine,
>
> D. Bekker-Isakovic.
>
>

----- Headers -----

Return-Path: <Tika.Jankovich@micrel.com>
Received: from rly-xa04.mx.aol.com (rly-xa04.mail.aol.com [172.20.105.73])
by air-xa04.mail.aol.com (v77_r1.36) with ESMTP; Fri, 20 Apr 2001 16:57:26
2000
Received: from mail.micrel.com ([63.210.201.200]) by rly-xa04.mx.aol.com
(v77_r1.36) with ESMTP; Fri, 20 Apr 2001 16:57:11 -0400
Received: by MAIL.micrel.com with Internet Mail Service (5.5.2650.21)
id <JH9PT68X>; Fri, 20 Apr 2001 13:59:21 -0700
Message-ID: <62D6899CAE9FD311A036009027860B0501A033E5@MAIL.micrel.com>
From: "Jankovic, Tika" <Tika.Jankovich@micrel.com>
To: "bekkerw@zonnet.nl" <bekkerw@zonnet.nl>
Cc: "miroslav@antic.org" <miroslav@antic.org>,
"hans.hupkes@tomaatnet.nl" <hans.hupkes@tomaatnet.nl>,
"n.h.van.holst@freeler.nl" <n.h.van.holst@freeler.nl>,
"despot@wishmail.net" <despot@wishmail.net>,
"miltep@EUnet.yu"
<miltep@EUnet.yu>,
"pelkinsin@aol.com" <pelkinsin@aol.com>
Subject: RE: snimci zrtava claster bombi u Nisu
Date: Fri, 20 Apr 2001 13:59:20 -0700
MIME-Version: 1.0
X-Mailer: Internet Mail Service (5.5.2650.21)
Content-Type: text/plain

Advocaat
Couwenthovel
3703 ER Zeist
tel. 03404 - 5 68 67

Earlier analysis from Iraq Body Count:

27th May 2003

100 Names of Civilians Killed
- and only 2% of a vital task completed

Since the start of Iraq Body Count project we have been recording names of civilians killed. [\[Read More\]](#)

datum

6th May 2003

How Many Civilians Were Killed by Cluster Bombs?

The Pentagon says 1: Iraq Body Count says at least 200.

It is understandable that the US government should wish to play down the damage done to Iraqi civilians by cluster bombs, for those who use them in civilian areas open themselves to charges of war crimes. [\[Read More\]](#)

28th April 2003

The Holes In the Map:
Mapping Civilian Casualties to Location

The Iraq Body Count Data Base can now be consulted in the form of a map, created by Donald Speight of Mapbureau.com. The map has a clickable "dot" at each location where civilian deaths [\[Read More\]](#)

[Top of page](#)

Rabobank Zeist,
rekeningnr. 37.52.38.832
gironummer Rabobank: 21 71 31



Quick Navigation To Archives

IRAQ BODY COUNT
Civilian casualties update

6073	7782
------	------

Human Shields Project Iraq (hotlink)



[Create an account](#)

[Home](#) · [Enter Archives](#) · [Your Account \(Log-In\)](#) · [Help](#) · [Back To Main Site](#) · [Admin Only](#)

July 25, 2003

PeaceUK.Net Archives

- [Home](#)
- [Help \(F.A.Q.'s\)](#)
- [Search PeaceUK.net](#)
- [Your Account \(Log In\)](#)
- [Feedback](#)
- [PeaceUK.Net ARCHIVES](#)
- [Submit Material To Site](#)
- [Subscribed Members List](#)
- [Top 10](#)

How many civilians were killed by cluster bombs?
Posted on Tuesday, May 27 @ 17:08:52 BST by john

HOW MANY CIVILIANS WERE KILLED BY CLUSTER BOMBS?

The Pentagon says 1: Iraq Body Count says at least 200.

IRAQ BODY COUNT
Comment and Analysis



John Sloboda and Hamit Dardagan

May 6th 2003

It is understandable that the US government should wish to play down the damage done to Iraqi civilians by cluster bombs. The rules of war prohibit the use of inherently indiscriminate weapons. Cluster bombs are weapons which are incapable of being used in a manner that complies with the obligation to distinguish between civilians and combatants. Those who use them in civilian areas therefore open themselves to charges of war crimes.

Even so, last month's claim by the Pentagon that only one civilian has died from cluster bombing is breathtaking in its audacious distortion of reality. General Richard Myers, chairman of the military's Joint Chiefs of Staff said Friday 25th April:

Only one of the nearly 1,500 cluster bombs used by coalition forces in Iraq resulted in civilian casualties. An initial review of all cluster munitions used and the targets they were used on indicate that only 26 of those approximately 1,500 hit targets within 1,500 feet of civilian neighborhoods. And there's been only one recorded case of collateral damage from cluster munitions noted so far.¹

But this was only part of the picture, for:

Login

Nickname

Password

Don't have an account yet? You can [create one](#). As registered user you have some advantages like theme manager, comments configuration and post comments with your name.

Related Links

- [More about Iraq Body Count - news, info & comment](#)
- [News by john](#)

Most read story about Iraq Body Count - news, info & comment:
[New workhorse of US military: a bomb with devastating effects](#)

Article Rating

[...]Myers did not mention surface-launched cluster munitions, which are believed to have caused many more civilian casualties.

"To imply that cluster munitions caused virtually no harm to Iraqi civilians is highly disingenuous," said Kenneth Roth, executive director of Human Rights Watch. "Instead of whitewashing the facts, the Pentagon needs to come clean about the Army's use of cluster munitions, which has been much more fatal to civilians." ²

Data compiled by Iraq Body Count from widely published press and media reports shows that at least 200 civilian deaths have already been reliably reported as being due to cluster bombs, with up to a further 172 less firmly linked deaths that also involved other munitions. The table below lists these 372 deaths and provides basic information for all reported incidents in which cluster bombs were involved. It reveals that 147 of the 372 deaths have been caused by detonation of unexploded or "dud" munitions, with around half this number being children.

Cluster bombs have been used by coalition forces right through the war. Basra, Nassiriya, Hilla, Najaf, Manaria, Baghdad: all these towns have lost scores of civilian lives in cluster bombing raids. The reports make sickening reading. For example Robert Fisk of the Independent wrote:

Terrifying film of women and children later emerged after Reuters and the Associated Press were permitted by the Iraqi authorities to take their cameras into the town. Their pictures - the first by Western news agencies from the Iraqi side of the battlefield - showed babies cut in half and children with amputation wounds, apparently caused by American shellfire and cluster bombs. Much of the videotape was too terrible to show on television and the agencies' Baghdad editors felt able to send only a few minutes of a 21-minute tape that included a father holding out pieces of his baby and screaming "cowards, cowards" into the camera. Two lorryloads of bodies, including women in flowered dresses, could be seen outside the Hilla hospital. ³

Not only do cluster bombs kill; they maim in particularly excruciating ways. On April 10th Pepe Escobar of the Asia Times reported that

All over Baghdad, the city's five main hospitals simply cannot cope with an avalanche of civilian casualties. Doctors can't get to the hospitals because of the bombing. Dr Osama Saleh-al-Duleimi, at the al-Kindi hospital, confirms the absolute majority of patients are women and children, victims of bullets, shrapnel and most of all, fragments of cluster bombs: "They are all civilians," he says, "caught in aerial and artillery bombardment". The International Committee of the Red Cross (ICRC) is in a state of almost desperation. Its spokesman, Roland Huguenin-Benjamin, contacted by satellite telephone, still mentions casualties arriving at hospitals at a rate of as many as 100 per hour and at least 100 per day. ⁴

The Mirror's reporter Anton Antonowicz visiting a hospital in Hillah, wrote

Among the 168 patients I counted, not one was being treated for bullet wounds. All of them, men, women, children, bore the wounds of bomb shrapnel. It peppered their bodies. Blackened the skin. Smashed heads. Tore limbs. "All the injuries you see were caused by cluster bombs," Dr Hydar Abbas told Antonowicz. "Most of the people came from the

Average Score: **4.41**
Votes: **31**



Please take a second and vote for this article:

- ★★★★★
- ★★★★☆
- ★★★☆☆
- ★★☆☆☆
- ★☆☆☆☆

Cast my Vote!

Options

-  [Printer Friendly Page](#)
-  [Send to a Friend](#)

southern and western periphery. The majority of the victims were children who died because they were outside." ⁵

The damage doesn't stop when the bombs stop falling. Unexploded cluster bomblets continue to kill and maim. Their victims are predominantly children. According to Amnesty International,

Each canister contains 202 small bomblets the size of a soft drink can. These cluster bombs scatter and spray over a large area about the size of two football fields. At least 5 per cent of the bomblets do not explode on impact, turning them into de facto anti-personnel mines as they continue to pose a threat to people, including civilians, who come into contact with them. ⁶

This means that on average 10 bomblets from each bomb remain unexploded. If the Pentagon figure of 1500 cluster bombs used is to be accepted, this alone makes 15,000 unexploded bomblets, each capable of killing half a dozen civilians.

So far, most of the victims clearly identified as children in these reports - from babies to young teenagers - have been killed after the cessation of direct bombing raids, often because they touched or attempted to pick up a brightly-coloured or otherwise enticing bomblet. More die every day, and could continue to do so for many months to come. Hamza Hendawi of the Associated Press came across one of the most harrowing cases in a Baghdad hospital:

In the deserted emergency ward, Mohammed Suleiman hysterically looked for his 8-month-old daughter, Rowand, brought in after a bomb her brother unwittingly brought home exploded. "Please look at her face and see how beautiful she is," he screamed when he found the baby's lifeless body, covered with a blanket, her eyes half open, her nose and mouth bloodied. ⁷

The lower half of her body had been blown away as she crawled on the floor, disturbing a cluster bomblet brought into the house by other children. ⁸

On April 8th, Amnesty International urged that

An independent and thorough investigation must be held and those found responsible for any violations of the laws of war should be brought to justice. The US and UK authorities should order the immediate halt to further use of cluster bombs. ⁹

It is unsurprising to us that, on the same day as General Myers issued his "body count" of 1, the United States blocked international efforts to allow a United Nations Human Rights Commission investigator of crimes under Saddam Hussein to look at the post-Saddam period. ¹⁰

Some countries had wanted the investigator to be given powers that would have allowed him to consider the behavior of U.S. and British troops now controlling Iraq after last month's invasion.

Such blocking strongly suggests that the USA and the UK have much to hide. The data we have published tells a small part of the story which the Iraqi people are entitled to demand be told in full before they are asked to "put this war behind them." The majority of the world's people will surely support any such demand.

John Sloboda and Hamit Dardagan - Tuesday May 6th 2003

References:

1. Agence France-Presse April 25, 2003
2. Human Rights Watch April 25, 2003
3. The Independent April 03, 2003
4. Asia Times April 10, 2003
5. The Mirror April 03, 2003
6. Amnesty International April 08, 2003
7. Associated Press April 12, 2003
8. Newsday April 22, 2003
9. Amnesty International April 08, 2003
10. Reuters April 25, 2003

Incidents in which civilians were reported killed by cluster bombs or bomblets:

Cluster bombing incidents from Iraq Body Count database						
Date of incident	Date of bombing	Place	Circumstances	Reported civilians killed (Minimum)	Other details	Sources
22 Mar	22 Mar	Basra	"mostly cluster bombs"	50	Among the dead an infant aged two and a decapitated eight-year-old	ABC Mar 23 WP 22 Mar AFP 22 Mar [IBC x008]
23 Mar	23 Mar	Civilian areas of Nassirlya	"three or four" (pre-dispersal) cluster bombs	10	Over two hundred wounded	GUA 25 Mar CT 25 Mar [IBC x019]
27-28 Mar	28 Mar	Najaf	Cluster bombing	26	-	REU 28 Mar RTE 28 Mar IHT 28 Mar [IBC j006]
01 Apr	01 Apr	Nader district of Hilla	Cluster bombing witnessed by AFP journalist	33	Children among the dead	HT 01 Apr WP 01 Apr [IBC x030]
02 Apr	02 Apr (1.30 - 6.00 AM)	Karama district of Najaf	Cluster bombing	40	Including father and two uncles of survivor Zahraa Hashem, fifteen, whose pelvis was crushed in the blast	AN 09 Apr MH 09 Apr KR 17 Apr [IBC x057]
						ALT 08 Apr

20 Mar – 03 Apr	20 Mar – 3 Apr	Mohammedia district	Suspected cluster bombings	41	-	IND 04 Apr [IBC j020]
03 Apr	03 Apr	Al-Dora district, Baghdad	High yield cluster bomb dropped on busy street	14	-	Iraqwar.ru 04 Apr Bonita News 04 Apr [IBC k001]
9-21 Apr	09 Apr	Ghazaliya district of Baghdad	Cluster bombing, possibly from a B-52	19	Accounts from "partial survey" of residents	Newsday Apr 22 GlobalSecurity Apr 22 [IBC x064]
10-17 Apr	Unknown	al-Tadhiya slum, Nasiriyah	Unexploded cluster bomblet picked up by boys	3	Boys aged between seven and fourteen	Times Apr 19 Statesman Apr 20 [IBC j033]
11 Apr	Unknown	Baghdad	Unexploded cluster bomblet picked up by child	2	Killed children were friends of horribly injured Ali Hamed, ten, whose "stomach was cut open, spilling out his intestines"	Gulf News 16 Apr Newsday 15 Apr [IBC j026]
11 Apr	09 Apr	Living-room of family, central Baghdad	Unexploded cluster bomblet touched by baby	1	Rowand Mohammed Suleiman, eight months old	TOI 12 Apr BG 11 Apr GUA 12 Apr [IBC j022]
12 Apr	09 Apr	Footpath in Baghdad	Child picked up unexploded bomblet and dropped it	2	Haitham Tamimi, seven, and Nora Tamimi, nine	Newsday Apr 22 GlobalSecurity Apr 22 [IBC x064]
07 Apr – 12 Apr	Unknown	Dura district of Baghdad	Unexploded cluster bomblets picked up by children	3	All from one family	AP 12 Apr ABC 12 Apr [IBC x051]
07-15 Apr	Unknown	Al-Kharnouq district of Baghdad	Unexploded cluster bomblet picked up by boys	3	All children - Ghassan and Arkan Majid and their friend, Uday al Shimarey	KR 16 Apr Miami Herald 16 Apr [IBC j027]
			Disturbing an		Iraqi man killed and	GUA 19 Apr

18 Apr	Unknown	Baghdad	unexploded M-42 cluster bomblet	1	three US soldiers injured	AP 25 Apr [IBC x062]
19 Apr	Unknown	Baghdad	Unexploded M-42 cluster bomblet	3	Young girls - two died instantly, the third in hospital. One US soldier also died later.	KR 27 Apr CT 28 Apr [IBC x070]
26 Apr	Unknown	Baghdad	Unexploded cluster bomblet	2	Girls playing outdoors - Dana, aged eight and Lamiya, aged six	KR 27 Apr CT 28 Apr [IBC x071]
19 Apr	Unknown	Baghdad	Unexploded bomblet found in street by group of children	3	All children. Cousin and two friends of Ali Madhi Kathum, twelve, "whose left shoulder and arm were shredded"	AN 23 Apr IND 24 Apr [IBC x059]
10 Apr - 24 Apr	Unknown	Dibs and Kalar, N. Iraq	unexploded ordnance - including cluster bombs	29	"More adults and children killed and maimed in these regions after the war than during it"	GUA 28 Apr CO 28 Apr [IBC x068]
14 Apr - 21 Apr	Prior to 09 Apr	Kirkuk, N. Iraq	"mines and unexploded ordnance" - including cluster bombs	52	"mostly children"	DM 21 Apr MAG 21 Apr UPI 21 Apr [IBC x058]
06 Apr - 03 May	Prior to 06 Apr	Karbala	post-conquest cluster bomblet blasts	35	many bodies dismembered - one child aged six, Duaa Raheem, had her body "ripped in half"	TIME 03 May News24 04 May [IBC x072]

Based on details available to IBC on 6th May 2003. Source abbreviations are those used in the main IBC database and listed at <http://www.iraqbodycount.net/bodycount.htm> Any additional sources' names are unabbreviated. Some numbers have been lowered from those given in the original reports to prevent overlaps and double-counting by IBC, but overall totals are unaffected.

This table is copyright © iraqbodycount.org. Permission to reproduce should be sought from press@iraqbodycount.org

"Login To PeaceUK.net" | [Login/Create an Account](#) | 0 comments

attacks were willful as they were performed knowingly, with a reckless rises to the mens rea level of willful action.

4.2.4.1 The April 6th, 1999 RAF Harriers cluster bomb attack on t severe disregard for civilian safety. An expected and accepted outcom city with indiscriminate cluster bombs, is civilian casualties. This killed 12 and wounded over 40 civilians. The same applies for the Apr the oldest neighborhoods of Pristina killing eleven. The NATO raid re including the home of Mesut Gash on Zanatska Street, killing Gash, his from this bombing landed as much as two blocks away from the intended questionable military significance. The thirteen dead and twenty fiv 1999 NATO strike in Kursumilja, could not have come as an unexpected and military leadership, nor its personnel, since the air strikes were center of the town. The raids destroyed an entire residential block an was the inevitable, obvious criminal outcome. The same applies for th the village of Kosanik in Merdare on April 11, 1999 which destroyed tw civilians, including an eleven month old little girl, Bojana Tosovic, Cvetkovic, Goran Djukic and Dragan Bubalo. Eight civilians including Z Nenad Vukovic were also seriously injured in this attack

4.2.4.2 The April 12th NATO bombing of the Belgrade-Skopje-Saloni deliberate and resulted in the murder and injury of a number of civili avoided claiming responsibility for the hit. It later stated that th intended target, and although regrettable, the civilian casualties, we however, was a matter of common knowledge, and its path, had no doubt reconnaissance and satellites. Even if we are to assume that the brid could it not have been bombed a minute earlier, or a minute later so a an example of the "deliberate efforts" promised by President Clinton people?

4.2.4.3 The April 14th NATO massacre of 75 Kosovo Albanian civili convoys traveling on the Prizren to Djakovica road in Kosovo was also deliberate and was not the result of one errant missile as NATO spokes Survivors speak of jets dive bombing, circling and then re-bombing the patterns left behind, support refugee accounts that they were hit seve Yugoslav television aired the conversation between the pilot of one o conveys, and the AWAC pilot guiding the strike plane. From the conver of civilians was deliberate. The F-16 pilot clearly and repeatedly ad and that the convey was comprised solely of tractors and civilians. D clarification, the AWACS pilot instructed the F-16 to fire on the tra convoy was a "legitimate military target". There is evidence to sugge advised by a UK Harrier pilot that the convoy was comprised of civilia "every precaution to avoid civilian casualties?" NATO has refused to shameful cover up was exposed by the Yugoslav press and is documented no further elucidation. To facilitate future cover-ups, NATO bombed stations and transmitters throughout the country.

4.2.4.4 The April 23rd, 1999 bombing of the Serb radi Belgrade is perhaps the most obvious example of willful killing and in forces. This massacre has been condemned by the Vienna based internati the world wide media community. NATO has acknowledged that the radio was its intended target. The pretext for bombing the station was that "propaganda" and must thus be considered a legitimate military target. political and military leaders acted with reckless disregard for the s the building. NATO leaders knew that the facility was in use and occu bombing, since the station was broadcasting at the time it was hit. T innocent civilians - journalists, technicians, television crews, etc. the make-up artist Jelica Muntlak (1971), the technician Dragan Tasic Mrkovic (1959) and Milan Joksimovic (1952), and the set decorator Slob amongst those killed. This particular raid made it clear that NATO's NATO personnel performing the strike, consider any innocent Yugoslav c that the term "legitimate military target" can be stretched and distort anything physically present in the FRY.

4.2.4.4.1 UK Premier Tony Blair has been quoted as saying "value anything the Serb authorities say" with respect to Yugoslav officials of the refugee convoys. By bombing the Serb national television and radio RTS studio in Pristina and radio/television transmitters in Jastrebac (Fruska Gora), Grmija (Pristina), Bogotovac (Pristina), Mt. Goleš (Pri Kutlovac (Stari Trg), Cigota (Uzice), Tornik (Uzice), Crni Vrh (Jagodi (Prlike), Novi Sad, Mt. Ovcara (Cacak), Kijevo (Belgrade), Mt. Cer, Mt. Venac" (Fruska Gora), Mt. Bukulja, Gazimestan (Pristina), Krnjaca, Mt. Gobelj (Mt. Kopaonik), Vrsac and Usce, NATO's goal is to cut off both international community from access to any reports and information they provide. Over 25 broadcasting facilities have been heavily damaged or destroyed. A strategy is intended to allow NATO's cover-ups to go unchallenged in the broadcasting system, NATO will monopolize the supply of information.

4.2.4.5 NATO's bombing of the small village of Surdež deserves separate mention. Not one or two, but sixteen NATO missiles were launched, destroying three hundred homes and turning fifty civilians, including children, into refugees. There was no military presence in the village, only village families, their homes, seeking refuge from NATO's bombs. The nearest military base around 3 kilometers away which had been evacuated as of March 15. The deaths of innocents by NATO's political and military leaders and responsible NATO officials is a possible military significance and constitutes willful murder.

4.2.4.6 The May 1st, 1999 NATO bombing of a civilian bus performed in Kosovo claimed the life of forty people, mostly elderly and children. A secondary route to assist the injured bus passengers, wounding one physician. NATO apologized for the civilian casualties, claiming the road bridge the bus was a secondary, military target and that the bus was inadvertently hit. General Clark, in his military committee, in his subsequent press statement stated, "We regret the loss of life in military operations and so far we have done a good job in avoiding casualties, why did NATO's command ignore the bus schedules a publicized, bus schedules a bombing of the bridge at the precise time that a civilian passenger bus was crossing over the bridge? Why did NATO's pilots not take the necessary precautions to avoid an unoccupied at the time of the strike? If the Luzane road bridge was destroyed regardless of the civilian cost, why was the bridge a secondary

4.3 NATO'S POLITICAL AND MILITARY LEADERS AND RESPONSIBLE PERSONNEL HAVE UNLAWFULLY AND WANTONLY ENGAGED IN THE EXTENSIVE DESTRUCTION OF PROPERTY NOT JUSTIFIED BY MILITARY NECESSITY - A grave breach of the Geneva Convention of 1949 recognized by Article 2(d) of THE WANTON DESTRUCTION OF CITIES TOWNS OR VILLAGES AND DEVASTATION NOT JUSTIFIED BY MILITARY NECESSITY - Violation of the law and customs recognized by Article 3(b) of the ICT statute.

4.3.1 The NATO air raids have obliterated a vast number of civilian deaths in Novi Sad, Aleksinac, Djakovica, Prokuplje, Gračanica, Cuprilja, Cacak, Surdež, Belgrade. Tens of thousands of Yugoslavs have been left homeless as a result of destruction sustained by these towns and cities is not justified by the countless civilian dwelling destroyed, a number of public buildings, the offices in Nis and Pristina, refugee centers in Pristina, Djakovica and in Novi Sad, federal buildings in Belgrade, meteorological stations in business center in Usce have all been knocked out without legitimate justification. Transmitters in Batajnica, Bogotovac, Resnik and Zemun, the power plant in Belgrade on May 1st, 1999, the water supply system in Zemun, the Bistrica Polinje and telephone lines in Bogotovac have all been damaged as a result of needless damage to the civilian infrastructure and great suffering to the people intended to exact as much damage as possible to the civilian populace against Milosevic, "punish" the Yugoslav leader, and force a

4.3.2 The NATO air strikes have targeted a number of factories and destroyed the basic needs of the civilian population. Over 3,500 large, medium and

Rense.com

Hail Of Cluster Bombs Leaves A Trail Of Death

By Robert Fisk
The Independent - UK
4-2-3

BABYLON - The wounds are vicious and deep, a rash of scarlet spots on the back and thighs or face, the shards of shrapnel from the cluster bombs buried an inch or more in the flesh. The wards of the Hilla teaching hospital are proof that something illegal ÷ something quite outside the Geneva Conventions ÷ occurred in the villages around the city once known as Babylon.

The wailing children, the young women with breast and leg wounds, the ten patients upon whom doctors had to perform brain surgery to remove metal from their heads, talk of the days and nights when the explosives fell alike grapesä from the sky. Cluster bombs, the doctors say ÷ and the detritus of the air raids around the hamlets of Nadr and Djifil and Akramin and Mahawil and Mohandesin and Hail Askeri shows ÷ that they are right.

Were they American or British aircraft which showered these villages with one of the most lethal weapons of modern warfare? The 61 dead who have passed through the Hilla hospital since Saturday night cannot tell us. Nor can the survivors who, in many cases, were sitting in their homes when the white canisters opened high above their village, spilling thousands of bomblets into the sky, exploding in the air, soaring through windows and doorways to burst indoors or bouncing off the roofs of the concrete huts to blow up later in the roadways.

Rahed Hakem remembers that it was 10.30 on Sunday morning, when she was sitting in her home in Nadr, that she heard ãthe voice of explosionsä and looked out of the door to see ãthe sky raining fireä. She said the bomblets were a black-gray color. Muhammad Moussa described the clusters of ãlittle boxesä that fell out of the sky in the same village and thought they were silver colored. They fell like ãsmall grapefruit,ä he said. ãIf it hadn't exploded and you touched it, it went off immediately,ä he said. ãThey exploded in the air and on the ground and we still have some in our home, unexploded.ä

Karima Mizler thought the bomblets had some kind of wires attached to them ÷ perhaps the metal ãbutterflyä which contains sets of the tiny cluster bombs

and which springs open to release them in showers above the ground. Some died at once, mostly women and children, some of whose blackened, decomposing remains lay in the tiny charnel house mortuary at the back of the Hilla hospital.

The teaching college received more than 200 wounded since Saturday night ÷ the 61 dead are only those who were brought to the hospital or who died during or after surgery, and many others are believed to have been buried in their home villages ÷ and of these doctors say about 80 percent were civilians.

Soldiers there certainly were, at least 40 if these statistics are to be believed, and amid the foul clothing of the dead outside the mortuary door I found a khaki military belt and a combat jacket. But village men can also be soldiers and both they and their wives and daughters insisted there were no military installations around their homes. True or false? Who is to know if a tank or a missile launcher was positioned in a nearby field ÷ as they were along the highway north to Baghdad yesterday? But the Geneva Conventions demand protection for civilians even if they are intermingled with military personnel, and the use of cluster bombs in these villages ÷ even if aimed at military targets ÷ thus crosses the boundaries of international law.

So it was that 27-year-old Asil Yamin came to receive those awful round wounds in her back. And so five-year-old Zaman Abbasi was hit in the legs and 48-year-old Samira Abul-Hamza in the eyes, chest and legs. Her son Haidar, a 32-year-old soldier, said that the containers which fell to the ground were white with some red and green sometimes painted on them. "It is like a grenade and they came into the houses," he said. "Some stayed on the land, others exploded."

Heartbreaking is the only word to describe 10-year-old Maryam Nasr and her five-year-old sister Hoda. Maryam has a patch over her right eye where a piece of bomblet embedded itself, and wounds to the stomach and thighs. I didn't realize that Hoda, standing by her sister's bed, was wounded until her mother carefully lifted the little girl's scarf and long hair to show a deep puncture in the right side of her head, just above her ear, congealed blood sticking to her hair but the wound still gently bleeding.

Their mother described how she had been inside her home and heard an explosion and found her daughters in a pool of blood near the door. The little girls alternately smiled and hid when I took their pictures. In other wards, the hideously wounded would try to laugh, to show their bravery. It was a humbling experience.

The Iraqi authorities, of course, were all too ready to allow us journalists access to these patients. But there was no way these children and often uneducated parents could manufacture their stories of tragedy and pain. Nor could the Iraqis have faked the scene in Nadr village where the remains of the tiny bomblets littered the ground beside the scorch marks of the explosions, and where could be found the remains of the tiny parachutes upon which the

bomb clusters float to the ground once their containers have broken open. A crew from Sky Television even managed to bring a set of bomblet shrapnel back to Baghdad from Nadr with them, the wicked little metal balls that are intended to puncture the human body still locked into their frame like cough sweets in a metal sheath. They were of a black color which glistened silver when held against the light.

So were the aircraft that dropped these terrible weapons American or British? The deputy administrator of the Hilla hospital and one of his doctors told a confused tale of military action around the city in recent days, of Apache helicopters that would disgorge Special Forces troops on the road to Karbala; one of their operations ÷ if the hospital personnel are to be believed ÷ went spectacularly wrong one night when militiamen forced them to retreat. Shortly afterward, the cluster bomb raids began, although the villages that were targeted appear to have been on the other side of Hilla to the abortive American attack.

One thing was clear: that there is no ãfront lineã in the fighting around Babylon, that US forces strike into the land around the Tigris River by air and then withdraw and that Iraqi forces do much the same in the other direction. Only the Americans and British, of course, have air superiority ÷ indeed there is no evidence that a single Iraqi aircraft has taken off since the start of the Anglo-American invasion ÷ so even the US and British officers back at their Qatar command headquarters can hardly claim the cluster bombs were dropped by Iraq.

The most recent raid occurred on Tuesday when 11 civilians were killed ÷ two of them women and three of them children ÷ in a village called Hindiyeh. A man sent to collect the corpses reported to the hospital that the only living thing he found in the area of the bodies was a hen. Iraqi bomb disposal officers were ordered into the villages yesterday afternoon to clear the unexploded ordnance.

Needless to say, it is not the first time that cluster bombs have been used against civilians. During Israel's 1982 siege of West Beirut, its air force dropped cluster bomblets manufactured for the US Navy across several areas of the city, especially in the Fakhani and Ouzai districts, causing civilians ferocious and deep wounds identical to those I saw in Hilla on Tuesday. Angry at the misuse of their weapons, which are designed for use against exclusively military targets, the Reagan administration withheld a shipment of fighter bombers for Israel ÷ then relented a few weeks later and sent the aircraft anyway.

Disclaimer

Email This Article

MainPage

<http://www.rense.com>

This Site Served by TheHostPros

Rense.com

US, Britain Under Fire For Using Cluster Bombs

4-2-3

KUWAIT (Reuters) - The United States admits it has used them in Iraq; Britain says it has them, but would not use them in built-up areas; Iraq says they have killed dozens of civilians; and human rights groups insist they should be banned.

Cluster bombs are deadly but unpredictable -- each contain over 200 bomblets the size of a drinks can which scatter over an area the size of two soccer fields, most exploding on impact and capable of tearing through quarter of an inch of steel.

Human rights groups fear they will soon overtake land mines as the most lethal legacy of war. Amnesty International said at least five percent are 'dud' bomblets and fail to explode on impact, effectively turning them into anti-personnel mines.

Iraqi Information Minister Mohammed Saeed al-Sahaf accused U.S. forces on Thursday of dropping cluster bombs on the Douri residential area of Baghdad, killing 14 people and wounding 66.

A day earlier, Dr. Sadid Moussawi, at a hospital in the medieval city of Hilla, 100 km (62 miles) south of Baghdad, said 33 Iraqi civilians had been killed and more than 300 wounded in U.S. air raids on a residential area using cluster bombs.

"They are using cluster bombs," Moussawi said. "We can tell from the distribution of shrapnel."

The U.S. military said on Wednesday its B-52 bombers had dropped new precision-guided 1,000-pound (454 kg) cluster bombs on Iraqi tanks defending Baghdad, but did not say where the attack took place.

And they insisted that, while they reserve the right to use these new cluster bombs in combat, they would never target civilians with them.

British military officials denied on Thursday media reports they had fired L20 artillery cluster shells around the southern city of Basra.

Military spokesman Colonel Chris Vernon said: "We are not using cluster munitions, for obvious collateral damage reasons, in and around Basra. It's not worth our while doing that."

The controversial weapons dropped by the U.S. B52s are new and upgraded versions of older munitions, adapted to allow for wind and weather conditions to make them more accurate.

After they are dropped, they open up in the air and disperse bomblets by parachute. The bomblet packages are designed to land more precisely on intended target areas.

CALL FOR BAN

Amnesty International UK demanded on Wednesday a moratorium on the use of cluster bombs in heavily populated areas.

"The use of cluster bombs in an attack on a civilian area of Hilla constitutes an indiscriminate attack and a grave violation of international humanitarian law," it said in a statement.

Amnesty said the type of cluster bomblets used in the Hilla attack was BLU97 A/B. Each canister contains over 200 bomblets.

According to one estimate, U.S. forces dropped over 50 million cluster bombs in the 1991 Gulf War. They were also used in air campaigns over Kosovo and Afghanistan. Thousands of unexploded bomblets remain in Iraq and Kuwait from the Gulf War.

By the end of last year, close to 2,000 people in Kuwait had died or been seriously maimed by bomblets and other explosive leftovers from the war, said the Diana, Princess of Wales Memorial Fund, which campaigns against land mines.

Richard Lloyd, director of Land mine Action, said dropping cluster bombs on Iraq "contradicts any government claim to minimize civilian casualties."

"Cluster weapons are prone to missing their targets and killing civilians.

"There is also the added problem that cluster bombs produce large numbers of unexploded bomblets which effectively turn into land mines, ready to detonate on contact, causing death and injury to civilians and ground forces," he said.

Andrew Purkis, Chief Executive of the Diana Fund, said: "It's appalling that, despite the well-documented problems with cluster weapons, the U.S. and U.K. are dropping them on Iraq."

Disclaimer



HOME

WHAT'S NEW

SEARCH

SITE TREE

1 March 1996

Extract from "Medicine and Global Survival, Vol. 3"

The effect of weapons: defining superfluous injury and unnecessary suffering

By Robin Coupland

This article was published in the journal Medicine and Global Survival, Volume 3, March 1996, and reproduced with the kind authorization of the publisher.

A database containing information about 17,068 war wounded patients is analysed, along with figures from military publications, to measure the collective health effects of weapons. The parameters by which these are measured are: proportion of patients surviving with very large wounds; patient mortality, both in the field and in hospital; duration of hospital stay; number of operations required; requirements for blood transfusion; the presence of severe and permanent disability in the survivors. Intentional blinding as a method of warfare is also considered. The author proposes that these measurable and collective effects of conventional weapons should be translated into a baseline of suffering and that any weapon or weapon system that exceeds one or more of these parameters can be deemed as causing superfluous injury or unnecessary suffering. These proposals represent a first attempt to apply the epidemiology of the effects of weapons to international law. They are extended to incorporate the standard of medical care that might be needed to treat the effects of a particular weapon and weapons of the future that may not be covered by existing treaties relating to conventional and non-conventional weapons for antipersonnel use. In the context of these proposals, the question is considered whether antipersonnel mines are conventional weapons on the basis of their health effects. This question must be considered at the second session of the Review Conference of the 1980 United Nations Convention on Conventional Weapons, due to be held in Geneva in April 1996. [M&GS 1996;3:A1]

The concept that states do not have an unlimited right to choose the methods and means of warfare has been generally recognised in treaties and custom for centuries. To date, 185 countries are party to the Geneva Conventions and 135 to Additional Protocol I; these are the most important treaties that uphold this fundamental humanitarian idea [1]. With respect to the design and use of weapons, these treaties state that no weapon system should render death inevitable, that weapons should not be indiscriminate in their effects, and that their effects should not inflict superfluous injury nor cause the victim suffering that is unnecessary for the military purpose of the user.

The first international treaty relating to the design of weapons was the St. Petersburg Declaration of 1868: a proposal made by the Russian Tsar banned bullets that explode on impact with the human body. Similar treaties were the Hague Declaration of 1899, which outlawed the use of dum-dum bullets, and the Geneva Protocol of 1925, which banned the use of chemical and biological weapons. No objective analysis of unnecessary suffering led to these treaties; these means of warfare were simply deemed "horrific" or "inhumane."

The International Committee of the Red Cross (ICRC), among others, has called for a ban on antipersonnel mines, which do not discriminate between combatant and non-combatant, largely as a result of the catastrophic effect of the indiscriminate use of these weapons it has witnessed in countries such as Afghanistan, Cambodia, and Angola. This proposal was considered at the first session of the

Review Conference of the 1980 United Nations Convention on Certain Conventional Weapons, which was held in Vienna in October 1995. Although the proposal is supported by a number of states and by the Secretary General of the United Nations, the conference failed to agree on how best to limit the indiscriminate effects of these weapons. Attention focused on the technology of self-destruct mechanisms or on a mine's delectability. Those in favor of a ban, however, have been unable to prove that these weapons cause superfluous injury or unnecessary suffering, which would render them illegal, despite evidence of their effect or their potential effect on the health of individuals or on that of whole societies [2-6]. A second session of the Review Conference will be held in Geneva in April 1996.

The ICRC has also called for a ban on intentional blinding by lasers as a method of warfare [7,8]. The Vienna conference adopted an additional Protocol that prohibits the use of lasers specifically designed for the purpose of blinding. The possibility of blinding by lasers of persons using optics, however, is not excluded. This partial legal success was certainly helped by the "abhorrent" notion of intentionally blinding enemy soldiers, but again there was no agreement that this amounted to superfluous injury or unnecessary suffering. Had there been such agreement, these weapons could be deemed illegal. An objective definition of this notion would help the formulation of international law in relation to these weapons and their use.

Weapons: Their Design, Use, and Effects

The indiscriminate effect of a weapon may reflect its design or its use., an indiscriminate effect can be documented if, for example, combatants and non-combatants alike are affected [2,5,6]. Superfluous injury and unnecessary suffering are more closely linked with the design of the weapon. Applying the principles of these treaties to the design of weapons is more difficult: first, there is little control of research or development of weapons; second, the effects of a weapon that might result in superfluous injury or unnecessary suffering on the part of the victim remain within the realms of visceral or philosophical argument. As weapon systems that have differing effects on the human body are being developed for potential military use, creating some yardstick of suffering to which the effects of weapons are applied becomes essential.

The effects of conventional weapons on an individual are measurable using the Red Cross Wound Classification [9,10]. In a clinical setting, this classification has been used to document the incidence of bullet disruption in armed conflict [11], the categories of wounds caused to civilians by hand grenades [12], and to refine the wounds according to structures injured and the extent of tissue damage in people injured by fragments or bullets [13-16]. From the score given to any wound its grade, denoting its size, can be computed: grade I corresponds to small penetrating or "low energy" wounds; grade 2 corresponds to "high energy" wounds (e.g., a bullet wound from a modern assault rifle); grade 3 corresponds to any wound larger than this (i.e., very large wounds).

The effects of weapons on wounded people collectively can also be measured by evaluating a number of factors, including:

- the mortality caused by a weapon system in the field (in military terms, those "killed in action"),
- the proportion of casualties that die after reaching a medical facility ("died of wounds"), the hospital mortality, the number of days the survivors have to stay in hospital,
- the number of operations they require,
- the number of units of blood they need during treatment
- the residual disability among the survivors.

Do these health effects represent a measurement of the suffering of those who are wounded by conventional weapons? Are these not the best measurements of suffering available? If the collective effects of conventional weapons can be measured, might not any effects in excess of an accepted baseline be deemed "unnecessary suffering?"

The wound database of the ICRC originates from a simple system of data collection that was originally designed to give the ICRC Medical Division an indication of the activities of its independent hospitals. Included in the information recorded is the cause of injury, the time lapsed between injury and admission, the classification of the wounds [9], whether the patient has died, the number of operations, the number of units of blood transfused, the days spent in hospital, and whether the patient was discharged with amputation of one or both lower limbs. This system was installed in January 1991. Since then, all war-wounded patients who have been admitted to the ICRC hospitals of Peshawar and Quetta (Afghan border of Pakistan), Kabul (Afghanistan), Khao I Dang (Cambodian border of Thailand), and Lokichokio (Sudanese border of Kenya) have had a data form filled out upon their surgical discharge from hospital or death. At present, there are data relating to 23,767 patients.

Table 1. The proportion of grades of the first wound scored by the Red Cross wound classification in 5,125 patients wounded by fragments and by bullets. The significance of the grade of the wound is explained in the text.

	Grade 1	Grade 2	Grade 3
Fragments (shell, bomb, grenade, etc) (2,311 patients)	1,357 (58.7%)	755 (32.7%)	199 (8.6%)
Bullets (2,814 patients)	1,261 (44.8%)	1,299 (46.2%)	254 (9.0%)

In this paper, the author proposes, first, that figures representing the collective health effects of conventional weapons as indicated by the ICRC database and military publications provide the means to establish a baseline of suffering; and second, that if a weapon exerts, or is designed to exert, measurable effects beyond this baseline, the weapon concerned is deemed to cause superfluous injury or unnecessary suffering.

The attempt to define an objective baseline by which superfluous injury or unnecessary suffering can be judged must not be confused with judging war or a means of warfare as "acceptable" or "unacceptable."

Method

Refined data from the ICRC wound database (excluding those with incomplete records, those who were readmitted, and those who suffered blunt trauma or other injury) are available for 17,068 patients.

The refined database was analysed according to age and sex of the patients and the causes of injury. "Fragment" indicates injury from shell bomb, grenade, or mortar. "Bullet" indicates any gunshot wound. "Burn" indicates burn injury from any cause. "Mine injury" refers to anyone who was injured as a result of a mine explosion, whether the type was an anti-tank mine, a fragment mine, or a buried antipersonnel mine. "Mine causing amputation" is a subgroup of all the mine injured, but is taken to correspond broadly to those who have stood on a buried antipersonnel mine [2].

For those patients with fragment and bullet wounds and with the wound score of the Red Cross Wound Classification recorded, the proportion of the grades of the first wound scored was computed.

For those injured by fragments, bullets, burn, or mines and who were admitted to hospital within 24 hours, the mortality was computed. For the surviving patients of the same group the following was computed: the average number of days spent in hospital (this is the number of days to surgical discharge, excluding those who had to wait in hospital for political or geographical reasons); the average number of operations required; the proportion of patients transfused; the average number of units of blood transfused; and the total number of lower limbs amputated (this cannot be given as a proportion of all patients because of the small number who had bilateral lower limb amputation.) Those injured by mines who either arrived with traumatic amputation or who subsequently underwent surgical amputation were analysed as a subgroup of all mine injuries. In this part of the study only data from patients who were admitted within 24 hours of injury were analysed; therefore, data on those who had delayed access to medical care have not influenced the results.

Results

- Of the 17,068 patients, 5,976 (35.0%) were females, males less than 16 years old, or males 50 years old or older.
- Table I shows the proportion of the grades of first wound scored on the records of 5,125 patients injured by fragments or bullets.
- Table 2 shows the hospital mortality according to cause of injury in 7,975 patients who were admitted within 24 hours of being wounded.
- Table 3 shows, according to cause of injury, for the 7,615 surviving patients: the average days spent in hospital; the average number of operations; the proportion of patients transfused; the average volume of blood transfused in units; and the number of lower limbs amputated.

Table 2. Mortality in 7,975 patients admitted to independent ICRC hospitals within 24 hours of injury, according to cause of injury.

["Mine" = all mine injured patients. "Mine causing amputation" = those patients who arrived with a traumatic amputation or who underwent surgical amputation before dying; it is a subgroup of all mine-injured patients.]

Cause of Injury	Number of patients	Number died (mortality %)
Fragments	2,699	115 (4.2%)
Bullet	2,432	121 (4.9%)
Burn	87	15 (17.2%)
Mine	2,757	109 (3.9%)
[Mine causing amputation]	818	53 (6.4%)

Discussion

This study introduces the idea that the health effects of weapons can be measured on an epidemiological basis and that this has relevance to current international law. This permits humanitarian consideration with respect to the effects of weapons to be viewed as one medical subject, rather than as a series of different legal, military, or technical subjects.

Most people would now accept that war, however horrific must be waged with weapons of a certain ferocity and technology. Most people would also accept that the effects of conventional weapons exert enough suffering, if not already too much. Therefore the health effects of conventional weapons could become a yardstick of suffering against which to measure the effects of all weapons; anything

beyond these effects would then be defined as unnecessary suffering. This study permits an objective line to be drawn.

When patients are admitted to an ICRC hospital, their military status is neither asked for nor recorded. Thus the organisation cannot be seen to be accumulating information of military value. There are no means to establish how many individuals die before reaching hospital. That at least 35% of the patients could be presumed "non-combatant" reflects the reality of modern conflicts. It is the opinion of this author, who has worked as a surgeon in all of these ICRC hospitals, that non-combatants have greater difficulty finding transport to either the first aid posts or to the hospital and that only a small proportion of the casualties from the conflicts concerned (certainly less than 10%) actually reach an ICRC facility.

Table I shows that whilst the proportions of grade I and grade 2 of the first wound scored in patients wounded by fragments and bullets differ [16], the proportions of grade 3 wounds are similar. The similarity of the proportions of grade 3 wounds (the largest and the most likely to cause superfluous injury or unnecessary suffering) gives a possible baseline relating to size of wound. The majority of bullet wounds seen in the ICRC hospitals are from the Kalasnikov AK47.

A review of data from military medical sources, who know the number of fatalities in the field, shows how little the mortality has changed since World War II. The proportion of wounded who die in the field varies between 18% and 22% [17,18]. Likewise, the proportion of all casualties who die after reaching a medical facility varies between about 2.5% and 4.5% [17,18,19]. This gives a baseline proportion of deaths among casualties that has been accepted by military and political leaders as a consequence of wars waged in this period of history. (Although it is not clear if this will remain so given the nature of recent conflicts such as Somalia, Bosnia, and Rwanda.) The figures for hospital mortality given in Table 2 are comparable, except for those who suffer burns. As the plight of burn patients is particularly miserable, this elevated hospital mortality in the ICRC facilities represents a lingering death; this justifies claims that a weapon that intentionally burns people, such as a flame thrower, exerts unnecessary suffering. In addition, the medical facilities required to improve the survival from burn injury simply cannot be made accessible to victims of modern wars without enormous input of finance and specialised personnel.

Table 3. Data from 7,615 war-wounded patients who survived, relating to days in hospital, operations per patient, blood transfusion, and lower limb amputation. All patients were admitted to independent ICRC hospitals within 24 hours of being wounded. The number of lower limb amputations cannot be given as a percentage of all patients because of the few who require bilateral amputation.

"Mines" = all mine-injured patients who survived; "Mine causing amputation" = those mine-injured patients who survived with either a below-knee amputation, an above-knee amputation or bilateral lower limb amputation.

	Total survived	Avg.days in hospital	Avg. no. of operations	Proportion transfused (%)	Avg. units blood given	Number of lower limbs amputated
Fragments	2,584	13.7	1.9	14.2	0.4	55
Bullet	2,311	18.1	2.1	16.4	0.5	19
Burn	72	19.5	1.8	9.7	0.3	0
Mine	2,648	21.5	2.8	33.3	1.3	859
(Mine causing amputation	765	32.3	4.0	74.9	3.2	859)

The surgical facilities of the ICRC work with a basic level of technology, employ non-specialist surgery, provide no onward evacuation to better facilities, and place emphasis on certain basic principles of surgical management [20,21]. The baseline standard of effective treatment provided in ICRC facilities is often better than that normally available in the countries where war is being fought. Therefore, the argument that suffering might be reduced by provision of high technology and specialised medical care, thereby changing the relevance of these measurable health effects, cannot be upheld.

Table 3 shows how antipersonnel mines that are buried and that, by design, cause traumatic amputation of a lower limb (a grade 3 wound), drain hospital resources to a much greater extent than do conventional weapons. They also inflict permanent and severe disability on anyone who survives injury. Days spent in hospital, the number of operations, and the requirement for blood transfusion are all greater in this group; this relates to the volume of severe tissue damage that the surgeon must treat [2,22,23]. Most people would regard leaving the survivor with severe disability as an infliction of unnecessary suffering. The combining of these measurable health effects with the facts that, first, ejected fragmentation mines cause a 100% mortality among those who trigger them [24] and, second, all mines can be indiscriminate in their effect, supports and justifies the ICRC call for a ban on the production, stockpiling, and use of antipersonnel mines of whatever design.

Taking this argument further, these measurable effects not only indicate superfluous injury and unnecessary suffering in relation to the design of a weapon but buried antipersonnel mines are arguably not even a conventional weapon because of their health effects. Obviously, the counterargument takes the line that the military utility of such weapons justifies their use in the face of these health effects.

Nine Proposals for Defining Superfluous Injury and Unnecessary Suffering

Using the figures given in this paper, a list of health effects can be proposed by which any weapon system could be objectively judged to inflict superfluous injury and unnecessary suffering. These are:

1. A field mortality of more than 25% of all casualties.
2. A hospital mortality more than 7% in a medical facility adequately equipped with basic and non-specialised facilities.
3. Infliction of more than 10% grade 3 wounds among those who survive to hospital.
4. The necessity for the survivors to stay in hospital on average more than one month.
5. The necessity for more than 3 operations in a non-specialist hospital with a basic level of

technology.

6. The necessity to transfuse more than 20% of the survivors.

7. The inevitable infliction of permanent disability.

How then do we regard a weapon that is designed to blind the victim permanently? This is a severe disability, but proponents of blinding laser weapons have argued that it is better to blind the victim than to kill him or her. The ICRC does not accept this argument which takes into account neither that a conventional weapon, such as a rifle, kills (only) about one quarter of the casualties nor the psychological impact of sudden blindness [7]. It is also pertinent that the best medical facilities available are unlikely to be able to salvage the sight of someone whose eyes have been targeted by a laser; access to such facilities in war would be difficult, if not impossible, especially if there were many casualties with this injury. Therefore, the ICRC has called for a ban on intentional blinding by lasers.

The medical profession, as well as the ICRC, must recognise the full health effects of weapons, measure them, and, by possibly using the proposals above, carry the responsibility to define superfluous injury and unnecessary suffering.

In an editorial, the *Lancet* proposed that the profession carries a greater responsibility with respect to weapons than simply treating the wounded; this refers to medical knowledge being used to develop future weapons [8]. The continued development of so called "non-lethal weapons" and some directed energy weapons depends on knowledge of pathophysiological or psychological effects. A soldier may not even know an attack is taking place, may not be able to protect himself or herself, may not be able to surrender and, if wounded, may find that no means of treatment awaits him or her. Most people consider warfare waged with weapons developed in laboratories by biomedical scientists unacceptable; this has led to the conventions that prohibit chemical and biological warfare. "Non-lethal weapons" and directed energy weapons are not, as yet, covered by a specific international treaty. Two more proposals, therefore, are reasonable:

8. The primary effect should not be to target a specific part of the human anatomy, physiology, or biochemistry.

9. The injuries of the survivors should be treatable in a non-specialist facility.

Proposal 9 addresses the imbalance between the finance and technology that goes into the development of weapons on one side, and, on the other side, the resources made available to research and record the true health effects and to treat the wounded.

These nine proposals can be applied to any weapon system, present or future. For example, exploding bullets would be banned under proposal 1 and dum-dum bullets would be prohibited in the context of proposal 3. Buried antipersonnel mines could be deemed to cause superfluous injury or unnecessary suffering by proposals 3, 4, 6, and 7; proposal 8 could also be applied, since the weapon targets the lower limb. Incendiary weapons fall under proposal 2. Laser weapons used to blind intentionally come under proposals 7, 8, and 9. These proposals must also apply for humanitarian concerns surrounding the effects of non-lethal weapons to be reasonable.

Current thinking is reversed if the health effects of weapons are considered first and their technology second. The responsibility for the subject of superfluous injury and unnecessary suffering from weapons is thereby put on the shoulders of the medical profession; it is not left to technical, legal, or military considerations. If the proposals above are adopted, promoted, and voiced by the medical profession, they may influence public opinion, governments, and, eventually, international law relating to armed conflict. Despite international treaties, one may still argue that, when it comes to war, the

1 military must have every means possible to achieve its objectives. Perhaps it is the responsibility of the medical profession to help a society decide which weapons are to be put in the hands of its military?

Acknowledgement

The author would like to thank the Head Nurses and Medical Administrators in the ICRC hospitals who have helped to collect the data and Mr. Jurg Zwygart for his handling of the ICRC wound database.

References

1. The International Committee of the Red Cross. The Geneva Conventions of August 12, 1949. Geneva: ICRC. 1986.
2. Coupland RM, Korver A. Injuries from antipersonnel mines: The experience of the International Committee of the Red Cross. *Br Med J* 1991;303:1509-12.
3. The Arms Project. Landmines: A deadly legacy. New York: Human Rights Watch. 1993.
4. Davies P, Dunlop N. War of the mines. London: Pluto Press. 1994.
5. Ascherio A, Biellik R, Epstein A, Snetro G, et al. Deaths and injuries caused by landmines in Mozambique. *Lancet* 1995;346:721-724.
6. Andersson N, Palha da Sousa C, Paredes S. Social cost of land mines in four countries: Afghanistan, Bosnia, Cambodia and Mozambique. *Br Med J* 1995;311:718-721.
7. Doswald Beck L (ed), Blinding weapons. Geneva: ICRC. 1993.
8. Editorial. Weapons intended to blind. *Lancet* 1994;344:1649-1650.
9. Coupland RM. The Red Cross Wound Classification. Geneva: ICRC. 1991.
10. Coupland RM. The Red Cross Classification of War Wounds: The E.X.C.F.V.M. scoring system. *World J Surg* 1992;16:910-917.
11. Coupland RM, Hoikka V, Sjoeklint OG, Cuenod P, et al, Assessment of bullet disruption in armed conflict. *Lancet* 1992;339:35-37.
12. Coupland RM. Hand grenade injuries among civilians. *JAMA* 1993;270:624-6.
13. Bowyer GW, Stewart MPM, Ryan JM. Gulf war wounds: Application of the Red Cross wound classification. *Injury* 1993; 24:597-600.
14. Bowyer GW. Afghan war wounded: Application of the Red Cross Wound Classification. *J Trauma* 1995;38:64-67.
15. Stewart MPM, Kinninmouth A. Shotgun wounds of the limbs. *Injury* 1993;24:667-670.
16. Coupland RM. Classification and management of war wounds. In: Johnson CD, Taylor I (eds), *Recent Advances in Surgery* 17. London: Churchill Livingstone 1994., 121-134.
17. Melsom MA, Farrar MD, Volkers RC. Battle casualties. *Ann R Coll Surg Engi* 1975;56:287-303.

18. Bellamy RF. The medical effects of conventional weapons. *World J Surg* 1992;16:888-892.
19. Coupland RM. Epidemiological approach to the surgical management of the casualties of war. *Br Med J* 1994;308:1693-1697.
20. Coupland RM. War wounds of limbs: Surgical management. Oxford: Butterworth Heinmann. 1993.
21. Gray RC. War wounds: Basic surgical management. Geneva: ICRC. 1994.
22. Eshaya-Chauvin B, Coupland RM. Transfusion requirements for the management of war wounded:
The experience of the International Committee of the Red Cross. *Br J Anaesth* 1992;68:221-3.
23. Coupland RM. Transfusion for war wounded. *Br J Anaesth* 1993;71:172.
24. Adams DB, Schwab CW. Twenty one year experience with land mine injuries. *J Trauma* 1988;28(suppl):
S 159-162.

[HOME](#)

[WHAT'S NEW](#)

[SEARCH](#)

[SITE TREE](#)

Scottish News direct from Scotland

Wednesday

Sections

Top Stories

Latest News

Scotland

UK

International

Politics

Sci-Tech

Health

Education

Entertainment

Gaelic

Features

Opinion

Obituaries

Article Index

Hot Topics

SARS virus

War with Iraq

Middle East conflict

European Union

International terror

Topics A to Z

Other Sites

Sport

Business

Print Editions

The Scotsman

Scotland on Sunday

Evening News

Back Issues

Services

Free News Email

Free Webfeeds

Syndication

Today's Top Stories

Evening News

Thu 29 May 2003



printer friendly



email article

UK used cluster bombs in Iraq's urban areas

BRITISH troops used cluster bombs in built-up areas during the war in Iraq, a defence minister confirmed today.

Adam Ingram insisted that the use of the controversial weapons in Basra was justified because they were targeted at Iraqi military units posing a threat to British troops' lives.

He said the UK was making huge efforts to remove the danger of unexploded bombs to Iraq's civilian population, with about 100,000 pieces of ordnance - possibly including cluster bombs - made safe since the war ended.

Cluster bombs pose a threat to civilians long after hostilities have ended, because some of the large numbers of bomblets they scatter over a wide area fail to explode on impact. Already there are reports of children being injured in Iraq after stumbling across unexploded ordnance.

Labour backbencher Austin Mitchell today described them as Britain's own "weapon of mass destruction".

In the early days of the conflict, Defence Secretary Geoff Hoon insisted that cluster bombs would not be used indiscriminately. But he was careful not to rule out their use.

The MoD says about 2000 of the bomblet shells were fired by artillery on the ground and about 60 cluster bombs were dropped during the war.

Mr Ingram said today: "Cluster bombs are not illegal. They are effective. They are used in specific circumstances where there is a threat to our troops."

News Area**Related / War with**
 MPs sin off Gulf Jun-03

 Blair se in the C 03

 Blair file the stor

 World s lustre (

 Chirac € note (0
Websites
 Ministr Operat

 US Cer

 UNMOV

 UN - O Progra

 UN Ne
Vote

Should th independ whether Minister i country c

Yes

No

Click**Top Stori**
 MPs sin off Gulf

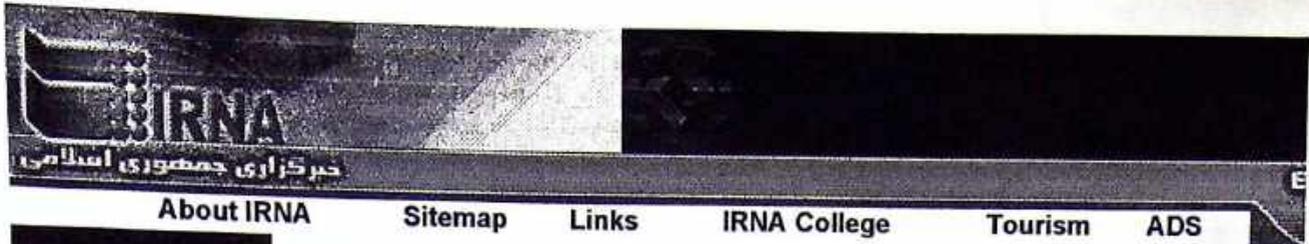
 Queen : working

 Rowling pressur

 Hen's te rare

 Big bus on direc legislati

 Tram pl



[Home](#)

UK admits using cluster bombs in Iraqi cities

[News](#)

[HeadLines](#)

[General News](#)

[World](#)

[Politics](#)

[Economy](#)

[Sports](#)

London, May 29, IRNA - The British government has admitted for the first time on Thursday that cluster bombs were used by UK troops in built-up areas during the war against Iraq.

Armed Forces Minister Adam Ingram insisted that the use of the controversial weapons in Basra was justified because they were targeted at Iraqi military units posing a threat to British troops' lives.

"Cluster bombs are not illegal. They are effective weapons. They are used in specific circumstances where there is a threat to our troops," Ingram told BBC radio.

He said that the government said they would be targeted at specific military targets and that "there were troops, there was equipment in and around built-up areas."

His admission comes after humanitarian groups expressed alarm about the extensive use of cluster bombs in the war against Iraq and the casualties unexploded ordnance causing to civilians.

Director of Landmine Action Richard Lloyd said that he had seen maps provided to the UN by the US military showing cities that were almost obscured by a mass of symbols indicating where cluster bombs had been used.

"These weapons were used in and around virtually every built-up area where there was major fighting," Lloyd said.

Last month, the British Defence Ministry admitted that UK troops fired over 2,000 Israeli-made cluster munitions from artillery pieces during the battle for Basra, far more than the number of cluster bombs dropped by the UK air force.

With each Israeli L20 shell containing 49 bomblets, it was estimated that there would be at least 2,000 unexploded bombs scattered around Basra.

Defence Secretary Geoff Hoon previously told parliament that during the war, the British air force used 66 cluster bombs, which were believed to have an even bigger failure rate.

LN/SS
End

[Local Press](#)

[Photos](#)

[Occasions](#)

[Radio & TV](#)

[OANA News](#)

[E-mail](#)

[BACK](#)

last Update Saturday, 31-May-2003 00:32:15 PDT
©2000 Islamic Republic News Agency (IRNA). All rights reserved
Best viewed by IE 5,5 and 800*600 resolution.

News | Sport | Argument | Education | Money | Travel | Enjoyment

Home > News > World > Middle East

Allied use of cluster bombs illegal, minister admits

By Paul Waugh, Deputy Political Editor

30 May 2003

The Government admitted during the war on Iraq that the use of cluster bombs against civilian targets would "not be legal", a letter obtained by *The Independent* has revealed.

Anti-landmine charities claimed last night that the letter by Adam Ingram, the Armed Forces minister, proved that the Ministry of Defence had broken international law by using the munitions in towns and cities.

Mr Ingram admitted for the first time yesterday that cluster bombs were dropped on "built-up areas" in Iraq in an attempt to protect British servicemen. After initially denying the charge in an interview with the BBC, the minister said the unguided weapons, which release hundreds of bomblets, were used "in specific circumstances where there is a threat to our troops".

But on 25 March, five days after the conflict began, Mr Ingram responded on behalf of Tony Blair to the Diana, Princess of Wales Memorial Fund to set out the Government's position on the weapons.

Mr Ingram stressed that the British armed forces strove to act in accordance with the Geneva Conventions. "It is clear that when we apply these principles there will be occasions when the use of cluster bombs against certain targets would not be legal," he wrote. "There will be occasions when the use of other munitions would be legal but the use of cluster bombs would not."

Richard Lloyd, director of the charity Landmine Action, said the letter, with yesterday's admission, proved the Geneva Conventions were knowingly breached. "Mr Ingram has admitted the Government acted outside the law," he said.

Also in Middle East

Abbas calls on Palestinian militants to 'end violence' against Israel

Bush tells Israel to abandon West Bank settlements

Israel frees longest-serving Palestinian prisoner in goodwill gesture before talks

Bush warns Israel to 'deal with the settlements'

Bush locks Europeans out of Middle East process

Legal | Contact us | Using our Content | © 2001 Independent Digital (UK) Ltd

Revealed: the cluster bombs that litter Iraq

[Click here to view the map](#)

Kamal Ahmed, political editor
Sunday June 1, 2003
The Observer

The shocking extent of unexploded cluster bombs dropped by American and British planes, which litter Iraq eight weeks after the conflict, is revealed in detail for the first time today.

The first map based on military intelligence to show the exact location of unexploded anti-personnel mines, cluster bombs and anti-tank mines, obtained by The Observer, shows the vast area of the country which is at danger from live munitions.

Experts in clearing conflict zones of unexploded bombs say that millions of Iraqi adults and children are at along with humanitarian aid workers, United Nations personnel, civilian staff and military officials.

Its revelation raises fresh questions for Tony Blair and George Bush, who insisted that post-conflict Iraq would be a safer place than it was under Saddam Hussein.

It also reignites the controversy over the use of cluster bombs by the coalition forces. The map reveals that hundreds, or possibly thousands, of the bombs - which produce hundreds of 'bomblets' scattered out over a large area - failed to detonate.

Anti-landmine campaigners are insisting that American and British troops make clearing the 'lethal legacy' an urgent priority.

'This shows an appalling level of contamination,' said Richard Lloyd, director of Landmine Action, who is travelling to Iraq this weekend to assess the extent of the danger. 'It also confirms that American and British forces attacked built up areas in cities with cluster bombs.'

'The coalition forces have a responsibility to protect those Iraqi civilians who now live with this lethal legacy all around them.'

'It has to be highly questionable whether the use of such weapons in built-up areas is legal under international law.'

The map, dated 13 May, was produced by the Humanitarian Operations Centre based in Kuwait, which is staffed by military personnel from the US, Britain and Kuwait and is based on the latest intelligence assessment of the danger of unexploded bombs.

It was given to selected Non-Governmental Organisations tasked with providing humanitarian aid to the country. The map depicts a mass of green circles, diamonds and rectangles, each showing an individual site of what is described as an 'explosive location'.

Although it is impossible to judge precisely the number of unexploded bombs, landmine experts say that up to 10,000 separate cluster bombs and bomblets could be lying in cities, farmland and on the main road arteries across the country.

'We will see the desperate affects of this conflict, just as we have seen in Kosovo and Afghanistan, for years to come,' said Sarah Green of Amnesty International, which has campaigned for a ban on the use of cluster bombs.

Each green circle, rectangle or diamond is an example of an unexploded anti-personnel mine, anti-tank mine, a mixture of both or what is described on the map as a 'SubMunition', otherwise known as a cluster bomb. Yellow rectangles are described as 'unknown' unexploded munitions.

The greatest concentration is seen in the centre of the map, around Baghdad and on the main road routes

between the capital and the British-controlled regions of Basra and Umm Qasr in the south-east. There are further concentrations around the southern Iraq town of Nasariyah and the mountains to the north and east of the Kurdish city of Kirkuk.

Although some of the munitions are from the 1991 Gulf war and will have originally been fired by Iraqi forces, experts in the field believe that most have been left since the recent conflict. Officials also say that cluster bombs were only used by coalition forces. 'Submunition' diamonds make up the bulk of the unexploded locations around Baghdad, Nasariyah and north of Basra.

Aid agencies say that hundreds of civilians have already been maimed after tampering with unexploded cluster bombs. The victims are often young children scavenging for the valuable metal that encases the explosives.

Last week Adam Ingram, the Armed Forces Minister, admitted that cluster bombs were used in built-up areas in 'specific circumstances where there is a threat to our troops'.

Defence officials said that British and American troops were engaged in clearing as much of the land in Iraq as possible.

'We have a lot of Army people there helping make the country safe,' said one government official.

'We will be sending more people to continue the work. We are well aware of the seriousness of the issue.'

Guardian Unlimited © Guardian Newspapers Limited 2003

Cluster bombs 'used in Iraq cities'

Coalition forces did use cluster bombs in built-up areas during the Iraq war, but a concerted clean-up operation is under way, the government has said.

Defence Minister Adam Ingram was responding to increasing concern over the use of the bombs.

Seventy-five Labour MPs are calling for cluster bombs, which can leave unexploded "bomblets", to be banned because of the threat they pose to civilians.

Mr Ingram insisted they had been used in a targeted way against specific military targets.

That did include built-up areas where coalition troops had come under threat, Mr Ingram told BBC Radio 4's Today programme.

Basra targets?

Defence Secretary Geoff Hoon on 3 April told MPs that cluster bombs were used only when it was "absolutely justified" because it would "make the battlefield safer for our armed forces".

With about a week of the war to go, Mr Hoon said it had "so far" not been necessary to use cluster bombs in Basra.

He said cluster bombs would injure civilians on occasions but such incidents would be kept to a minimum.

Cluster bombs are used in a targeted way against specific military targets

Adam Ingram
Armed Forces Minister

On Thursday, Mr Ingram appeared to suggest the weapons had been used in the southern Iraqi city.

He said: "We have a massive programme of education in Basra and those other areas where we have used such weapons."

The armed forces minister argued the use of cluster bombs had helped to prevent more coalition casualties.

Troop threat

He insisted the government had been consistent in its statements about when and where the weapons would be used.

"These are not illegal weapons. They are used in specific circumstances where there is a threat to our troops," he said.

"Now, clearly there were circumstances where there were concentrations of military equipment and Iraqi troops in and around built-up areas.

"Now, how were we to tackle those people. Were we to have close combat with them with more casualties on our side?"

Clean-up efforts

Mr Ingram said it took time to identify unexploded bombs but there were 200 people working on the task.

Maps showing where the bombs were dropped had been issued, he said.

And 100,000 unexploded pieces of ordnance - not necessarily cluster bombs - had been destroyed in the region.

On 6 February, government spokeswoman Baroness Crawley told the House of Lords that the UK would "not countenance" the use of cluster bombs.

Mr Ingram stressed that Baroness Crawley was not a defence minister and argued it was Mr Hoon's statements which were important.

Labour MP Austin Mitchell is one of those backbenchers pressing for more action in clearing unexploded bombs.

He told Today: "Now that the search for weapons of mass destruction produced by Iraq is on and failing, nothing much is being done about the weapons of mass destruction used by our side, which are basically cluster bombs.

"Unless we clean up our own mess then our position is dishonest and contemptible. We should not use these weapons."

Civilian casualties

Each cluster bomb contains 147 bomblets - useful when tackling armaments spread over a reasonably large area.

With cluster bombs dropped from the air, 16% of those do not explode immediately, compared to a 2% failure rate for bombs launched from the ground.

Jo Nicholls, from charity Oxfam, said she had seen civilians hurt by cluster bombs in her visits of hospitals in Baghdad.

One man had told her how a bomb had exploded right in front of him as he stepped out of his house, "splitting him open" from neck to crotch, although he survived the blast.

Story from BBC NEWS:
http://news.bbc.co.uk/go/pr/fr/-/2/hi/uk_news/politics/2946054.stm

Published: 2003/05/29 09:06:58 GMT

© BBC MMIII

HUMAN RIGHTS WATCH

- HOME
- CONTRIBUTE
- COMMUNITY
- NEWS RELEASES
- CURRENT EVENTS
- PUBLICATIONS
- ABOUT HRW
- INFO BY COUNTRY

hrw.org | DEFENDING HUMAN RIGHTS WORLDWIDE

PORTUGUÊS FRANÇAIS ПУКОЛНН
 ESPAÑOL 中文 العربية

BACKGROUNDERS

Human Rights Watch Briefing Paper

Cluster Munitions a Foreseeable Hazard in Iraq

March 2003

- Africa
- Americas
- Asia
- Europe/Central Asia
- Middle East/N. Africa
- United States

- GLOBAL ISSUES**
- Arms
 - Children's Rights
 - HIV/AIDS
 - International Justice
 - Prisons
 - Refugees
 - Women's Rights
 - United Nations
 - More...

- CAMPAIGNS**
- BOOKSTORE
 - FILM FESTIVAL
 - PHOTO ESSAYS
 - SITE MAP
 - CONTACT US

SEARCH

GO

- Four U.S. Cluster Munitions of Concern
- The Proliferation of Cluster Munitions of Concern
- The Cluster Munition Problem from the 1991 Persian Gulf War
- Impact on U.S. Military Forces
- A Better Future?
- Conclusion

The use of cluster munitions in Iraq will result in grave dangers to civilians and friendly combatants. Based on experiences in the Persian Gulf War in 1991, Yugoslavia/Kosovo in 1999, and Afghanistan in 2001 and 2002, these dangers are both foreseeable and preventable.

Cluster munitions cannot be targeted with precision. They cause damage over a very large and imprecise area, and, due to the numbers used and high failure rate, leave behind a great many unexploded "dud" submunitions that become de facto antipersonnel landmines. Human Rights Watch has called for a global moratorium on use of cluster munitions until these humanitarian problems are addressed. Environmental factors in parts of Iraq such as sand, wind, and marshes would likely contribute to producing even higher dud rates for submunitions.

This briefing paper identifies four types of U.S. cluster munitions in particular that have produced large numbers of hazardous duds during previous combat operations and during testing. These four cluster munitions are currently in the inventory of the United States, United Kingdom, and other nations. This paper also provides details about the use of cluster munitions in the 1991 Persian Gulf War, including the threat to U.S. forces from their own weapons, and the ongoing impact of the resulting explosive dud submunitions. Human Rights Watch has recently obtained startling information showing that eleven years after the end of the war, about 200 hazardous cluster munition duds are still found and destroyed each month in Kuwait.

Four U.S. Cluster Munitions of Concern

Four types of U.S. cluster munitions have a history of producing high numbers of hazardous submunition duds. High dud rates have been documented in testing for Multiple Launch Rocket System (MLRS) M77 submunitions and 155mm artillery projectiles with M42 and M46 Dual Purpose Improved Conventional Munition (DPICM) submunitions. Two types of air-dropped cluster munitions—older Rockeye (CBU99/CBU-100) bombs and newer Combined Effects Munitions (CBU-87)—have produced high numbers of hazardous duds in combat operations in Iraq, Kuwait, Yugoslavia, and Afghanistan.

The United States stockpiles over one billion submunitions in weapons currently in

service. Nearly three-quarters of this stockpile of submunitions are contained in MLRS rockets and 155mm artillery projectiles. Given reported failure rates, a stockpile of that size creates the specter of well over 100 million explosive duds, each posing a danger to civilians similar to antipersonnel landmines.

The four cluster munitions of concern and their reported failure rates include:

- **MLRS with M26 warhead:** 16 percent dud rate for the M77 submunition.¹ Some lots were reported to have dud rates as high as 23 percent, based on testing done to accept newly produced batches.² Each M26 warhead contains 644 submunitions. Thus, the standard volley of twelve MLRS rockets would likely result in more than 1,200 dud submunitions scattered randomly in a 120,000 to 240,000 square meter impact area. The U.S. stockpile of MLRS rockets contains over 309 million submunitions.³ This could equate to more than 49.4 million explosive duds.
- **155mm DPICM M483A1 & M864 artillery projectiles:** 14 percent dud rate for the M42 and M46 DPICM submunitions.⁴ The M483A1 artillery projectile contains sixty-four M42 and twenty-four M46 DPICM submunitions. The M864 projectile contains forty-eight M42 and twenty-four M46 DPICM submunitions. Based on the dud rate established by testing existing stocks of these projectiles, each M483A1 round fired would result in twelve dud submunitions and each M864 round would result in ten dud submunitions. The U.S. stockpile of 155mm projectiles contains over 434 million submunitions.⁵ This could equate to more than 60.7 million hazardous duds.
- **Rockeye CBU-99/CBU-100:** Each Rockeye bomb contains 247 Mk 118 submunitions. These cluster bombs were used extensively in the 1991 Persian Gulf War. While no reliable estimate of the failure rate is available, clearance agencies in Kuwait encountered a very large number of dud Rockeye submunitions in their operations.⁶ One U.S. company reported clearing 95,799 M118 Rockeye submunitions in their sector of Kuwait, which constituted 18% of the total area cleared.⁷ In 2002, 451 Rockeye submunitions were detected and destroyed by mine clearance and explosive ordnance disposal teams in Kuwait.⁸ Rockeyes, which were developed in the 1950s, were also used in great numbers in the Vietnam War. The number of Rockeye bombs currently in the U.S. arsenal is unknown, but is still believed to be high.
- **Combined Effects Munition CBU-87:** dud rates of at least 5 to 7 percent for the BLU-97 submunition in operations in Yugoslavia/Kosovo and Afghanistan.⁹ The CBU-87 is an air-dropped bomb that contains 202 BLU-97 submunitions. Using the 7 percent submunition failure rate documented in Kosovo, each bomb dropped would result in fourteen explosive dud submunitions over an area about the size of a U.S. football field. The U.S. used a total of 10,035 CBU-87s, with more than 2 million submunitions, during the 1991 Persian Gulf War. The size of the U.S. stockpile of this older version of the Combined Effects Munition (CBU-87), which was first produced in 1984, is not known. But large numbers are believed to be held, even though newer models (CBU-103) are being fielded with improved accuracy, due to the Wind Corrected Munitions Dispenser, and fuze modifications.

In addition to these four cluster munitions, there are others with high failure rates that could be used in Iraq. While many of the older Vietnam-era cluster munitions that were used in large numbers in 1991 in Kuwait and Iraq are no longer serviceable and are prohibited from use, the U.S. military is retaining some older cluster munitions to make up for shortfalls in the inventories of newer, more reliable cluster munitions. For example, one older type of 105mm artillery projectile (designated M444) with a submunition dud rate of 12 percent is being retained to cover for stockpile shortages of another projectile (designated M915) with a 1 percent dud rate and a self-destruct fuze.

The Proliferation of Cluster Munitions of Concern

The U.S. Department of Defense has also disposed of some of its aging cluster munitions by sales to foreign militaries.¹⁰ The four cluster munitions identified above are already found in the inventory of many other countries, as detailed in the table below:

Cluster Munition Type	Countries that Stockpile
MLRS with M26 warhead	Bahrain, Denmark, France, Germany, Greece, Israel, Italy, Japan, Netherlands, Norway, Turkey, United Kingdom, United States
155mm DPICM projectiles (M483A1 & M864)	Canada, Jordan, Netherlands, Pakistan, South Korea, Turkey, United States
Combined Effects Munition (CBU-87)	Egypt, France, Germany, Italy, Japan, Netherlands, Norway, Poland, Saudi Arabia, South Korea, United Arab Emirates, United Kingdom, United States
Rockeye	Canada, Denmark, Egypt, France, Israel, Norway, Oman, Turkey

The Cluster Munition Problem from the 1991 Persian Gulf War

Human Rights Watch has reported previously on the use of cluster bombs during the 1991 Persian Gulf War.¹¹ Aerial-delivered cluster munitions accounted for about one-quarter of the bombs dropped on Iraq and Kuwait. Between January 17 and February 28, 1991, the United States and its allied coalition used a total of 61,000 air-dropped cluster munitions, releasing twenty million submunitions. About fifteen percent of those were CBU-87s, then new to the U.S. arsenal. Other, less reliable Vietnam-era cluster munitions were used in surprising large numbers, including CBU-52, CBU-58, CBU-71, and early versions of the Rockeye.¹² The number of cluster munitions delivered by surface-launched artillery and rocket systems during the Gulf War is not known, but one source estimates that over thirty million DPICM submunitions were used in the conflict.¹³

From the end of the conflict in 1991 through December 2002, 108 metric tons of cluster munitions were discovered and destroyed by mine clearance and explosive ordnance disposal teams in Kuwait.¹⁴ In the year 2002, more than a decade after the fighting stopped, 2,400 explosive dud cluster munitions were detected and destroyed. These included: M42/M46/M77 (DPICM), Mk-118 (Rockeye), BLU-61A/B, BLU-77B, BLU-91B (Gator antivehicle mine), BLU-92B (Gator antipersonnel mine), BLU-97 (CBU-87), and Belouga (a French air-dropped cluster munition). Almost one in five of the dud cluster munitions found in 2002 were from Rockeye air-dropped bombs.¹⁵

This average of nearly seven per day is all the more stunning in that one of the most extensive and expensive clearance operations in history was carried out immediately after the war.¹⁶ Hazardous dud cluster munitions continue to be uncovered in Kuwait. In

February 2003, soldiers with the U.S. 3rd Infantry Division discovered a dud BLU-63 cluster munition on one of their urban combat training ranges in the Kuwaiti desert.¹⁷

While less information is available on the problem in Iraq, Iraq is still severely affected by landmines, cluster munition duds, and other types of unexploded ordnance (UXO) from the 1991 Gulf War, as well as the 1980-1988 Iraq-Iran War, two decades of internal conflict, and World War Two. Landmines and UXO pose a problem in the north, along the Iran-Iraq border, and throughout the central and southern regions of the country.¹⁸ The International Committee of the Red Cross in 2001 identified unexploded cluster bombs and other UXO as the main threat to communities living in southern Iraq.¹⁹

Impact on U.S. Military Forces

During combat in the 1991 Persian Gulf War, U.S. forces experienced the danger of casualties caused by their own weapons as well as impediments to mobility when operating in areas contaminated by hazardous duds produced by U.S. cluster munitions.²⁰ Numerous references to this are found in official U.S. military documents. One report states, "Battlefield experience has demonstrated that weapon systems containing submunitions present the greatest potential for creating UXO, since a significant percentage of these submunitions may not detonate reliably."²¹ The U.S. Armed Services recorded 177 "explosion casualties" in the conflict, constituting 13 percent of the total U.S. military casualties.²² At least eighty of the U.S. casualties were attributed to cluster munition duds.

U.S. Military "Explosion Casualties" During 1991 Gulf War

Type of Munition	Number of Casualties
Cluster Munition UXO-CBU	64
Unidentified Landmine	46
Iraqi Landmines	35
Cluster Munition UXO-DPICM	16
Other UXO	16

A Better Future?

The United States military has recognized that the high failure rate of its existing stockpile of cluster munitions poses unacceptable risks to both U.S. forces and civilian populations. Efforts are underway to improve the reliability of newly produced cluster munitions. As a result of a new policy decision in 2001, weapons with submunitions produced after 2005 are required to be 99 percent reliable.²³ A contract was awarded in February 2003 to manufacture 500,000 self-destruct fuzes for M915 105mm DPICM artillery projectiles.²⁴ Funds to remanufacture and retrofit 24,345 M864 155mm DPICM projectiles with self-destruct fuzes were requested in the fiscal year 2004-2005 ammunition procurement budget request.²⁵ Plans to produce a new generation of MLRS rockets with self-destruct fuzes for submunitions are also being developed.²⁶

However, the 2001 policy permits continued use of existing cluster munitions that do not meet the new standard: "The services may retain 'legacy' submunitions until employed

or superseded by replacement systems...." The U.S. stockpiles more than one billion of these "legacy" submunitions with a failure rate of more than 1 percent. There is a fundamental inconsistency in acknowledging the dangers of these submunitions and the need to replace them, while still permitting their use.

Conclusion

As noted above, Human Rights Watch has called for a global moratorium on use of cluster munitions until the humanitarian problems are addressed. Short of that commitment, Human Rights Watch urges that the United States, United Kingdom, and others that may deploy cluster munitions in Iraq take the following steps:

- Prohibit the use of any cluster munitions in attacks on or near populated areas;
- Suspend use of and withdraw cluster munitions that have been tested and identified as producing high dud rates;
- Refrain from using or transferring out-of-date types of cluster munitions in an effort to "clean the closet" of stockpiles;
- Record, report, track, and mark known or suspected cluster munition strike areas; and,
- Preserve this information so it can be disseminated quickly in clearance efforts.

¹ Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics, "Unexploded Ordnance Report," table 2-3, p. 5. No date, but transmitted to the U.S. Congress on February 29, 2000.

² U.S. General Accounting Office, "GAO/NSIAD-92-212: OPERATION DESERT STORM: Casualties Caused by Improper Handling of Unexploded U.S. Submunitions," August 1993, pp. 5-6.

³ U.S. Army Material Systems Analysis Activity, "Unexploded Ordnance (UXO) Study," April 1996, p. 7.

⁴ U.S. Army Defense Ammunition Center, Technical Center for Explosives Safety, "Study of Ammunition Dud and Low Order Detonation Rates," July 2000, p. 9.

⁵ U.S. Army Material Systems Analysis Activity, "Unexploded Ordnance (UXO) Study," April 1996, p. 7.

⁶ Colin King, "Explosive Remnants of War: A Study on Submunitions and other Unexploded Ordnance," commissioned by the International Committee of the Red Cross, August 2000, p. 16 and p. E-2; U.S. General Accounting Office, "GAO-02-1003: MILITARY OPERATIONS: Information on U.S. Use of Land Mines in the Persian Gulf War," September 2002, p. 27. The Department of Defense UXO report to Congress in 2000 cites a 98 percent submunition reliability rate for the Rockeye submunition—a claim not supported by the Kuwait evidence.

⁷ U.S. Army Armament, Munitions, and Chemical Command, "Contract DAAA21-92-M-0300 Report by CMS, Inc.," Undated; data cited by GAO 1993, GAO 2002, King 2000, and U.S. Army Material Systems Analysis Activity, 1996.

⁸ Compiled from December 2001 to December 2002 editions of Kuwait Ministry of Defense, "Monthly Ammunition and Explosive Destroyed/Recovery Report," Annex A.

⁹ In Kosovo, on the basis of the clearance rate by March 2001 of unexploded submunitions, the United Nations Mine Action Coordination Center estimated that 7 percent of the BLU-97 submunitions failed to explode on impact. See International Campaign to Ban Landmines (ICBL), *Landmine Monitor Report 2001*, (New York: Human Rights Watch, 1999), p. 952. For Afghanistan, data provided on coalition air strikes to the United Nations mine action program by the U.S. Department of Defense used a 5 percent figure. See Human Rights Watch, "Fatally Flawed: Cluster Bombs and Their Use by the United States in Afghanistan," *A Human Rights Watch Report*, vol. 14, no. 7 (G), December 2002, p. 37. The Department of Defense UXO report to Congress in 2000 cites a 98 percent submunition reliability rate for the BLU-97 submunition.

¹⁰ Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics, "Unexploded Ordnance Report," p. 3. No date but transmitted to the U.S. Congress on February 29, 2000.

¹¹ Most recently, see Human Rights Watch, "Fatally Flawed: Cluster Bombs and Their Use by the United States in

Afghanistan," *A Human Rights Watch Report*, vol. 14, no. 7 (G), December 2002, pp. 40-41.

¹² *Ibid.*

¹³ Colin King, "Explosive Remnants of War: A Study on Submunitions and other Unexploded Ordnance," commissioned by the International Committee of the Red Cross, August 2000, p. 16, citing Donald Kennedy and William Kincheloe, "Steel Rain: Submunitions," *U.S. Army Journal*, January 1993.

¹⁴ Kuwait Ministry of Defense, Headquarters Land Forces Command, "Monthly Ammunition and Explosive Destroyed/Recovery Report," Annex A, December 21, 2002.

¹⁵ *Ibid.* According to the same document, a similar number of cluster munitions were cleared in 2001.

¹⁶ See, for example, ICBL, *Landmine Monitor Report 1999*, p. 891.

¹⁷ Juan Tamayo, "10 Million Land Mines Lie in Wait Inside Iraq, Troops also face '91 War Leftovers," *Miami Herald*, February 20, 2003.

¹⁸ Human Rights Watch, "Landmines in Iraq, Questions and Answers," December 2002; for further details on Iraq see ICBL, *Landmine Monitor Report 2002*, September 2002, pp. 671-673.

¹⁹ Laurence Desvignes, "Red Cross/Red Crescent Mine Action Involvement in the Middle East," *Journal of Mine Action*, Issue 5.3, Fall 2001, p. 13.

²⁰ U.S. General Accounting Office, "GAO-02-1003: MILITARY OPERATIONS: Information on U.S. Use of Land Mines in the Persian Gulf War," September 2002, pp. 29-33; U.S. General Accounting Office, "GAO/NSIAD-92-212: OPERATION DESERT STORM: Casualties Caused by Improper Handling of Unexploded U.S. Submunitions," August 1993, p. 9.

²¹ Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics, "Unexploded Ordnance Report," p. 2. No date but transmitted to the U.S. Congress on February 29, 2000.

²² U.S. General Accounting Office, "GAO-02-1003," p. 15, p. 17, figure 2. All casualty figures provided to GAO by U.S. Armed Services and are treated separately from casualties resulting from direct enemy action.

²³ Secretary of Defense William Cohen, "Memorandum for the Secretaries of the Military Departments, Subject: Department of Defense Policy on Submunition Reliability (U)," January 10, 2001. It states, "It is the policy of the DoD [Department of Defense] to reduce overall UXO through a process of improvement in submunition system reliability – the desire is to field future submunitions with a 99% or higher functioning rate.... The Services shall evaluate 'legacy' submunition weapons undergoing reprourement, product improvement, or block upgrades to determine whether modifications should be made to bring them into compliance with the above policy."

²⁴ U.S. Army Armaments Research and Development Engineering Center, Contract Award Notice DAAE30-03-R-0800, "M234 Self-Destruct Fuze Low Rate Initial Production-Sole Source," February 6, 2003.

²⁵ U.S. Department of the Army, "Committee Staff Procurement Backup Book, FY2004/FY2005 Biennial Budget Submission, Procure of Ammunition, Army," February 2003, p. 323.

²⁶ Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics, "Unexploded Ordnance Report" no date but transmitted to the U.S. Congress on February 29, 2000, p. A-3.



[Home](#) | [Current Events](#) | [News](#) | [Publications](#) | [About HRW](#) | [Documents by Country](#) | [Global Issues](#) | [Campaigns](#) | [Contribute](#) | [What You Can Do](#) | [Community](#) | [Book Store](#) | [Film Festival](#) | [Search](#) | [Site Map](#) | [Contact Us](#) | [Press Contacts](#) | [Privacy Policy](#)

© Copyright 2003, Human Rights Watch 350 Fifth Avenue, 34th Floor New York, NY 10118-3299 USA



amnesty international

WORKING TO PROTECT HUMAN RIGHTS WORLDWIDE

Search [

Español

Library

Online documentation archive

LIBRARY > MIDDLE EAST AND NORTH AFRICA > MIDDLE EAST > IRAQ

View this document in [Español](#) [Français](#)

AI INDEX: MDE 14/050/2003 27 March 2003

[Document library](#)

[Recent documents](#)

[Annual report](#)

[Receive updates by email](#)

[Order AI publications](#)

IRAQ

People come first - Protect Human Rights

[Iraq Crisis home page](#)

[Take Action!](#)

Annual report entries:

[2002](#), [2001](#), [2000](#), [1999](#),

[1998](#), [1997](#)

Search by AI INDEX

AMNESTY INTERNATIONAL PRESS RELEASE

AI Index: MDE 14/050/2003 (Public)

News Service No: 069

27 March 2003

Iraq: Risk to civilians if landmines and *CLUSTER* bombs used

Indiscriminate weapons must not be used by any side in the conflict in Iraq, Amnesty said today, as claims of the use of cluster bombs and anti-personnel mines cor

The organization reiterated its call to the US, UK and Iraqi authorities to immed of "weapons which are inherently indiscriminate or otherwise prohibited under i humanitarian law".

Both US and UK officials have refused to rule out the use cluster bombs. Amne concern is heightened as allegations emerge that cluster bombs have been drc may be responsible for civilian deaths and injuries.

Cluster bombs release numerous bomblets over a large area. At least 5% of th do not explode upon impact, turning them into de facto anti-personnel mines bc continue to pose a threat to people, including civilians, who come into contact v

"An immediate moratorium on the use of cluster weapons must be established. weapons present a high risk of violating the prohibition on indiscriminate militar International said.

"The 'dud' bomblets remain a continued threat to people, including civilians on suffer loss of life and limb when coming into contact with them."

Iraqi troops were reportedly laying anti-personnel mines and using landmine bc southern Iraq. There have been other reports that Iraqi forces were laying mine the north and elsewhere in the country.

The US Pentagon has stated that "it retains the right to use landmines." The In Campaign to Ban Landmines has stated that the US has already deployed abo landmines to the region for possible use in Iraq. UK Prime Minister Tony Blair t rule out the use of cluster bombs by UK forces. The US has been stockpiling th personnel mines (banned under UK law) off the coast of the British territory of l use in Iraq. If anti-personnel mines had entered the territory of Diego Garcia, th breach the UK Land Mines Act.

"The US and Iraq must immediately halt any deployment of anti-personnel lanc

International declared.

"The use of landmines and cluster bombs could massively increase the scale so their use must be ruled out," Amnesty International concluded.

Background

The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Personal Mines and on their Destruction (Ottawa Treaty), which entered into force in 1999, forbids the development, production, acquisition, stockpiling, retention of personal weapons. Neither the USA nor Iraq are parties to the treaty. The UK ratified the treaty.

The Ottawa treaty has been ratified by 131 states and signed by 146.

In December 2002, a Working Group to the UN Convention on Conventional Weapons established to draw up measures aimed at curbing the casualties caused by unexploded ordnance.

To see an interview with Amnesty International's expert on arms and human rights visit: <http://emedia.amnesty.org/mines.ram>

A media briefing on indiscriminate weapons is available on <http://web.amnesty.org/ai.nsf/recent/act790062003>

For comment, please contact the following media officers:

Between 0800 GMT and 1900 GMT

Judit Arenas on + 44 207413 5810 or mobile + 44 7778 472 188 (English and Spanish)
Teresa Richardson on + 44 207413 5554 or mobile + 44 7768 182 445 (English and French)
Kamal Samari on + 44 207413 5831 or mobile + 44 7778 472 126 (English, Arabic and French)

Magda Wendorff-Kowalczyk on + 44 207413 5729 or mobile + 44 7778 472 126 (German and Polish)

Between 1900 GMT and 0200 GMT

Alistair Hodgett on +1 202 544 0200 ext 302 or mobile +1 703 861 7384 (English)

Between 0200 GMT and 0800 GMT

Rebecca Lineham on + 64 21 422 562 (English)

For further information on Amnesty International's concerns and recommendations in Iraq please visit: <http://www.amnesty.org/go/iraq>

Public Document

For more information please call Amnesty International's press office in London 020 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

For latest human rights news view <http://news.amnesty.org>

[Back to Top ^^](#)

AI INDEX: MDE 14/050/2003 27 March 2003

Related Documents

(MDE 14/119/2003) [Iraq: Field Update](#)

(MDE 14/115/2003) [Iraq: Press Briefing Invitation](#)

(MDE 14/113/2003) [Iraq: Amnesty International in Basra - Field Update May 9 2003](#)

(MDE 14/110/2003) [Iraq: Amnesty International in Basra - Field Update May 8 2003](#)

(MDE 14/112/2003) [Iraq: comprehensive approach to justice urgently needed](#)

(MDE 14/109/2003) [Iraq: Amnesty International delegates in Basra call for urgent deployment of UN human rights monitors](#)

[Back to Top ^^](#)

[ABOUT AI](#) | [NEWS](#) | [LIBRARY](#) | [ACT NOW](#) | [CAMPAIGNS](#) | [RESOURCES & LINKS](#) | [CONTACT US](#) | [SITEMAP](#)

© Copyright Amnesty International

SEARCH

All Categories

[Advanced Search](#)

ON THIS WEBSITE

[What's New?](#)
[News & Analysis](#)
[Opinion/Editorial](#)
[Iraq Diaries](#)
[International Law](#)
[Aid & Development](#)
[The Media](#)
[Art, Music & Culture](#)
[Action & Activism](#)
[Fact Sheets](#)
[About this Project](#)
[Iraq in the Press](#)

TELL OTHERS



[Download, print and distribute eIraq's flyer!](#) [PDF, 2.1MB]

LATEST ARTICLES

- [Iraq Diaries: All We Want is Security](#) (3 September 2003)
- [Iraq Diaries: Sounds of Grief, Pain and Hope](#) (1 September 2003)
- [Opinion/Editorial: Conscripting Turkey: Imperial Mercenaries Wanted](#) (3 September 2003)
- [News & Analysis: Photo Story: Bombing of Imam Ali Mosque in Najaf](#) (30 August 2003)
- [News & Analysis: Former UN chief: bomb was payback](#)

NEWS & ANALYSIS

Former UN chief: bomb was payback for collusion with US

Neil Mackay, *Sunday Herald*, 29 August 2003

The reason the United Nations headquarters in Baghdad were bombed is because the been taken over by the US and turned into a "dark joke" and a "malignant force", act to one of the UN's most internationally respected former leaders.

Denis Halliday, the former UN Assistant Secretary-General and UN Humanitarian Co-ordinator in Iraq, attacked the UN as an aggressive arm of US foreign policy in the immediate aftermath of the truckbomb attack on the UN mission in Baghdad which killed at least 17 people - many of whom were Halliday's former friends and colleagues.

"The West sees the UN as a benign organisation, but the sad reality is much of the way that the UN is not seen as benign," said Halliday, who was nominated for the 2001 Nobel Peace Prize. "The UN Security Council has been taken over and corrupted by the US - particularly with regard to Iraq, Palestine and Israel.

"In Iraq, the UN imposed sustained sanctions that probably killed up to one million people. Children were dying of malnutrition and water-borne diseases. The US and UK bombed Iraq's infrastructure in 1991, destroying power, water, and sewage systems against the Geneva Convention. It was a great crime against Iraq.

"Thirteen years of sanctions made it impossible for Iraq to repair the damage. That is why we have such tremendous resentment and anger against the UN in Iraq. There is a sense that the UN humiliated the Iraqi people and society. I would use the term genocide to describe the use of sanctions against Iraq. Several million Iraqis are suffering cancers because of depleted uranium shells. That's an atrocity. Can you imagine the bitterness from a situation like this?

He warned that "further collaboration" between the UN and the US and Britain "would be a disaster for the United Nations as it would be sucked into supporting the illegal occupation of Iraq".

"The UN has been drawn into being an arm of the US - a division of the state department. Kofi Annan was appointed and supported by the US and that has corrupted the independence of the UN. The UN must move quickly to reform itself and improve the security council. It must make clear that the UN and the US are not one and the same."

Halliday said the US should withdraw from Iraq within six months and allow free elections to be held. The UN could then start the work of helping the Iraqis rebuild their nation. "I have blown \$75 billion on this war, so he should spend \$75 billion on reconstruction - and the money shouldn't just go to Halliburton [an oil firm now operating in Iraq which was founded by vice-president Dick Cheney] and the boys either. Once the US goes from Iraq, the terrorist will go as well.

"Bush and Blair have misled their countries into war. By invading Iraq and placing the US inside the Islamic world, America is inviting terrorists to come on the attack."

Halliday, who resigned from the UN in 1998, knows his comments will upset London, Washington and Kofi Annan, but he claims many senior UN figures feel the same anger.

This article originally appeared in The Sunday Herald on August 24th, 2003.

Page last updated: 29 August 2003

[Top of Page](#) | [E-mail this](#) | [Print this](#) | [News & Analysis Index](#)

[for collusion with US](#) (29 August 2003)

• [Iraq Diaries: A Space to Digest and Reflect](#) (29 August 2003)

• [Iraq Diaries: Tools Necessary to Rebuild](#) (26 August 2003)

Support the online supplementary news publishing work of



To make a Paypal credit card donation to [EI](#) please click [here](#). To donate by postal mail, please make out a check (in US dollars) to: **MECCS/EI Project** and mail it to: **MECCS/EI Project, 1507 E. 53rd Street, #500 Chicago, IL 60615.**

Support the on the ground activist work of the

**IRAQ
PEACE
TEAM**

To make a Paypal credit card donation to [IT](#) please click [here](#). To donate by postal mail, please make out a check (in US dollars) to: **Voices in the Wilderness** and mail it to: **Voices in the Wilderness, 1460 W. Carmen Ave., Chicago, IL 60640.**

[WHAT'S NEW?](#) | [ABOUT THE PROJECT](#) | [NOTE FOR WEBMASTERS](#)

This page is part of [Electronic Iraq/electroniciraq.net](#), a [joint project](#) from *Voices in the Wilderness* and *The Intifada*. Views expressed on this page may or may not be representative of Electronic Iraq or its founders. / on this website is copyright ©2003 of the author or original source. See our [Note for Webmasters](#) for more info about our dissemination-friendly linking, syndication, and reprint policies. [Contact Us](#).

a website designed by [nlgetparry.net](#)

HUMAN
RIGHTS
WATCH

hrw.org | DEFENDING HUMAN RIGHTS WORLDWIDE

HUMAN RIGHTS NEWS

PERSONS | PUBLISHED | CONTACT
SEARCH | RSS | LANGUAGE

FREE Add the HRW Afghanistan Mailing List

HOME
CONTRIBUTE
COMMUNITY
NEWS RELEASES
CURRENT EVENTS
PUBLICATIONS
ABOUT HRW
INFO BY COUNTRYAfrica
Americas
Asia
Europe/Central Asia
Middle East/W. Africa
United States

GLOBAL ISSUES

Arms
Children's Rights
Women's Rights
Refugees
International Justice
Prisoners
Misc.

CAMPAIGNS

BOOKSTORE

FILM FESTIVAL

PHOTO ESSAYS

SITE MAP

CONTACT US

SEARCH

GO

Cluster Bombs in Afghanistan
Human Rights Watch Backgrounder
October 2001

(download PDF version - 9 pages)

The United States-led alliance began its air campaign in Afghanistan on October 7, 2001. While the Pentagon has been reluctant to talk of specific weapons used in the bombing, U.S. military sources have told Human Rights Watch that the Air Force began dropping cluster bombs within a matter of days. During the first week of the campaign, it is believed that Air Force B-1 bombers dropped 50 CBU-87 cluster bombs in some five missions. CBU-87 cluster bomb use has continued after the first week, and it is believed that other airplanes joined B-1s in dropping cluster bombs on both fixed and mobile targets.

Human Rights Watch has called for a global moratorium on use of cluster bombs because they have been shown to cause unacceptable civilian casualties both during and after conflict. Cluster bombs have a wide dispersal pattern and cannot be targeted precisely, making them especially dangerous when used near civilian areas. Cluster bombs are usually used in very large numbers and have a high initial failure rate which results in numerous explosive "duds" that pose the same post-conflict problem as antipersonnel landmines.

United Nations officials have stated that on October 22 U.S. cluster bomb submunitions landed on the village of Shaker Qala, near the city of Herat in western Afghanistan, killing nine civilians and injuring fourteen. The head of the United Nations Mine Action Program in Afghanistan (U.N. MAPA) noted that villagers are afraid to leave their homes after encountering the yellow soda can-like objects characteristic of CBU-87 submunitions that were left scattered in the village after an air strike on a nearby military camp. He called upon the United States to provide information on the types of ordnance dropped on Shaker Qala and elsewhere.

On October 25, the U.S. for the first time publicly acknowledged using cluster bombs. In response to a media question, Chairman of the Joint Chiefs of Staff General Richard Myers said, "Yes, we have used cluster bomb units.... There have not been a great number of them used, but they have been used."

Each CBU-87 cluster bomb contains 202 individual submunitions, also called "bomblets," designated BLU-97/B. The CBU-87s are formally known as Combined Effects Munitions (CEM) because each bomblet has an antitank and antipersonnel effect, as well as an incendiary capability. The bomblets from each CBU-87 are typically distributed over an area roughly 100 x 50 meters. They can be dropped from virtually any U.S. Air Force, Navy, and Marine Corps aircraft.

Recent experience in Kosovo, and before that in the Gulf War, has shown that the exact "footprint," or landing area, of the CBU-87s bomblets is difficult to control and that an initial failure-to-explode rate of some 7 percent can be expected.

When the bomblets contained inside cluster bombs fail to explode on contact as intended, they become in effect antipersonnel landmines-volatile and deadly remnants of war that can explode from a simple touch. They have proven to be a serious and long-lasting threat to civilians, soldiers, peacekeepers, and even clearance experts, because of the high initial failure rate of the bomblets, because of the large number typically dispersed over large areas, and because of the difficulty in precisely targeting the bomblets.

A key United Nations clearance expert has expressed concern about the similarity of the coloring of the yellow BLU-97/B cluster bomblets and the small yellow food aid parcels being airdropped in Afghanistan, noting that people are being encouraged to pick up the food parcels, but that picking up a bomblet would be lethal. He said, "Our experience in Kosovo showed us that children and youths were highly susceptible to the submunitions.... It is highly likely that many in Afghanistan will not know the difference between aerially delivered food aid and aerially delivered munitions." BBC Worldwide Monitoring reported that U.S. Psychological Operations units broadcast a radio message warning Afghan civilians of the similar yellow color of the cluster bomblets and the food packages, noting that cluster bombs will not be dropped in areas where food is airdropped but stating, "[W]e do not wish to see an innocent civilian mistake the bombs for food bags and take it away believing that it might contain food."

It is noteworthy that during Operation Deliberate Force in Bosnia in 1995, air combat commander Major General Michael Ryan (later U.S. Air Force chief of staff) decided to prohibit the use of cluster bombs, in recognition of the inherent danger to civilians. "The problem was that the fragmentation pattern was too large to sufficiently limit collateral damage and there was also the further problem of potential unexploded ordnance," says one Air Force-sponsored study. During Operation Allied Force in Yugoslavia in 1999, the White House prohibited further use of CBU-87s until technical adjustments could be made, after a cluster bomb malfunction on May 7 killed many civilians.

Key Sections

- [What Are Cluster Bombs?](#)
- [The CBU-87](#)
- [Use of CBU-87s and other Cluster Bombs in Kosovo](#)
- [Use of Cluster Bombs in the Gulf War](#)
- [Department of Defense Justifications](#)
- [Cluster Bombs and Landmines](#)
- [Explosive Remnants of War and the Contention on Conventional Weapons](#)
- [Recommendations](#)

Related Material[Afghanistan: Human Rights Watch Key Documents](#)[September 11 Attacks: Crimes Against Humanity The Aftermath](#)

Afghanistan is already one of the countries most severely affected by landmines and unexploded ordnance (UXO). Prior to October 7, 2001, the known contaminated area was estimated at 724 million square meters, including 344 million square meters classified as high priority land for clearance. From 1990 through 2000, more than 225,000 landmines and 1.3 million pieces of unexploded ordnance (including submunition duds) were detected and destroyed. The Taliban and the United Front (Northern Alliance) have used surface-delivered cluster munitions, fired from BM-21 122mm multiple rocket launchers.

According to information received by Human Rights Watch, the U.S. inventory alone contains more than one billion individual submunitions. The United States has more than forty different types of air and surface-delivered cluster bombs and submunitions. It is thought that at least eighteen nations produce cluster munitions and more than four dozen have stockpiles of the weapons.

What Are Cluster Bombs?

Modern cluster bombs are of two main types—those delivered by air and those delivered by surface artillery or rockets (including artillery projectiles and multiple rocket launchers). The bombs are designed to disperse submunitions (often called "grenades" in surface-delivered weapons and "bomblets" in air-delivered weapons) over a large area, thereby increasing the radius of destructive effect over a target. Typical targets for cluster bombs would include troop concentrations, airfields, and air defense units.

The large number delivered increases the density of explosives in the target area, with submunitions designed to strike every few feet or so. They saturate an area with explosives and tiny flying shards of steel. Depending on the type, bomblets can be dispersed to areas as large as the size of several football fields. An air attack typically disperses thousands of submunitions within a small space; a common target area for a single weapon under optimal conditions covers an area of roughly 100 x 50 meters.

Air-delivered cluster bombs are composed of a large dispenser with attached fins (called the tactical munitions dispenser, or TMD, in the newest systems); fuzes and electronic devices to control, spin, and direct the weapon during fall; and submunitions or bomblets. The bomblets themselves are of a variety of designs and shapes. Once released, cluster bomb units (CBUs) fall for a specified amount of time or distance before the dispenser opens and dispenses the submunitions, allowing them to cover a wide-area target. Depending on the type, the submunitions are activated by an internal fuze, and can detonate above ground, at impact, or in a delayed mode. Existing versions of submunitions do not incorporate self-destruct or self-deactivating mechanisms.

Modern air-delivered cluster bombs can be set to determine height of burst and the dispersal pattern. As the aircraft drops the TMD, tail fins open and stabilize the bomb body. At the selected time or altitude, the dispenser begins to spin, the spin rate determining the dispersal pattern. As the bomblets fall and disperse, they arm in different ways depending on their design.

The CBU-87

The U.S. CBU-87 Combined Effects Munition is one of the newest standard air-delivered cluster bomb units (CBUs) in the U.S. arsenal. It has been in the U.S. Air Force inventory since 1986 (and in production since 1984), and has replaced aging and less effective Vietnam-era cluster bomb units and antitank mines. A myriad of delivery settings (high and low altitudes, extremely high speeds, and various toss modes) makes it a significant advance over older bombs. Combining light antiarmor capabilities with antipersonnel and incendiary effects, it was the first weapon in the U.S. inventory to include all three "kill mechanisms."

The 1,000-lb. class cluster bomb is compatible with virtually all current Western-produced tactical fighter aircraft, U.S. and foreign. The dispenser has been approved for use on the A-10, AV-8B, F-15, F-16, F/A-18, B-1, and B-52 aircraft. International aircraft currently certified for the CBU-87 include NATO F-16s, British Hawk and Harrier, French Mirage V, German Alpha Jet, Japanese F-1 and FX, and multinational Tornado and Jaguar. It is manufactured by Allied Techsystems of Minnesota. The weapon contains 202 BLU-97B bomblets (officially called "combined effects bomblets," CEBs), which are seven inches long, with a two-and-a-half inch diameter and a weight of 3.41 pounds.

In contrast with earlier cluster bombs, the ground pattern size and shape of the bomblet dispersal can be determined in the CBU-87 by setting the spin rate of the dispenser and the height of burst. A single CBU-87 set at a low spin rate (e.g., 500 rpm) can disperse bomblets to an area 120 by 200 feet, with bomblets scattered an average of nine feet apart. A range of impact patterns from 70 by 70 feet to 150 by 450 feet can be achieved depending on altitude. In general, the bomblets cover an area of 800 by 400 feet, given medium- to high-altitude delivery.

As the CBU-87's soda can-sized bomblets fall, a "spider" cup is stripped off the body, releasing a spring which pushes out a nylon "parachute" (called the decelerator), which inflates and then stabilizes and arms the bomblet. The bomblets orient perpendicular to the ground for optimal top attack, and the descent is slowed to approximately 125 feet per second. On impact the primary firing mechanism detonates the bomblet. A secondary firing system is included to detonate if the bomblet impacts other than straight on, or if the bomblet lands in soft terrain or water.

The BLU-97's parachute-like decelerator, firing system, fuze, and downward-firing shaped charge are all packed in a steel case with a fire-starting (incendiary) zirconium ring. The case is the main part, made of scored steel designed to break into approximately 300 preformed thirty-grain fragments upon detonation of the internal explosive. The fragments then travel at extremely high velocities in all directions. This is the primary antipersonnel effect of the weapon. An explosively shaped charge (a formed molten copper jet slug) is the primary antiarmor effect. If the bomblet has been properly oriented, the downward-firing charge travels at 2,570 feet per second, able to penetrate most armored vehicles. The zirconium ring provides for fuel and other fires by spreading small incendiary fragments. The shaped charge has the ability to penetrate five inches of armor

ON CONTACT. THE TINY STEEL CASE FRAGMENTS ARE ALSO POWERFUL ENOUGH TO DAMAGE LIGHT ARMOR AND TRUCKS, AND TO CAUSE

human injury at 500 feet. The incendiary ring can start fires in any combustible environment.

Use of CBU-87s and other Cluster Bombs in Kosovo

U.S., British and Dutch aircraft dropped more than 1,765 cluster bombs containing more than 295,000 cluster bomblets during the NATO air campaign in Yugoslavia from March to June 1999. During Operation Allied Force, the U.S. dropped about 1,100 CBU-87s (each containing 202 submunitions), the United Kingdom dropped about 500 RBL-755 cluster bombs (each containing 147 submunitions), and the Netherlands dropped 165 CBU-87s.

The U.N. Mine Action Coordination Center (MACC) reported that NATO provided the locations of 333 cluster bomb strike areas. On the basis of the clearance rate by March 2001 of unexploded cluster bomblets, the MACC estimated that around seven percent of the CBU-87's bomblets and eleven percent of the BL-755's failed to explode on impact. According to the MACC, more than 20,000 bomblets remained after the war, and the bomblets "are in a highly sensitive state, and can explode as a result of being moved or picked up. This volatile condition means that NATO-dropped CBU are a major part of the mine/UXO problem in Kosovo." In its June-September 2000 quarterly report, MACC wrote, "During the previous quarter, it had been recognized that CBU were a major contributing factor to incidents involving civilians. In particular, CBU incidents generally involved groups of younger people, often with very tragic results."

The MACC has also noted, "The CBU problem is exacerbated by the fact that many bomblets have penetrated the ground and some have been found up to 50 centimeters below the surface. This means that CBU strike areas must be subjected to sub-surface clearance using detection equipment before the area can be declared free of UXO."

Human Rights Watch criticized NATO for use of cluster bombs in Kosovo, particularly in or near populated areas. Human Rights Watch believes there were nine to fourteen cluster bomb attacks resulting in civilian casualties during the conflict, causing an estimated ninety to 150 civilian deaths, or 18 to 30 percent of all civilian deaths, even though cluster bombs represented just 6 percent of weapons expended in the air war. A NATO air strike involving cluster bombs on an airfield in Nis on May 7 went off target, hitting a hospital complex and adjoining civilian areas. On April 24, five boys were reported to have been killed and two injured when what was evidently a cluster bomb submunition exploded near the village of Daganovic.

The civilian toll due to cluster bombs was even greater following the end of the conflict. According to the International Committee of the Red Cross, from June 1999 through May 2000, there were at least 151 casualties due to cluster bomblets, including fifty dead and 101 injured. The ICRC notes that the actual number of CBU casualties is likely higher because there were 108 incidents in which the cause of injury was unknown. The MACC has reported that in the year 2000, there were twenty-four CBU casualties, and that as of late October 2001, successful clearance operations resulted in just one cluster bomb incident since August 2000.

Use of Cluster Bombs in the Gulf War

More than 1,600 Kuwaiti and Iraqi civilians have been killed, and another 2,500 injured, by the estimated 1.2 million explosive cluster bomb duds left following the 1991 Persian Gulf War, which saw the most extensive use of cluster bombs in history. Some 62,000 air-delivered cluster bombs, 100,000 DPICM artillery shells, and 10,000 MLRS rockets were used, containing a total of 24 to 30 million submunitions.

The United States has continued to use cluster bombs in Iraq. While great press attention was paid to President George W. Bush's decision to bomb Iraqi targets on February 16, 2001, there was scant recognition that some U.S. jets used cluster bombs, those formally known as the Joint Stand-Off Weapon (JSOW). JSOW was first used in combat in Iraq on January 25, 1999. The 1,000 pound, fourteen-foot-long weapon carries 145 anti-armor and antipersonnel incendiary bomblets that disperse over an area that is approximately 100 feet long and 200 feet wide.

Department of Defense Justifications

The Pentagon primarily justifies use of cluster bombs based on the perceived effectiveness of the weapon. In fact, the utility, reliability, and effectiveness of different types of cluster bombs and submunitions varies tremendously. But the Pentagon has also offered up rebuttals to some of the other criticisms that have been made regarding cluster bombs.

Initial Failure Rates - The Department of Defense will sometimes claim that the initial failure rate of most cluster munitions is not much different from other munitions, such as gravity bombs, mortar rounds, or artillery shells. Human Rights Watch is unaware of a serious or comprehensive study of this matter. Regardless, however, the initial failure rate of cluster munitions, whether equal to or greater than other munitions, is a special problem because of the large number of submunitions used, and their particular volatility. When each bomb contains hundreds of bomblets, and hundreds of thousands of bomblets are used in a campaign (as in Kosovo) or even millions of bomblets (as in the Gulf War), even a small initial failure rate can quickly translate into a major humanitarian problem.

Moreover, the current initial failure rate for even advanced U.S. cluster munitions, like the CBU-87, is clearly far too high to be acceptable. Estimates of the initial failure rate range from 2 percent to 30 percent or more, depending on conditions. The best data on this has been gathered in Kosovo, where, as noted above, U.N. clearance experts estimate a 7 percent initial failure rate for the CBU-87 bomblets.

While not saying so directly, the U.S. military has acknowledged that the initial failure rate on cluster bombs is too high. On January 10, 2001, then-U.S. Secretary of Defense William Cohen issued a memorandum stating:

It is the policy of the DoD [Department of Defense] to reduce overall UXO [unexploded ordnance] through a process of
THROUGH A PROCESS OF IMPROVEMENT IN SUBMUNITION SYSTEM RELIABILITY - THE DESIRE IS TO FIELD FUTURE SUBMUNITIONS WITH A 99% HIGHER FUNCTION RATE. 13-05-02

improvement in submunition system reliability - the desire is to have future submunitions that a 90% or higher functioning rate. Submunition functioning rates may be lower under operational conditions due to environmental factors such as terrain and weather....

The Services may retain "legacy" submunitions until employed or superseded by replacement systems in accordance with the above policy. The designation "legacy" would apply to submunition weapon acquisition programs reaching Milestone III prior to the First Quarter of Fiscal Year 2005.

The Services shall evaluate "legacy" submunition weapons undergoing reprocurement, product improvement, or block upgrades to determine whether modifications should be made to bring them into compliance with the above policy.

The Services shall design and procure all future submunition weapons in compliance with the above policy. A "future" submunition weapon is one that will reach Milestone III in FY 2005 and beyond.

[Secretary of Defense William Cohen, Memorandum for the Secretaries of the Military Departments, Subject: DoD Policy on Submunition Reliability (U), January 10, 2001]

The volatility of cluster bomb duds also makes them more dangerous than many other types of unexploded ordnance. Again, Human Rights Watch is not aware of specific studies comparing UXO volatility, but the testimony of clearance personnel, such as that cited above regarding Kosovo, gives an indication of the special dangers posed by cluster bomblets.

CBU vs. Other Weapons - Department of Defense and other U.S. officials will sometimes claim that cluster bombs pose less danger to civilians than alternative weapons that might be used, noting for example that the explosive power of unitary munitions (such as bombs and artillery shells) could cause far more collateral damage. However, this argument ignores the documented inability to ensure cluster bomblets stay within the confines of the intended target area, and does not take into account the ever-greater precision (and smaller warheads) of unitary munitions, which results in less and less civilian impact.

Cluster Bombs and Landmines

While cluster bomblet duds undeniably function like antipersonnel mines, they are not covered under the 1997 Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Landmines and on their Destruction, also known as the Mine Ban Treaty, which entered into force on March 1, 1999. There are 122 States Parties and an additional 20 signatories. The United Kingdom is a State Party; the United States has not signed.

The treaty defines antipersonnel mine as a munition "designed to be exploded by the presence, proximity or contact of a person...." That is, the mine must be designed to be victim-activated. Cluster bombs are not designed to be victim-activated; they become so when they fail to function as designed. In this way, cluster bombs are not different than other types of unexploded ordnance (failed mortar rounds, artillery shells, grenades, etc.), none of which are covered by the Mine Ban Treaty.

The indiscriminate dangers posed to civilians by explosive cluster bomb duds, however, are essentially no different than antipersonnel mines. They will in most cases explode upon contact, whether being picked up or kicked or otherwise touched. One difference is that antipersonnel mines are generally designed more to maim than to kill, with a relatively small amount of explosive, while cluster bomblets (at least in the case of CBU-87s) are more likely to kill their victims. As noted above, experience in Kosovo has also shown that cluster bombs can pose special problems and dangers for the clearance professionals as well.

Explosive Remnants of War and the Convention on Conventional Weapons

One avenue for attempting to deal with the humanitarian problems associated with use of cluster bombs is the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed To Be Excessively Injurious or To Have Indiscriminate Effects, also known as the Convention on Conventional Weapons (CCW). The CCW has four Protocols (and one amended protocol) that contain restrictions on the use of landmines, blinding lasers, incendiary weapons, and weapons causing injury by non-detectable fragments. The U.S. is a party to the CCW and all of its protocols.

The second review conference of the CCW will be held in Geneva in December 2001, and a series of preparatory meetings have been held during the past year. Governments have had extensive discussions on what is being called the "Explosive Remnants of War" issue, growing out of an initiative by the International Committee of the Red Cross. The initiative began largely in response to the increased sensitivity of the international community to the use of cluster bombs. It is aimed at reducing the number of explosive remnants of war (whether caused by cluster bombs or other weapons) and establishing responsibility for clearing the detritus of war. Different governments are embracing the issue with widely varying degrees of enthusiasm, but it appears that a likely outcome of the December review conference will be the establishment of a working group with a mandate to do further work on the issue.

Recommendations

The United States and all other combatants should immediately halt the use of cluster bombs in Afghanistan. At a minimum, cluster bombs should not be used in or near populated areas.

The U.S. and others should in a timely manner provide relevant information regarding types and locations of ordnance used to appropriate clearance organizations, as requested by United Nations officials.

There should be a global moratorium on use of cluster bombs until effective measures can be put in place to lessen their impact on civilian populations. Governments should examine possible technical solutions, as well as options related to use and targeting; they should research and analyze past use of cluster bombs, including military usefulness, civilian impact, safety and overall effects; and, they should conduct a legal review of cluster bombs and their consistency with international humanitarian law.

Governments should urgently address the cluster bomb problem as part of the review process of the Convention on Conventional Weapons. At the December 2001 CCW Review Conference, an expert group should be formed to look at the Explosive Remnants of War issue, with a focus on problems caused by cluster bombs and submunitions. The group's mandate should be broad, and allow for consideration not just of technical factors, but also those related to use and targeting. The group should aim to conclude its work in no more than one year. This work should pave the way for immediate negotiations aimed at a new protocol to the CCW to be concluded in a similar period of time.

Human Rights Watch believes that any long-term approach to ameliorating the negative humanitarian impact of cluster bombs must include the following:

- Reduction of the initial failure rate of cluster bombs to a tolerable level from a humanitarian perspective. That level should be determined by humanitarian and military experts, but should certainly be less than 1 percent.
- A prohibition on use in or near populated or urban areas.
- A requirement for accurate recording and mapping of cluster bomb use to assist in post-conflict clearance and awareness efforts.
- Post-use requirements such as marking, warnings to civilians, clearance, and timely sharing of relevant information with appropriate clearance and awareness organizations.

In examining possible solutions to the cluster bomb problem, there needs to be:

- A realistic assessment of the initial failure rate of existing cluster bombs, and a determination of whether cluster bombs have a higher initial failure rate than other weapons that become unexploded ordnance, and whether unexploded cluster bomblets are more volatile or dangerous than other UXO.
- An examination of options to improve the reliability and safety of cluster bombs, and of the factors that affect cluster bomb reliability and safety (including fuzes and secondary fuzes, number of bomblets, area coverage, dispersal pattern, method and circumstances of delivery, special features like incendiary rings, characteristics of the target area, age and design).
- An assessment of the feasibility and effectiveness of putting self-destruct, self-neutralizing and/or self-deactivating mechanisms on all cluster bombs, both new production and existing stocks.
- An assessment of the feasibility and effectiveness of various other potential restrictions on use aimed at avoiding collateral damage, including target limitations and high-altitude delivery.

 [Print this page to a friend](#)

[Home](#) | [Current Events](#) | [News](#) | [Publications](#) | [About HRW](#) | [Documents by Country](#) | [Global Issues](#) | [Calculators](#) | [Contact Us](#) | [What You Can Do](#) | [Comments](#) | [Book Store](#) | [HRW Festival](#) | [Search](#) | [Site Map](#) | [Contact Us](#) | [Privacy Policy](#)

© Copyright 2002 Human Rights Watch, 350 Fifth Avenue, 34th Floor, New York, NY 10118-3209 USA

DE FOTO'S OP DEZE SIDE VAN DE CLUSTERBOM AANKAAL OP NIS ZYN IN KLEUR EN KUNNEN VERGROOT WORDE

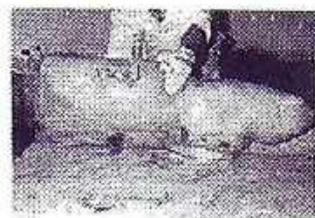
HOME - BACK

Nis
(click on image for bigger one)

DAAR DOOR
RTS-FOTO'S



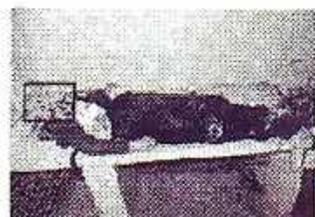
Greek Consulate



May 31, 1999



Cluster Bomb wounds





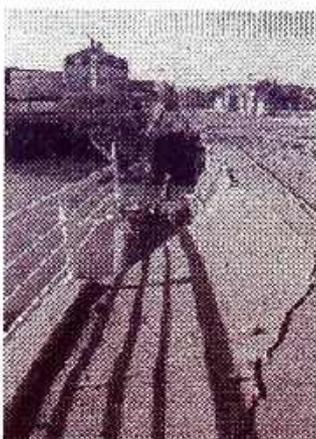
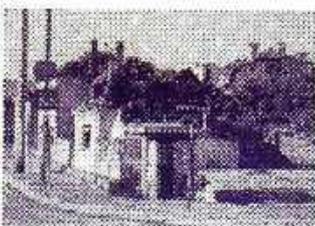
May 23rd 1999



Cluster Bomb



Cluster Bomb



van holst en steijnen

From: hde_tollenaere <hde_tollenaere@zonnet.nl>
To: <wereldcrisis@ddh.nl>
Sent: maandag 29 oktober 2001 00:33
Subject: Nederlands kabinet over VS clusterbommen [fwd]

Discussie in kabinet over Amerikaanse clusterbommen

Spits, 29/10

PESHAWAR (ANP)- Het kabinet heeft vrijdag gediscussieerd over het gebruik van clusterbommen door de Verenigde Staten bij de bombardementen op Afghanistan. Minister De Grave (Defensie) heeft de opdracht gekregen precies uit te zoeken wat voor soort clusterbommen de VS gebruikt.

Dat bleek zondag uit opmerkingen van premier Kok in Pakistan. Kok zei tijdens zijn bezoek aan het vluchtelingenkamp Kacha Gari in de Pakistaanse stad Peshawar dat in het kabinet vrijdag is gesproken over de inzet van clusterbommen en dat besloten is dat De Grave zijn Amerikaanse collega zou bellen voor een 'feitenonderzoek'. Daarna wil het kabinet pas een mening vormen over de inzet van de clusterbommen, die verboden zijn volgens het verdrag van Ottawa uit 1999. De VS hebben dat verdrag niet ondertekend. Meer dan honderd andere landen, waaronder Nederland, deden dat wel. De Amerikanen gebruiken de clusterbommen sinds enige weken bij de bombardementen op Taliban-posities in Afghanistan.

Clusterbommen kunnen zeer effectief zijn bij aanvallen op militaire eenheden, als ze kleinere bommen verspreiden. Maar clusterbommen kunnen ook anti-personeelsmijnen bevatten, die vaak tot jaren later blijven liggen. Afghanistan is een land dat nog veel last heeft van mijnen die zijn overgebleven uit de strijd tegen het leger van de Sovjet-Unie en de interne strijd daarna. Niet-gouvernementele organisaties als de Novib protesteerden eerder al tegen de inzet van clusterbommen.

Nov. 99

- Dat het recht van de partijen bij een gewapend conflict om methode van oorlogvoering te kiezen niet onbeperkt is, staat ook in de preambule van het Verdrag inzake verboden conventionele wapens.

- Daarin staat ook de aanspraak van de burgerbevolking op de Martens-clausule herbevestigd.

- Ook dit verdrag moet door militairen bestudeerd worden. (art 6) - zie de interpretatie: zie MVT bij dit verdrag, blz 9

- Hierin eveneens herbevestigd (in de Preambule) ^{zie ook} dat het verboden is methoden of middelen van ^A oorlogvoering te gebruiken, ^{BOVEN-} bestemd om onmenselijke ^{AAN!} handelingen te verrichten, en welke schade van het natuurlijke milieu toe te brengen, of die dergelijke schade naar hun aard vereenigt, zullen betreffen

- Zie ook de artikelen 22, 23 sub b en c. Handboek over de wetgeving inzake de wapens van de massa (de wapens van de massa) van de Verenigde Naties, Art. 23, sub e, vermeldt "wapens, projectielen of stoffen te brengen, die nadelige smaken hunne verovering". Deze zijn herbevestigd in art 35 Protocol 1.

Zie over de bepaling in de burgerbevolking ook blz 4 MVT goetbewijswet Verbond wapens - Verdrag (1989-1994, 18278 (R 1248), nn 1-3

van holst en steijnen

From: hde_tollenaere <hde_tollenaere@zonnet.nl>
To: <wereldcrisis@ddh.nl>
Sent: woensdag 31 oktober 2001 10:39
Subject: Ook Nederland gebruikte clusterbommen [fwd]

Clusterbom van Neêrlands trots... Nederland vreest dat zogeheten 'clusterbommen' in Afghanistan onnodig veel slachtoffers maken onder de burgerbevolking. Maar dezelfde bommen heeft Nederland zelf nog tijdens de Kosovo-oorlog op grote schaal gebruikt. Door onze redacteur Steven Derix

ROTTERDAM, 31 OKT [NRC]. Volgens de Koninklijke Luchtmacht was het een van de „markante momenten“ van de Nederlandse deelname aan de Kosovo-oorlog. Op 28 april 1999 wierpen twee Nederlandse F-16's clusterbommen af boven het vliegveld van Podgorica, Montenegro. De aanval was een succes, zo vermeldt de site van het ministerie van Defensie (www.mindef.nl): achttien Servische [juister: Joegoslavische; als deelrepubliek heeft Servië geen leger] helikopters en Galeb-jachtvliegtuigen werden door een regen van kleine bommetjes vernietigd. Hoeveel doden er aan Servische zijde vielen, vermeldt de site van het ministerie niet.

Ze zijn goedkoop en effectief. En dus maken clusterwapens deel uit van de arsenalen van alle krijgsmachten ter wereld, ook de Nederlandse. Het principe is simpel: een container die boven een doel wordt afgeworpen, valt uiteen in een serie kleinere bommen of explosieven, die verspreid worden over een gebied ter grootte van grofweg een voetbalveld. Vrijwel alle 'zachte' doelen die zich in het gebied bevinden – tanks, vliegtuigen, infanterie – wordt door de 'submunitie' vernietigd, of, zoals militairen liever zeggen, 'uitgeschakeld'. Tegen bunkers is het wapen niet effectief, tegen niet-versterkte infrastructuur, zoals bijvoorbeeld vliegvelden of trainingskampen voor terroristen, des te meer. Als de clusterbom behalve met explosieven ook nog eens gevuld is geweest met mijnen, zal de vijand zich wel twee keer bedenken voordat hij de aangerichte schade gaat herstellen.

Maar clusterwapens hebben ook nadelen. Omdat de submunitie over een groot oppervlak wordt verspreid, is de kans op onbedoelde slachtoffers en schade (collateral damage) groot. Tijdens een aanval op het vliegveld van Nis in Servië in mei 1999 kwam op een clusterbom terecht op een woonwijk en doodde 18 burgers, waarna de Amerikanen besloten voorlopig geen clusterwapens meer in te zetten. Vrijwel elke clusterbom bevat een aantal 'blindgangers', munitie die niet ontploft. Deze zogenaamde uxos (van unexploded ordnance), leveren nog lang na het beëindigen van een conflict een gevaar op voor de burgerbevolking.

In 1997 ondertekenden 89 landen het verdrag van Ottawa, dat het gebruik van het soort mijnen verbiedt dat tegen mensen wordt ingezet. Het verdrag maakt ook verschillende typen clustermunitie illegaal – reden voor de VS om het verdrag niet te tekenen. De Nederlandse luchtmacht, maar ook de landmacht, beschikken over allerlei soorten clusterwapens die nog wel 'mogen'. De M109-houwitser van de artillerie kunnen een granaat afvuren die uiteenvalt in 88 kleine granaatjes; de MLRS (Multi Launch Rocket System) schiet een raket af die is gevuld met maar liefst 644 stuks submunitie, die alles in een gebied van honderd bij honderd meter met de grond gelijk maken. De luchtmacht beschikt over verschillende clusterbommen, waarvan de CBU-87 (202 stuks submunitie) de meest gangbare is. Ongeveer 270 clusterbommen van het type CBU-89 'Gator', die 'anti-personeelsmijnen' bevatten, werden in 1997 op 'non-actief' gesteld. Plannen om deze mijnen te laten vervangen door anti-tankmijnen werden door minister De Grave in 1999 opgegeven.

Het Internationale Rode Kruis stelt in twee rapporten dat clusterwapens 'zodanig onmenselijk, buitenproportioneel en niet-onderscheidend' zijn dat het gebruik ervan – bijvoorbeeld in bewoonde gebieden – aan banden moet worden gelegd. In afwachting van een verdrag zou er een moratorium moeten komen op het gebruik van clusterwapens, zo vindt het Rode Kruis. Nederland steunt dit moratorium niet, maar is wel 'actief betrokken' bij internationaal overleg, zo meldden het ministerie van Buitenlandse Zaken en Defensie vorig jaar in een brief aan de Tweede Kamer. In Kosovo wierp de Koninklijke Luchtmacht in totaal 165 clusterbommen van het type CBU-87 af, zo meldt de Kamerbrief. Doelen waren vliegvelden, brandstofopslagplaatsen, maar ook 'verzamelgebieden van militair materieel en militaire eenheden'. Als de wapens daadwerkelijk op grote schaal zijn ingezet tegen concentraties Servische militairen op de grond, dan kan het haast niet anders of de Nederlandse F-16's hebben veel slachtoffers gemaakt.

26 sept 2002 (AUSTRIA/BOITME)

- Eerste procedure van het Verdrag van
Wenen van het humanitair conflictrecht,
besluit van de Conferentie van de Statenverdragen
van Genève van januari 1977, 16400, 11. 11. 1977
- 1977, 16400, 11. 11. 1977

- Aankomst van de "Nations Unies internationale
van de Oorlogsvluchtelingen" in de
intercontinentale vlucht gebied

NIS CLUSTERBOMMEN JAN 2003

over "collectieve schade" → zie ook
weesmonday over schuld en opzet recht

Test verboden bommen Noorwegen en België

⁷⁻¹⁰⁻²⁰⁰²
OSLO - De Noorse minister van
defensie Krohn Devold heeft een
onderzoek gelast naar het ge-
bruik van clusterbommen tijdens
een gezamenlijke Noors-Belgi-
sche luchtmachtoefening. Noor-
wegen bepleit een internationaal
verbod op de clusterbom, maar
op 7 oktober werd in Noorwegen
het wapen toch gebruikt. Een
deel van de explosieven kwam
buiten het oefenterrein terecht.

Noorwegen:

clusterbommen getest

¹⁴⁻¹¹⁻²⁰⁰²
De Noorse minister van Defensie Kristin
Krohn Devold heeft een onderzoek aan-
gekondigd naar het gebruik van cluster-
bommen tijdens een gezamenlijke Noors-
Belgische luchtmachtoefening.
Noorwegen streeft naar een internatio-
naal verbod op de clusterbom, een wapen
dat een groot aantal kleine explosieven
over een groot gebied verspreidt en dat
in staat is om grote aantallen slachtoffers
te maken. Tijdens een legeroefening op 7
oktober in Noorwegen werd het wapen

26 sept 2002 AUSTRIA BOMMEN

- Er is een procedure van het wetres van wapens van het humanitaire oorlogsrecht, beschreven in de brief van de Staatssecretaris van Defensie van 11 maart 1981, 16400, Hoofdstuk X, nr 45, blz
- nadije of de "Advisie Commissie Internationaal recht en Conventioneel wapengebruik" hierover nadere acties en heeft gegeven.

21-2-2003 Christelone Vis

- Er staat ergens, in de Kamerstukken-samen-
vatting van de Staat, dat Nederland, met
name ook na de eenijze van Vis, het
gebruik van christelonen heeft voorgeschikt

+

- Dat christelonen in Moeyerland zijn gebruikt
en dat dit niet verboden was, lezen we op bl 20/38
van de Samenvatting van de Staat van de Kamerstukken,
als productie van de Staat bijgevoegd in de
rekening van april tot en met 31 december 1938 in de
rekening van de Staat (waslag van de commissie van
den Haag van 11 mei 2001)

Ook:
"Nederland behield niet over komme met vermindering"
→ vijf maanden

- Zie ook de eenijze van van Bommel van 17 mei 1999 over
het gebruik van christelonen op bl 21/38
- Zie ook de aanvullende eenijze 15 over het gebruik van christelonen
op Vis en "het verkeer van meubelen
3 juni '99, op bl 28/37+38+39
in de desbetreffende door de Hoge Commissie van de
manuscripten, met. behoud. de over Vis
rapport op gewacht. 202

(nie vinge op bl 26/30) - 2 -

→ 16 june 1999 werd door de regering
over het gebruik van christalome nog gesteld dat de
aanval op Rus van de goedkeuring en het gebruik van
christalome geen verschil maakte.

Mans: In de evaluatierapport van 22 maart 2000
aan de Tweede Kamer (p. 24/39) van de Senaath
van de regering in de zaak Mesit / Stant) wordt
gesteld:

" Daarnaast heeft de Minister van Defensie
in mei 1999 besloten goed dienstverlenen (CBUBZ)
nagen in te zetten in verband met mogelijk toekomstige
jaren van het wapen bij een Amerikaanse aanval
op het vliegvecht van Rus en het door de VS
bepaalde onderzoek daarnaar.

Hoe zit dat dan precies?

- Rapport Rubusov over het onderzoek
- Hoe zit het met de cultuur van het Amerikaanse
onderzoek?

Pact over verbod clusterbom

Door een onzer redacteurs
DEN HAAG, 29 MEI. Ruim honderd landen, waaronder Nederland, zijn het eens geworden over een verbod op productie en gebruik van clusterbommen. Maar enkele van de grootste gebruikers en exporteurs van dit wapen, een bom waaruit zich honderden kleine bommetjes verspreiden, weigeren zich er bij aan te sluiten.

Op een conferentie in Dublin bereikten afgevaardigden van honderd landen gisteren overeenstemming over een ontwerpverdrag, waarvan de tekst nog niet bekend is gemaakt. In december wordt het verdrag in Oslo ondertekend.

De Nederlandse minister van Defensie Van Middelkoop (CU) stelde zich aanvankelijk om tactische redenen terughoudend op tegenover een algemeen verbod op clusterbommen, maar zei gisteren

dat het verdrag „historische betekenis” heeft.

Na lang verzet sloot ook het Verenigd Koninkrijk zich gisteren aan bij het verbod. Premier Brown sprak van „een belangrijke door-

braak” en zei dat het de wereld veiliger maakt. Binnen acht jaar moeten alle voorraden vernietigd zijn.

Onder meer de VS, Rusland, China, Israël, India, Pakistan en Brazilië (een belangrijke producent van clusterbommen) doen niet mee. Een woordvoerder van de Amerikaanse regering zei dat afschaffing van clusterbommen de levens van Amerikaanse militairen in gevaar zou brengen. „De VS delen de humanitaire zorgen, maar clustermunitie heeft haar militaire nut bewezen.”

Met clusterbommen kunnen landingsbanen onbruikbaar worden gemaakt of colonnes voertuigen worden uitgeschakeld. Veel van de bommetjes ontploffen echter niet meteen, waardoor ze nog jaren later slachtoffers maken, in veel gevallen burgers.

Clusterbommen: pagina 5

Amerikaanse legertransporten via ECT

ROTTERDAM — De nieuwe reeks Amerikaanse militaire transporten gaat via het Rotterdamse bedrijf ECT naar de Golfregio. Dat heeft een woordvoerder van het Amerikaans Verkeerscommandocentrum in Capelle aan den IJssel gisteren gezegd.

De keuze voor ETC is een praktische, aldus de zegsman: „Bij ECT op de Maasvlakte is meer ruimte beschikbaar. Dit keer wordt de 1st Armed Division verscheept, dat is zwaar materieel

met een loop. Grote voertuigen hebben ruimte nodig, vandaar dat we bij ECT zijn uitgekomen.”

Medio februari vonden de eerste Amerikaanse legertransporten plaats naar de Golfregio. Vanaf handelsveem Steinweg nabij Rozenburg gingen toen vooral jeeps en vrachtwagens per schip naar het gebied.

Dinsdagavond werd bekendgemaakt dat deze week weer militaire transporten via de Rotterdamse haven werden verwacht. Woensdagochtend was het eerste

materieel al gearriveerd bij ECT, waar bewapende militairen bij de toegang van het terrein staan. Hoog opgestapelde containers zorgen ervoor dat vanaf de openbare weg niet is te zien wat er op het terrein staat.

Volgens de woordvoerder van de 598th US Army Transportation Group in Capelle, het voormalige MTMC, staat „er nog niet veel op de Maasvlakte”. Over het spoor, de weg en via binnenvaartschepen wordt de komende dagen meer materieel aangevoerd.

DE ONDERKRANT

KWESTIES / Clusterbommen

Het Internationale Rode Kruis heeft zich gisteren 'geschokt' getoond over de gevolgen van bombardementen in Hilla. Een team van de organisatie bezocht het ziekenhuis waar 280 gewonden lagen die 'praktisch door de explosies uiteengereten waren'.

Het zijn burgers, die dinsdag en woensdag bij hevige gevechten en bombardementen gewond zijn geraakt. Het Rode Kruis meldt dat ook tientallen lijken bij het ziekenhuis zijn afgeleverd. Volgens Amnesty International zijn in Hilla clusterbommen gebruikt, wat de organisatie een schending noemt van het in-

ternationaal humanitair recht.

Clusterbommen vallen in kleinere delen uiteen, en mogen niet tegen burgers worden ingezet. De Britten en Amerikanen erkennen dat ze de bommen gebruiken, maar alleen tegen legerdivisies, en niet in de buurt van burgers. Maar ook de Iraakse minister van informatie Al-Sahaf kwam gisteren met de beschuldiging dat de bommen tegen burgers zijn ingezet. Volgens hem zijn de 14 doden en 66 gewonden in de Bagdadse wijk Doeri gisteren het gevolg van het gebruik van de omstreden bommen.

redactie buitenland

Clusterbom is controversieel - maar niet illegaal

De clusterbom heeft een slechte reputatie. De lading lijkt op tennisballen, en mist vaak haar doel.

2003

Door MENNO STEKETEE

ROTTERDAM, 4 APRIL. De Iraakse minister van Informatie Al-Sahhaf heeft de Verenigde Staten er gisteren van beschuldigd clusterbommen tegen burgerdoelen in Bagdad in te zetten. Daarbij zouden tientallen doden zijn gevallen.

Het Pentagon onderzoekt intussen een geval waarbij eerder deze week in de buurt van Al-Hillah elf burgerslachtoffers zouden zijn gevallen toen een gevechtsvliegtuig een clusterbom afgooide. De aanrijding en het onderzoek hebben de aandacht gevestigd op de kwalijke reputatie van dit type bom, die wel controversieel is, maar niet volgens het oorlogsrecht verboden.

De clusterbom is niet veel meer dan een container waaruit een hele reeks kleinere bommetjes worden gestrooid. Deze zogeheten submunitie kan gericht zijn tegen een hele reeks doelen. Zo is er een soort simpele handgranaat tegen personeel, maar er zijn ook ladingen die tankbepantsering kunnen doorboren, en er is verder submunitie waarmee complete mijnenvelden kunnen worden aangelegd.

Clusterbommen zijn een belangrijk wapen in een oorlog omdat ze in één klap verschillende doelen verspreid over een groot oppervlak kunnen vernietigen. Twee dagen geleden gooiden B-52 bommenwerpers een nieuw type clusterbom boven een Iraakse colonne tanks af waarvan de ladingen, zo

geheten *sensor fused weapons*, naar beneden zeilden, met een sensor een doel uitzochten en dat vernietigden.

Het controversiële van de clusterbom is de onbetrouwbaarheid van de submunitie. „Hun erg slechte reputatie is volledig verdiend”, zei Colin King, vroeger werkzaam bij de Britse explosievenopruimingsdienst, tegenover het persbureau *Associated Press*. De ladinkjes zijn notoire blindgangers. Soms ontploft een kwart niet.

King: „Dit veroorzaakte grote problemen in Kosovo, in de Golf en in Afghanistan. En het gaat in de Golf wéér grote problemen geven.”

Veel submunitie ziet eruit als een gewone tennisbal. Burgers hebben niet in de gaten dat het om gevaarlijke explosieven gaat. In Afghanistan werd de kwalijke naam van het controversiële wapen nog eens versterkt doordat veel van de daar ingezette submunitie exact leek op de voedselpakketten die Amerikaanse militairen boven gebieden strooiden. Vredesbewegingen en mensenrechtenorganisaties pleiten al jaren voor een algeheel verbod op dit type wapen.

De clusterbom is dus wel onstreden, maar niet illegaal. Alleen de versie met landmijnen is door het zogeheten Ottawa-verdrag verboden. De NAVO-landen die dit verdrag hebben ondertekend, waaronder Nederland, hebben hun inventaris aan clusterbommen ontdaan van de zogenoemde GATOR-bom, waarmee een mijnenveld kan worden aangelegd.

Overigens weten de Iraakse strijdkrachten ook heel goed wat de waarde is van clusterbommen. In de jaren tachtig importeerde het land via een illegale route 'wasmachine-onderdelen' uit Chili. Wanneer de 'droogtrommel', het 'deurtje' en het 'laatje voor de wasverzacher' in elkaar werden geschroefd bleek een clusterbom te ontstaan.

De Irakezen hadden de bommen nodig als antwoord op de Iraanse tactiek van de zogeheten 'menseelijke golf': duizenden infanteristen die tegelijk aanvallen om de Iraakse verdedigingslijnen te overweldigen. De Chileense clusterbommen hadden Amerikaanse ontstekers.



AL-HILLAH – De lichamen van een vrouw en kind die gisteren bij een bombardement zijn omgekomen in Al-Hillah. (Foto Reuters)

33 doden bij luchtaanval

Bloedige dag

voor burgers van Al-Hillah

Door een onzer redacteurs

2003 (clusterbom)

ROTTERDAM, 2 APRIL. Amerikaanse bombardementen bij Al-Hillah (80 kilometer ten zuiden van Bagdad) hebben gisteren het leven gekost aan 33 burgers, onder wie vrouwen en kinderen. Dit heeft het Internationale Rode Kruis gemeld.

Een Amerikaanse Apache-helikopter trof in hetzelfde gebied een bestelbusje en doodde daarbij vijftien leden van één familie. De enige overlevende, Razek Al-Kazem Al-Khafjah, verloor zijn vrouw, zes kinderen, vader, moeder, drie broers en hun vrouwen, vertelde hij een fotograaf van het Franse persbureau AFP. Hij liet ook de grafkisten zien. De familie was op de vlucht uit Nassiriya.

De burgerslachtoffers zijn gevallen bij het innemen door de Amerikanen van een brug over een kanaal bij Al-Hillah. Daarbij zijn onder meer B-52 bommenwerpers ingezet. Het Centrale Commando in Qatar geeft „geen commentaar” op burgerslachtoffers als gevolg van de bombardementen en heeft „geen aanwijzing” dat een Apache-helikopter burgerslachtoffers zou hebben gemaakt.

Een woordvoerder van het Internationale Rode Kruis die na de bombardementen ter plekke was zegt dat de situatie „werkelijk vreselijk” was: „Tientallen uiteengegaten lichamen, afgerukte ledematen.” Hij vertelde het AFP dat het Babylon-ziekenhuis in Al-Hillah overvol is geraakt: „Er liggen daar overal doden en gewonden, op bedden, op de grond. Je kunt het je gewoon niet voorstellen.” Het gaat volgens hem om 450 gewonden.

De woordvoerder vraagt zich „af

wat voor bommen er worden gebruikt”. Een AFP-verslaggever meldt dat hij in het gebombardeerde gebied tientallen resten heeft zien liggen van wat leek op een clusterbom, met kleine parachootjes eraan. Iraakse soldaten verzamelden de resten, overgoten ze met benzine en staken ze in brand.

Een verlaggever van *The Guardian* heeft ruwe, niet uitgezonden televisiebeelden gezien van de toestand in het Babylon-ziekenhuis in Al-Hillah. Hij zag een dood, in doeken gewikkeld baby'tje dat op een roze plank naar buiten werd gedragen, waar het op de stoep naast het lijk van een naar schatting tien jaar oud jongetje werd gelegd. Verminkte lijken werden gestapeld in de laadbakken van pick-up trucks, die omgeven door familieleden naar graven reden.

In het ziekenhuis lagen in de bedden gewonde vrouwen en kinderen, temidden van plassen bloed op de vloer. Een vrouw zei dat haar man en zes kinderen waren omgekomen. Een jongetje van een jaar of twaalf, dertien was zijn rechterhand kwijtgeraakt, de stomp was in verband gewikkeld. Een in Edinburgh opgeleide arts, Aliya Mukthaf, riep voor de camera zijn collega's in Groot-Brittannië op tegen de bombardementen te protesteren. Ook hij dacht dat er clusterbommen waren gebruikt.



Leger VS gebruikt

'clustermunitie' -4-200

WASHINGTON - De mensenrechtenorganisatie Human Rights Watch heeft Amerikaanse grondtroepen ervan beschuldigd 'clustermunitie' te gebruiken. Dat zijn granaten of raketten waarin kleinere explosieven zitten die vaak niet ontploffen en dezelfde uitwerking kunnen hebben als een landmijn. Human Rights Watch baseert zich op verslagen van journalisten in Irak en televisiebeelden. (ANP)

News

[Iraq Special](#)
[Views & Analyses](#)
[Art & Entertainment](#)
[Health & Science](#)
[Special Pages](#)
Islam
[Ask about Islam](#)
[Contemporary Issues](#)
[My Journey to Islam](#)
[Qur'an](#)
[Hadith & Sunnah](#)
Fatwa
[Fatwa Bank](#)
[Ask the Scholar](#)
[Live Fatwa](#)
Counseling
[Cyber Counselor](#)
[Hajj & Umrah](#)
Directories
[Site Directory](#)
[Islamic Society](#)
[Islamic Banks](#)
[TV Channels](#)
[Telephone Code](#)
Services
[Matrimonial](#)
[Date Converter](#)
[Calendar](#)
[Discussion Forum](#)
[Live Dialogue](#)
[Address Book](#)
[E-Cards](#)

Newsletter

Enter your E-mail



News

Invaders Massacre 33 Civilians South Of Baghdad

HILLA, Iraq, April 1 (IslamOnline.net & News Agencies) - Few hours after massacring 33 Iraqi civilians in southern Baghdad on early Tuesday, April 1, Anglo-American warplanes bombarded again the outskirts of the Iraqi capital, sending towers of black smoke into the sky.

Thirty-three civilians, including children, were killed and 310 wounded in a U.S.-British coalition bombing of the southern province of Babylon Tuesday, a hospital director said.

Murtada Abbas said the bombing targeted the Nader residential area at the southern outskirts of the farming town of Hilla, 80 kilometers (50 miles) south of Baghdad, reported Agence France-Presse (AFP).

He was speaking at the Hilla hospital where a large number of children lay wounded under blankets on the floor due to a shortage of beds.

At the scene of the bombing, dozens of what seemed to be parts of cluster bombs equipped with small parachutes were peppered over a large area, an AFP correspondent at the site confirmed.

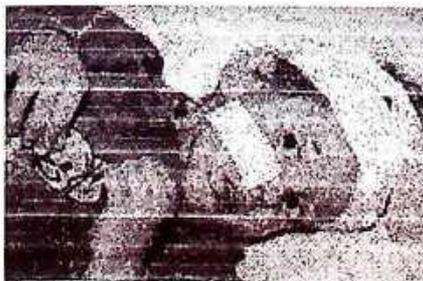
Iraqi army soldiers were seen collecting the bomb pieces, which witnesses said coalition warplanes had dropped over the neighborhood.

The soldiers poured fuel on the bombs before setting them on fire to explode the ordnance.

Dozens of homes were razed to the ground in the Anglo-American



Karem Mohammed weeps over the bodies of his family, including his six children, his wife, two brothers, mother and father in Hilla



An Iraqi boy injured in the U.S.-led

[Send to a friend](#)
Related Links

- Baghdad Heavily Pounded, More Civilian Deaths
- 20 Iraqi Civilians Killed, More Casualties
- Fresh Blasts Rock Baghdad, Basra, Mosul
- U.S. Should Brag Less About Precision Bombs: U.S. Paper
- 3 U.S. Marines Killed In Helicopter Crash: Pentagon
- British Troops Forced Out Of Basra Amid Fierce Resistance
- Invaders Sustain More Fatalities, Basra Battle Intensifies

Losing a Friend to the Fleeting World
In the Site

- Death Penalty as a Punishment for Espionage
- "Patriotic" Americans and

23-4-03

bombing that also ^{bombardment of Baghdad} killed donkeys and chickens, the correspondent said.

Two U.S. and British aircraft dropped laser-guided munitions on an Iraqi radio relay facility near the western desert outpost of Rutba on Tuesday, the U.S. Central Command confirmed.

"The Coalition targeted the station to erode the command and control capabilities of regime leaders," a statement claimed, restating part of the strategy of U.S.-led invasion forces.

"A full assessment of the strike's effectiveness is in progress," added the statement.

Rutba lies 125 kilometers (75 miles) east of Iraq's border with Jordan and 320 kilometers (200 miles) from Baghdad.

Republican Guards Gearing For Baghdad Battle

Iraq brought up reinforcements for Republican Guard units defending the approaches to Baghdad, U.S. officers said Tuesday, as the occupation troops pressed their operations ahead of an expected major push on the capital.

The U.S. army's elite 101st Airborne Division stepped up its campaign around the city of An-Najaf, 150 kilometers (95 miles) from Baghdad, flying in Apache and Kiowa attack helicopters to support infantry troops, officers said.

U.S. commanders have said their troops were within 100 kilometers (60 miles) of the capital, with some signaling a major tank battle could be shaping up in the next week.

The U.S. army's 20,000-strong 3rd Infantry Division, supported by the 101st Airborne, was south of Baghdad and geared for an attack. Two formations of U.S. marines were to its east.

Officers said mixed and matched elements of five Republican Guard divisions, elite troops backed by heavy armor, manned a southern arc in front of Baghdad, bracing for a decisive drive in the nearly two-week-old campaign.

There was no immediate estimate how many troops this would represent but it could run into the tens of thousands.

Iraqi divisions normally comprise 12,000-15,000 troops.

Major John Altman, intelligence officer for the 3rd Infantry Division's First Brigade, said the Iraqis were reinforcing the Republican Guard after days of punishing air strikes and probing ground attacks by U.S.-led forces.

the Dogs of War

- Crippled With the Shame of My President's War
- Who is a Martyr?
- Iraq's Children Abandoned on World Health Day
- What You're Missing on TV
- Reconstruction or Prolonging Western Dominance?
- Iraq after Saddam: Who Decides?



"What's happening is that you reinforce the unit you expect to be in contact and you fill a unit that is attired," Altman told AFP near An-Najaf.

He claimed the Republican Guard's armored Medina Division had been heavily battered by days of air strikes, artillery attacks and assaults by the tank-busting Apaches.

The Iraqis brought down from north of Baghdad elements of the armored Hammurabi and mechanized Nebuchadnazzar divisions, Altman said.

Troops of the Al-Nida armored and Adnan divisions were also in place south of the capital.

"Elements of five Republican Guard divisions are oriented along the southeast and southwest of Baghdad," Altman said.

The intelligence officer said that fighting had been heavy around a key bridge that crosses the Euphrates River southwest of the Shiite Muslim city of Karbala, 80 kilometers (50 miles) from Baghdad.

"We made great headway," Altman claimed. "We can easily own the ground there and use the bridge."

Colonel Greg Gass, the 101st's aviation brigade commander, described the fighting as the heaviest his forces had been involved in since the start of the war on March 20.

"They fought pretty hard from first light (into the afternoon)," Gass admitted of the Iraqis, adding eight Apaches sustained hits "from just a hole in the rotor to significant tail damage."

U.S. officials also said the Army 3rd Infantry Division attacked Iraqi positions Monday, March 31, in quarries below Karbala, which like An-Najaf is a Shiite holy city.

They said elements of the 3rd Infantry Division also hit out northward at what they called pockets of Iraqi resistance in the area.

Two air defense artillery systems, two armored personnel carriers, one artillery piece and nine technical vehicles were destroyed, they said. Several Iraqis were killed and about 30 taken prisoner.

[Picture Files](#)

[Palestine in Pictures](#)

Click to watch

- **Saddam touring Baghdad on April 9** ▶ 
- **Mass graves inside Baghdad hospitals** ▶ 
- **Dead bodies stacked inside Baghdad**

News

[Iraq Special](#)
[Views & Analyses](#)
[Art & Entertainment](#)
[Health & Science](#)
[Special Pages](#)
Islam
[Ask about Islam](#)
[Contemporary Issues](#)
[My Journey to Islam](#)
[Qur'an](#)
[Hadith & Sunnah](#)
Fatwa
[Fatwa Bank](#)
[Ask the Scholar](#)
[Live Fatwa](#)
Counseling
[Cyber Counselor](#)
[Hajj & Umrah](#)
Directories
[Site Directory](#)
[Islamic Society](#)
[Islamic Banks](#)
[TV Channels](#)
[Telephone Code](#)
Services
[Matrimonial](#)
[Date Converter](#)
[Calendar](#)
[Discussion Forum](#)
[Live Dialogue](#)
[Address Book](#)
[E-Cards](#)
Newsletter
 [Enter your E-mail](#)
Help The Children of Palestine
 KIDSAUSA

News

350 Iraqis Killed In U.S. Cluster Bombing: Iraq

BAGHDAD, March 27 (IslamOnline.net & News Agencies) - More than 350 people were killed and 3,650 others injured in the first week of the U.S.-led aggression against Iraq, Iraqi Health Minister Umid Medhat Mubarak said Thursday, March 27.

The figures were approximate but women, children and the elderly accounted for most the victims, he added.

The Iraqi minister affirmed that the invasion forces had used cluster bombs on civilians in Baghdad and Iraq's second-largest city Basra, Agence France-Press (AFP) reported.

Medical facilities and personnel had also been in the cities of Nasiriyah and Najaf, he said.

A series of explosions boomed out early Thursday from Baghdad's southern rim, site of a huge military camp relentlessly pounded by U.S. and British raids as the invasion forces advance north on the capital.

Baghdad was hammered through the night, when three massive explosions could be felt in the city centre.

In the neighborhood known as the "City of the People," tears and rage lay in store ahead of funerals for the 14 people killed Wednesday, March 26, when two missiles smashed into apartment complexes.

Pentagon officials claimed an errant missile may have been responsible for the missile attack that also left 30 people injured.

The U.S. invasion forces reported killing about 1,000 Iraqis in three days of fighting around Najaf, 150 kilometers south of Baghdad.



The first week of the U.S.-led aggression left more than 350 people dead and 3,650 others injured, according to Iraqi accounts

[Send to a friend](#)
Related Links

- U.S. Boasts Killing 650 Iraqis In An-Najaf
- U.S.-British Air Raids Kill 29 Iraqis In Baghdad
- U.S.-British Aircraft Pound Baghdad, Target TV

[Losing a Friend to the Fleeting World](#)
In the Site

- Death Penalty as a Punishment for Espionage
- "Patriotic" Americans and the Dogs of War
- Crippled With the Shame of My President's War
- Who is a Martyr?
- Iraq's Children Abandoned on World Health Day

600 Cruise Missiles Fired, 290,000 Forces Deployed

In another related development, the Pentagon said the U.S. invasion forces had fired 600 Tomahawk cruise missiles and more than 4,300 precision-guided bombs in the first six days of the war.

Outlining some figures, the Pentagon said more than 250,000 U.S. forces had been deployed in support of operations, as well as 40,000 mainly British and Australian forces.

"We are more than 220 miles (355 kilometers) into Iraqi territory and have done it in over six days in spite of difficult weather," said Major General Stanley McChrystal Joint Staff vice-director of operations.

"Since March 20, our forces have fired more than 600 Tomahawks and dropped more than 4,300 precision-guided weapons," he told reporters, adding nearly 700 sorties were flown Tuesday, March 24, alone.

The Pentagon's main spokeswoman Victoria Clarke said that 24 U.S. forces had been killed since the offensive started, and 19 had been wounded.

As well as the 290,000 forces, thousands of others are ready to depart for the Gulf, including 12,000 troops from the 4th Infantry Division who start flying out of their Texas base Thursday to join the war.

"Long War"

Meanwhile, senior U.S. officials quoted by the *Washington Post* said the war could last months and need massive reinforcements.

Bad weather, dangerously long supply lines and a feisty resistance by Iraqi forces "has led to a broad reassessment by some top generals of U.S. military expectations and timelines," the paper said.

So the war against Iraq could last months and require considerable U.S. military reinforcements to assure a victory, the *Post* quoted unnamed senior U.S. military officials as saying.

"Tell me how this ends," one senior officer asked the paper.

Most U.S. army commanders believe it is critical to pause the breakneck advance towards Baghdad in order to secure the supply lines and make sure weapons are operable and troops resupplied after days of powerful sandstorms and damage inflicted by Iraqi attacks.

Fresh reinforcements however can be deployed only slowly, it will take a month for the army's 4th Infantry Division, originally to enter Iraq from Turkey, to unload in Kuwait and get their tanks and other heavy equipment in position to provide aid to U.S.-led

- What You're Missing on TV
- Reconstruction or Prolonging Western Dominance?
- Iraq after Saddam: Who Decides?



invasion in Iraq, the defense officials told the *Post*.

An estimated 12,000 forces from the 4th Infantry Division are to start flying to the Gulf on Thursday, from their base at Fort Hood, Texas, a military spokeswoman said Wednesday.

Publicly U.S. officials have insisted that the war is going according to plan, and U.S. forces are some 100 kilometers (60 miles) outside of Baghdad.

In a separate story, the *Post* quoted Central Intelligence Agency and Pentagon intelligence as complaining that the Bush administration largely ignored their warning that Iraqi irregular forces would use guerrilla tactics and offer significant resistance.

"The intelligence we gathered before the war accurately reflected what the troops are seeing out there now," one military intelligence official told the American paper.

"The question is whether the war planners and policymakers took adequate notice of it in preparing the plan," the official added.

Another intelligence official said their reports would be toned down by the time they reached the White House. "The caveats would be dropped and the edges filed off," the official said.

[Picture Files](#)

[Palestine in Pictures](#)

Click to watch

- **Saddam touring Baghdad on April 9** 
- **Mass graves inside Baghdad hospitals** 
- **Dead bodies stacked inside Baghdad hospitals** 
- **U.S. troops pour into Baghdad** 
- **U.S. troops toppling Saddam statue in**

Posted on Wed, Apr. 16, 2003

Small, dormant bombs create ill will

BY CAROL ROSENBERG AND MATT SCHOFIELD
crosenberg@herald.com

BAGHDAD - In Baghdad's al Kharnouq neighborhood, five unexploded American-made cluster bomblets perch precariously in Qusai Abdel Majid's lemon tree and the flower bed beneath it. Stepping carefully, one can follow a trail of dozens of the two-inch-long black bombs that have killed four of his neighbors so far.

"There was no military here to put the bombs on us. So, I imagine, they wanted to kill us," said Abru Majid, 43, who is afraid to let his children play in the yard.

ANGRY WORDS

In the al Adhamiya neighborhood, men point to fallen walls, collapsed roofs and smashed cars riddled with bullet holes. They speak swiftly and angrily.

"A year ago, on these streets, we would have yawned if someone had mentioned America to us," Khalid Tarah said. "Now, look what they have done to us. Everyone feels this pain. Everyone here now wants to kill. Everyone here now wants to kill Americans."

At the end of the U.S. military's first week in Baghdad, gunfire of uncertain origin continued sporadically throughout the day Tuesday, picking up late at night, but looting had all but subsided. The Army's 101st Airborne Division said it was considering an 11 p.m.-to-dawn curfew in an effort to control the gunfire, but Marines who occupy the portions of Baghdad east of the Tigris River said they had no such plan.

Elements of the 4th Infantry Division drove through town on their way from Kuwait to northern Iraq, and were greeted by smiling and waving Baghdadis. Many more were angry as they talked about the destruction in their neighborhoods.

"The people are paying for this war, not Saddam or anybody else. Really, we wanted to get rid from him, but not in this way," said Kawther Hussein, 46, a British-trained chemical engineer and mother of three who lives in al Kharnouq.

"People lived here. Children lived here. Where will they live now?" a man in al Adhamiya asked as the crowd picked up the bricks of a collapsed apartment building.

U.S. military officials acknowledge the damage in civilian neighborhoods. Two U.S. Army ordnance experts went street to street in al Kharnouq on Tuesday searching for the canisters that fluttered down April 7, leaving a virtual minefield amid the rows of split-level homes.

"It's a big problem," said Army Corps of Engineers Capt. Thomas Austin, whose crews are responsible for disarming unexploded ordinance in part of Baghdad. "This is the worst neighborhood I've personally seen."

Austin defended the bomblets' use, saying the Iraqi military sometimes put anti-aircraft artillery in civilian neighborhoods and that the bomblets were meant to rain down on armor or anti-aircraft batteries, exploding when they hit their metal surfaces.

Residents say the closest anti-aircraft battery was on a highway a quarter-mile from their neighborhood.

The view from al Adhamiya is just as bitter, though the U.S. bombing campaign left it largely unscathed. At 5 a.m. last Thursday, residents awoke to hear American tanks rolling down streets so narrow that a few got stuck.

Thirty people were killed, though the circumstances were uncertain. Tarah said they were ``defending their homes . . . hoping to keep away thieves and robbers, when the tanks rolled in."

MOSQUE HIT

Sheik Moaied Aadhamiy offered a tour of the mosque. There were large holes in the four-story clock tower, caused by bombs, he said.

The sheik acknowledged that residents tried to drive the Americans away. But the damage was done before. "There was no one here when the Americans arrived," he said. ``Those who came to defend the mosque arrived and tried to drive them away, when they were killed. But the mosque was empty when they did this.

"I know the Americans said their war was with Saddam and not the Iraqi people," he said. ``But this is now inside our hearts and will never leave."

Knight Ridder correspondents Andrea Gerlin, John Sullivan and Tom Lasseter contributed to this report.

Dagboek uit Bagdad, 3 april, 20 u: **Dr. Geert Van Moorter per satelliettelefoon**

Over de gruwelen van de oorlog, 100 km buiten Bagdad

Bert De Belder



"Ik heb twee afschuwelijke verhalen te vertellen", valt Geert met de deur in huis als ik hem aan de lijn krijg. "We zijn vandaag naar Hilal gereden, het stadje bij Babylon dat gisteren zwaar gebombardeerd is. In arme volkswijken zijn 20 à 25 bommen ingeslagen. Het hospitaal van Hilal kreeg op een halfuur tijd 150 zwaargewonde patiënten over de vloer. Dr. Mahmoud Al-Mukhtar zei ons dat de verwondingen veroorzaakt waren door clusterbommen. Dat zijn bommen die uiteenspatten in vele kleine projectielen, die nadien op hun beurt exploderen en verschrikkelijke ravages aanrichten. Clusterbommen zijn verboden door het internationaal oorlogsrecht, maar daar trekt Bush zich geen bal van aan! Ik heb in het hospitaal weer veel schrijnende toestanden gezien. Een familie van elf personen, waarvan er zes zijn gedood... Een vader die met één kind blijft zitten; zijn vrouw en zijn twee zonen zijn dood... Kleine kinderen met geamputeerde ledematen..."

"Mijn tweede verhaal is nog gruwelijker", waarschuwt Geert. "Over een bus met burgers die beschoten is. Niet die in Najaf, die overal het nieuws heeft gehaald, maar een zaak die bij mijn weten nog niet is gebracht door de westerse media. In Al Sqifal, nabij Hilal, is drie dagen geleden een passagiersbus beschoten aan een Amerikaanse controlepost, met afgrijselijke gevolgen. Volgens getuigen was de bus tijdig gestopt en had ze, op bevel van de Amerikaanse militairen, rechtsomkeer gemaakt. Wat er dan precies gebeurd is, is niet duidelijk, maar er moet een enorm vernietigend projectiel op de bus zijn terechtgekomen. Dr. Saad El-Fadouï, een 52-jarige chirurg die nog in Schotland heeft gestudeerd, was snel ter plaatse vanuit het hospitaal van Hilal. Toen hij me vertelde wat hij daar gezien heeft, raakte hij opnieuw overstuurd, drie dagen na de feiten. 'De lijken waren zwartgeblakerd, afschuwelijk verminkt, uiteengereten', zuchtte hij. 'In en rond de bus zag ik afgerukte hoofden, hersenen, ingewanden,...' Het is een raadsel welk een misdadig massavernietigingswapen die horror kan veroorzaken hebben. Niemand had de knal van een ontploffing gehoord, op de lijken zijn geen sporen van shrapnel teruggevonden. Een journalist sprak me over een hittewapen met vloeibaar koper of iets dergelijks... Kunnen de Amerikanen zo wreed zijn? Dr. Saad El-Fadouï vroeg ons met aandrang om alles te doen om deze gruwelijke agressie-oorlog te doen ophouden."



Geert verstaat me slecht als ik iets zeg, de lijn is niet altijd duidelijk. "We zitten hier momenteel zonder elektriciteit", legt hij uit. "Grote wijken van Bagdad zitten zonder stroom, er is hier vorige nacht zeer zwaar gebombardeerd. Colette (Geert's collega-arts Dr. Colette Moulaert) heeft vanuit haar hotelkamer, vlak achter de moskee hier in de buurt, twee enorme vuurbommen zien neerkomen. Ik denk dat dat van die containerbommen zijn, loeiërs van 7-8 ton, die enorme trillingen geven. 'Ik sta te rillen van de kou', zei Colette, maar het waren de trillingen van de bominslag."

"Je moet niet alles geloven wat CNN en BBC tonen", houdt Geert ons voor. "Dat we vandaag met een hele ploeg 'human shields' tot Hilal zijn kunnen rijden, 100 km ten

zuidwesten van Bagdad, spreekt op overtuigende wijze tegen dat de Iraakse hoofdstad volledig omsingeld en belegerd zou zijn. Onderweg zagen we ook nauwelijks Iraakse troepenbewegingen. Op onze tocht van 100 km zijn we geen enkele Iraakse controlepost gepasseerd, zagen we nauwelijks tekenen van oorlog. Hier en daar wat groepjes huizen, bomen, zelfs kinderen die met een papieren vlieger speelden... Eén keer werden we aangemaand een zijweg te nemen, omdat er een colonne van 20 of 30 Iraakse moest passeren. Wat dan weer de aantijging ontkracht dat het Iraaks leger burgers zou misbruiken als schild voor hun militaire operaties: ons burgervoertuig werd eerst veilig naar een zijweg gelosd, vooraleer het Iraaks leger eraan kwam. Op de terugweg waren Amerikanen en Britten wel aan het bombarderen in de buurt. Voor onze veiligheid moesten we opnieuw een zijweg nemen, maar ook daar viel een bom niet veraf, gevolgd door een dikke rookwolk. Dat was even beangstigend, omdat we niet veilig in ons hotel zaten, maar in openlucht."

Children killed and maimed in bomb attack on town

By Robert Fisk in Baghdad and Justin Huggler - 02 April 2003

http://news.independent.co.uk/world/middle_east/story.jsp?story=393127

At least 11 civilians, nine of them children, were killed in Hilla in central Iraq yesterday, according to reporters in the town who said they appeared to be the victims of bombing.

Reporters from the Reuters news agency said they counted the bodies of 11 civilians and two Iraqi fighters in the Babylon suburb, 50 miles south of Baghdad. Nine of the dead were children, one a baby. Hospital workers said as many as 33 civilians were killed.

Terrifying film of women and children later emerged after Reuters and the Associated Press were permitted by the Iraqi authorities to take their cameras into the town. Their pictures – the first by Western news agencies from the Iraqi side of the battlefield – showed babies cut in half and children with amputation wounds, apparently caused by American shellfire and cluster bombs.

Much of the videotape was too terrible to show on television and the agencies' Baghdad editors felt able to send only a few minutes of a 21-minute tape that included a father holding out pieces of his baby and screaming "cowards, cowards" into the camera. Two lorryloads of bodies, including women in flowered dresses, could be seen outside the Hilla hospital.

Dr Nazem el-Adali, who was trained in Edinburgh, said almost all the patients were victims of cluster bombs dropped around Hella and in the neighbouring village of Mazarak. One woman, Alia Mukhtaff, is seen lying wounded on a bed; she lost six of her children and her husband in the attacks. Another man is seen with an arm missing, and a second man, Majeed Djelil, whose wife and two of his children were killed, can be seen sitting next to his third and surviving child, whose foot is missing. The mortuary of the hospital, a butcher's shop of chopped up corpses, is seen briefly in the tape.

Iraqi officials have been insisting for 48 hours that the Americans have used cluster bombs on civilians in the region but this is the first time that evidence supporting these claims has come from Western news agencies. Most of the wounded said they were hit by American munitions and one man described how an American vehicle fired a shell into his family home. "I could see an American flag," he says.

One of the editors in Baghdad, a European, when asked why he would not send the full videotape to London, wound the pictures on to two mutilated corpses of babies. "How could we ever send this?" he said.

Further south, there was heavy fire around the town of Diwaniyah, about 80 miles south-east of Baghdad. It was the second day of close combat between American forces and Iraqi troops, after fighting in the town of Hindiyah on Monday. It appeared that US troops were looking to take on some Iraqi forces after initially advancing largely unopposed through vast tracts of empty desert but deliberately avoiding population centres.

According to reports from Diwaniyah, US Marines deliberately provoked a firefight by moving into an area where they had come under fire before. The marines came under

<http://www.robert-fisk.com/articles205.htm>

heavy fire from rocket-propelled grenades and machine-guns.

Iraqi Republican Guard troops and other fighters fired on the advancing marines from fortified bunkers and positions in buildings and behind vehicles. Corporal Patrick Irish of the US Marines said: "They were shooting from buildings, from dug-out positions, from holes, from everything. They would jump out to shoot. They were behind buses. You name it, they were there."

Although the Iraqis were outgunned by the heavily armed marines, the firefight went on for about 10 hours, according to Lieutenant-Colonel B P McCoy of the US Marines. They used 155mm artillery to destroy Iraqi tanks and mortar positions. "We hammered them pretty hard," said Lt-Col McCoy. At least 75 Iraqis were killed in fighting on Diwaniyah's outskirts and at least 44 soldiers, including some Republican Guard officers, were taken prisoner, Lt-Col McCoy said. There was no report of American casualties.

North-east of Diwaniyah there was heavy bombing yesterday near Kut to clear the way for ground forces, according to the US military. American marines also claim to have "secured" an air base at Qalat Sukkar, south-east of Kut, which US forces want to use as a staging ground.

Overnight, planes bombed the area around Hindiyah. Ominously, there were also reports of missiles streaking towards the Shia holy city of Kerbala, where any damage to the shrines could set the Shia Muslim world alight.

The Iraqi military said its troops were fighting US forces inside Nasiriyah and on the outskirts of the city, and had inflicted heavy casualties. "The blood of the enemy is flowing profusely," a military spokesman said at a press briefing, who claimed that fighting was still going on as he spoke. He claimed the forces fighting in and around Nasiriyah included Republican Guards, regular Iraqi army soldiers, volunteers from across the Arab world, and ordinary Iraqi citizens.

US Marines fought their way across the city's bridges last Tuesday but did not take control of the city. Since then, Iraqi forces have made several ambushes in the area.

The Iraqi spokesman also said US forces launched an attack on the Shia holy city of Najaf yesterday, and claimed fighters inside the city had forced them to retreat after suffering heavy losses.

[go to top](#)

<http://www.robert-fisk.com>



Home | About Us | Media Kit | Contact Us | Subscribe | Support IOL Your Mail

Search Advanced Search

News

- Iraq Special
- Views & Analyses
- Art & Entertainment
- Health & Science
- Special Pages
- Islam**
- Ask about Islam
- Contemporary Issues
- My Journey to Islam
- Qur'an
- Hadith & Sunnah
- Fatwa**
- Fatwa Bank
- Ask the Scholar
- Live Fatwa
- Counseling**
- Cyber Counselor
- Hajj & Umrah
- Directories**
- Site Directory
- Islamic Society
- Islamic Banks
- TV Channels
- Telephone Code
- Services**
- Matrimonial
- Date Converter
- Calendar
- Discussion Forum
- Live Dialogue
- Address Book
- E-Cards
- Newsletter**

Enter your E-mail



News

**Victims Of Unexploded Ordnance
Another War Tragedy**

BAGHDAD, April 20 (IslamOnline.net & News Agencies) - While the U.S. military is no longer bombing Iraq, Iraq's stretched-to-the-limit hospitals across the city are seeing a myriad of "second wave" injuries from unexploded ordnance and older shrapnel wounds which have become badly infected.



Jaudet, 22, who lost his left leg when he stepped on a cluster bomb while walking with friends in western Baghdad

Relief agencies say the most dangerous of the unexploded ordnance are cluster bombs, which can contain up to 3,000 bomblets, each of which explodes separately, sending out a shower of hot metal fragments, Agence France-Presse (AFP) reported Sunday, April 20.

In a crowded ward at Baghdad's Saddam Centre for Plastic Surgery hospital, Ibrahim Ahmed Mohammed, like many others, lay under a sweaty lace shroud with his eyes burned out.

Eight days ago the last thing that the skinny 27-year-old mechanic saw was a shiny yellow U.S. cluster bomb near his garage in the capital's southern Medina al-Shaab neighborhood. He picked it up.

Mohammed's right hand and several toes on his right foot have also been amputated. His left hand is wrapped in thick bandages and medical wires stick out of his fingers.

Over and over he called out to no-one, "I want my eyes back."

International human rights groups had urged the U.S. military to refrain from using cluster bombs, which violate international humanitarian law.

"I am a human being. I can't handle all this pain. How

Send to a friend

Related Links

- Iraqi Children Maimed At Play
- U.S. Should Brag Less About Precision Bombs: U.S. Paper
- 350 Iraqis Killed In U.S. Cluster Bombing: Iraq
- U.S. Boasts Killing 650 Iraqis In An-Najaf

Losing a Friend to the Fleeting World

In the Site

- Death Penalty as a Punishment for Espionage
- "Patriotic" Americans and the Dogs of War
- Crippled With the Shame of My President's War
- Who is a Martyr?
- Iraq's Children Abandoned on World Health Day

23-4-03

can I get married, how can I have sons?" he said.

"Would the Americans allow this to happen to their people?"

The bomb's fragments are scattered over large areas to prevent enemy troops from moving and wound as many of them as possible to cause havoc on the battlefield.

No one knows how many were dropped on Iraq, but relief agencies say they appear to have been widely used and that as many as 20 percent of them remain on the ground. They are designed to self-destruct, but can remain active for weeks.

Their bright color and playful shape makes them especially attractive to children.

One of the doctors at the hospital, Khalib Ahmed, said most of the cluster bomb injuries he was seeing were from southern Baghdad.

"The real challenge will be treating the hundreds and hundreds of people who have lost their limbs," Ahmed said. "Infected open wounds are hard to treat even in the best centers in the world."

Iraq To Receive Humanitarian Flights

Meanwhile, Baghdad's international airport is expected to open within one week for humanitarian flights, U.S. Major General Buford Blount said Sunday.

"Within a week we'll have it open for humanitarian flights," he told AFP.

Saddam International Airport has been closed since it was seized by the U.S. Army's Third Infantry Division early this month.

Blount, the senior U.S. military official responsible for Baghdad's civilian infrastructure, including security, water and electricity, said the flights were part of efforts to restore the capital's essential services that will be conducted by the army with other groups.

The groups include the Office of Reconstruction and Humanitarian Assistance (ORHA) headed by retired U.S. army general Jay Garner, the designated civil administrator for post-war Iraq.

"We'll be working with them to ensure the stability of the city," Blount said.

- What You're Missing on TV

- Reconstruction or Prolonging Western Dominance?

- Iraq after Saddam: Who Decides?



Click to watch

- **Saddam touring Baghdad on April 9** ▶

News

Iraq Special
Views & Analyses

Art &
Entertainment
Health & Science
Special Pages

Islam

Ask about Islam
Contemporary
Issues

My Journey to
Islam

Qur'an

Hadith & Sunnah

Fatwa

Fatwa Bank
Ask the Scholar
Live Fatwa

Counseling

Cyber Counselor

Hajj & Umrah

Directories

Site Directory
Islamic Society
Islamic Banks
TV Channels
Telephone Code

Services

Matrimonial
Date Converter
Calendar
Discussion Forum
Live Dialogue
Address Book

E-Cards

Newsletter

Enter your E-mail



News

Iraqi Children Maimed At Play

HILLA, Iraq, April 2 (IslamOnline.net & News Agencies) - Five-year-old Nader should not have been out playing last night. He now sits on a hospital bed with a bandage covering one eye after stepping on an explosive south of Baghdad.

Nader's mother suddenly jumps to her feet to promptly remove from his mouth candy offered by sympathetic journalists.

"Don't give him anything to eat please. He has to undergo an operation on his right eye at any moment now," lamented the grieved mother.

"He may not be able to see again with his right eye."

Nader and his mother had escaped U.S.-British bombing Monday, March 31, on regions around the city of Hilla, 80 kilometers (50 miles) south of Baghdad, which killed dozens of civilians, most of them women and children, and wounded about 400 others, Iraqi hospital officials and witnesses said.

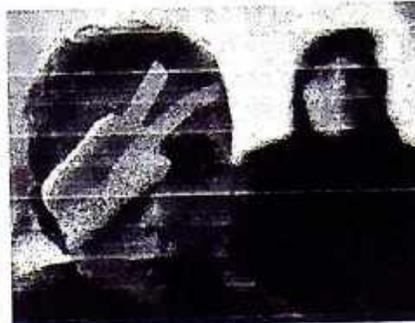
But Nader went out to play the next day. He stepped on one of the dozens of bomblets scattered all over the area, reported Agence France-Presse (AFP).

Nader's mother then pointed at the other beds in the hospital room where six other children were lying, with blood-stained bandages and severe bruises on their bodies.

"What did these little children do to the Americans? What did they do to (U.S. President George W.) Bush," she cried.

"May God avenge these children by sending Bush a cluster bomb," she shouted, while raising open palms into the air.

Two-year-old Hussein Ali Abed has a frightening fixed gaze.



"May God avenge these children by sending Bush a cluster bomb," prayed the mother raising open palms into the air.

Send to a friend

Related Links

- Mosul Bombing Kills 21 Civilians, Wounds 75
- 20 Iraqi Civilians Killed, More Casualties
- U.S. Should Brag Less About Precision Bombs: U.S. Paper
- Baghdad Heavily Pounded, More Civilian Deaths

Losing a Friend to the Fleeting World

In the Site

- Death Penalty as a Punishment for Espionage
- "Patriotic" Americans and the Dogs of War
- Crippled With the Shame of My President's War
- Who is a Martyr?
- Iraq's Children Abandoned on World Health

"Since the bombing, he has been like this," said his father. With tear-soaking eyes.

"His mother, my wife, died in the bombing when several bomblets landed on us during the night. So I really do not know what to do to get him out of the shock," he lamented.

At the end of the hospital room an elderly woman with bandages on her head and arms lies without moving, gazing at a two year-year-old screaming boy with severe bruises over all his naked body on the bed next to her.

"Hamida Abed lost 15 members of her family when these bomblets landed on her home. She lost all her children, their spouses and her grandchildren," said a nurse, before whispering: "She does not know this, yet."

Human rights groups from around the world have long protested the use of cluster bombs, which they say cause undue risks to civilians.

The U.S. Central Command said Wednesday, April 2, that U.S. forces had Tuesday, April 1, dropped on Iraq "for the first time in combat history" a new version of cluster bombs.

New York-based Human Rights Watch, in a report days ahead of the start of the U.S.-led war on Iraq, said cluster munitions dropped in the 1991 Gulf war were to blame for the deaths or injuries of more than 4,000 civilians after the fighting ended.

Day

- What You're Missing on TV
- Reconstruction or Prolonging Western Dominance?
- Iraq after Saddam: Who Decides?



Click to watch

- **Saddam touring Baghdad on April 9** ▶
- **Mass graves inside Baghdad hospitals** ▶
- **Dead bodies stacked inside Baghdad hospitals** ▶
- **U.S. troops pour into Baghdad** ▶

Wailing children, the wounded, the dead: victims of the day cluster bombs rained on Babylon

By Robert Fisk in Baghdad - 03 April 2003

<http://argument.independent.co.uk/commentators/story.jsp?story=393458>

The wounds are vicious and deep, a rash of scarlet spots on the back and thighs or face, the shards of shrapnel from the cluster bombs buried an inch or more in the flesh. The wards of the Hillah teaching hospital are proof that something illegal – something quite outside the Geneva Conventions – occurred in the villages around the city once known as Babylon.

The wailing children, the young women with breast and leg wounds, the 10 patients upon whom doctors had to perform brain surgery to remove metal from their heads, talk of the days and nights when the explosives fell "like grapes" from the sky. Cluster bombs, the doctors say – and the detritus of the air raids around the hamlets of Nadr and Djifil and Akramin and Mahawil and Mohandesin and Hail Askeri shows that they are right.

Were they American or British aircraft that showered these villages with one of the most lethal weapons of modern warfare? The 61 dead who have passed through the Hillah hospital since Saturday night cannot tell us. Nor can the survivors who, in many cases, were sitting in their homes when the white canisters opened high above their village, spilling thousands of bomblets into the sky, exploding in the air, soaring through windows and doorways to burst indoors or bouncing off the roofs of the concrete huts to blow up later in the roadways.

Rahed Hakem remembers that it was 10.30am on Sunday when she was sitting in her home in Nadr, that she heard "the voice of explosions" and looked out of the door to see "the sky raining fire". She said the bomblets were a black-grey colour. Mohamed Moussa described the clusters of "little boxes" that fell out of the sky in the same village and thought they were silver-coloured. They fell like "small grapefruit," he said. "If it hadn't exploded and you touched it, it went off immediately," he said. "They exploded in the air and on the ground and we still have some in our home, unexploded."

Karima Mizler thought the bomblets had some kind of wires attached to them – perhaps the metal "butterfly" that contains sets of the tiny cluster bombs and springs open to release them in showers.

Some victims died at once, mostly women and children, some of whose blackened, decomposing remains lay in the tiny charnel house mortuary at the back of the Hillah hospital. The teaching college received more than 200 wounded since Saturday night – the 61 dead are only those who were brought to the hospital or who died during or after surgery, and many others are believed to have been buried in their home villages – and, of these, doctors say about 80 per cent were civilians.

Soldiers there certainly were, at least 40 if these statistics are to be believed, and amid the foul clothing of the dead outside the mortuary door I found a khaki military belt and a combat jacket. But village men can also be soldiers and both they and their wives and daughters insisted there were no military installations around their homes. True or false?

<http://www.robert-fisk.com/articles207.htm>

4-4-03

Who is to know if a tank or a missile launcher was positioned in a nearby field – as they were along the highway north to Baghdad? But the Geneva Conventions demand protection for civilians even if they are intermingled with military personnel, and the use of cluster bombs in these villages – even if aimed at military targets – thus crosses the boundaries of international law.

So it was that 27-year old Asil Yamin came to receive those awful round wounds in her back. And so five-year-old Zaman Abbais was hit in the legs and 48-year-old Samira Abdul-Hamza in the eyes, chest and legs. Her son Haidar, a 32-year-old soldier, said the containers which fell to the ground were white with some red and green sometimes painted on them. "It is like a grenade and they came into the houses," he said. "Some stayed on the land, others exploded."

Heartbreaking is the only word to describe 10-year-old Maryam Nasr and her five-year-old sister Hoda. Maryam has a patch over her right eye where a piece of bomblet embedded itself. She also had wounds to the stomach and thighs. I didn't realise that Hoda, standing by her sister's bed, was wounded until her mother carefully lifted the little girl's scarf and long hair to show a deep puncture in the right side of her head, just above her ear, congealed blood sticking to her hair but the wound still gently bleeding. Their mother described how she had been inside her home and heard an explosion and found her daughters lying in their own blood near the door. The little girls alternately smiled and hid when I took their pictures. In other wards, the hideously wounded would try to laugh, to show their bravery. It was a humbling experience.

The Iraqi authorities, of course, were all too ready to allow us journalists access to these patients. But there was no way these children and often uneducated parents could manufacture their stories of tragedy and pain. Nor could the Iraqis have faked the scene in Nadr village where the remains of the tiny bomblets littered the ground beside the scorch marks. A crew from Sky Television even managed to bring a set of bomblet shrapnel back to Baghdad from Nadr with them, the wicked little metal balls that are intended to puncture the human body still locked into their frame like cough sweets in a metal sheath. They were of a black colour which glinted silver when held against the light.

Again, were the aircraft that dropped these terrible weapons American or British? The deputy administrator of the hospital and one of his doctors told a confused tale of military action around the city in recent days, of Apache helicopters that would disgorge special forces on the road to Karbala; one of their operations – if the hospital personnel are to be believed – went spectacularly wrong one night recently when militiamen forced them to retreat. Shortly afterwards, the cluster bomb raids began, although the villages that were targeted appear to have been on the other side of Hillah to the reported abortive American attack.

One thing was clear: there is no "front line" in the fighting around Babylon, that US forces strike into land around the Tigris river by air and then withdraw and Iraqi forces do much the same in the other direction. Only the Americans and British, of course, have air superiority – indeed there is no evidence a single Iraqi aircraft has taken off since the start of the invasion – so even the US and British officers back at Qatar headquarters can hardly claim the cluster bombs were dropped by Iraq.

The most recent raid occurred on Tuesday when 11 civilians were killed – two of them women and three of them children – in a village called Hindiyeh. A man sent to collect the corpses reported to the hospital the only living thing he found in the area was a hen. Iraqi bomb disposal officers were ordered into the villages yesterday afternoon to clear the unexploded ordnance.

Needless to say, it is not the first time cluster bombs have been used against civilians. During Israel's 1982 siege of west Beirut, its air force dropped cluster bomblets manufactured for the US Navy across several areas, especially in the Fakhani and Ouzai districts, causing civilians ferocious and deep wounds identical to those I saw in Hillah yesterday. Angry at the misuse of their weapons, which are designed for use against exclusively military targets, the Reagan administration withheld a shipment of fighter-bombers for Israel – then relented a few weeks later and sent the aircraft anyway.

It is not easy to listen to Iraqi officials condemning the use of illegal weapons when the Iraqi air force has itself dropped poison gas on the Iranian army and on pro-Iranian Kurdish villages during the 1980-88 war against Iran. Outraged claims from Iraqi officials at the abuse of human rights sound like a bell with a very hollow ring. But something terrible happened around Hillah this week, something unforgivable and something contrary to international law. One hesitates, as I say, to talk of human rights in this land of torture but if the Americans and British don't watch out, they are likely to find themselves condemned for what they have always – and rightly – accused Iraq of: war crimes.

[go to top](#)

<http://www.robert-fisk.com>

Needless to say, it is not the first time cluster bombs have been used against civilians. During Israel's 1982 siege of west Beirut, its air force dropped cluster bomblets manufactured for the US Navy across several areas, especially in the Fakhani and Ouzai districts, causing civilians ferocious and deep wounds identical to those I saw in Hillah yesterday. Angry at the misuse of their weapons, which are designed for use against exclusively military targets, the Reagan administration withheld a shipment of fighter-bombers for Israel – then relented a few weeks later and sent the aircraft anyway.

It is not easy to listen to Iraqi officials condemning the use of illegal weapons when the Iraqi air force has itself dropped poison gas on the Iranian army and on pro-Iranian Kurdish villages during the 1980-88 war against Iran. Outraged claims from Iraqi officials at the abuse of human rights sound like a bell with a very hollow ring. But something terrible happened around Hillah this week, something unforgivable and something contrary to international law. One hesitates, as I say, to talk of human rights in this land of torture but if the Americans and British don't watch out, they are likely to find themselves condemned for what they have always – and rightly – accused Iraq of: war crimes.

[go to top](#)

<http://www.robert-fisk.com>

Tientallen burgers omgekomen

Irakezen trekken zich terug rond Mosul

AP, Reuters
BAGDAD/DOHA

Zeker 33 burgers, onder wie enkele kinderen, zijn dinsdag om het leven gekomen bij bombardementen op en rond de stad Hilla, 80 kilometer ten zuiden van Bagdad. Ruim driehonderd inwoners zijn gewond geraakt, zo meldt de directeur van het plaatselijk ziekenhuis. Bij Hilla hebben Amerikaanse mariniers een belangrijke brug ingenomen.

Tientallen legervoertuigen zijn dinsdag een zijrivier van de Eufraat overgetrokken. Amerikaanse B-52 bommenwerpers voerden eerst urenlang bombardementen uit op de Iraakse stellingen. Vanaf de grond werd zware artillerie ingezet. 'In het begin was er grote weerstand van de Irakezen, maar uiteindelijk hebben we hen weggevaagd', aldus een Amerikaanse legerwoordvoerder ter plekke.

Na een nacht van zware bombardementen zijn gisteren overdag opnieuw de zuidelijke buitenwijken van Bagdad gebombardeerd. Vijf grote inslagen troffen het centrum, waaronder een van Saddams paleizen aan de Tigris.

Behalve het paleis en overheidsgebouwen zijn ook het hoofdkwartier van het Iraakse Olympisch Comité en een officiersclub

gebombardeerd. Volgens de Iraakse minister van Informatie Al Sahhaf zijn gisteren 56 burgers gedood, van wie 24 in Bagdad. Verder zijn 268 mensen gewond geraakt. Volgens hem zijn er negen kinderen gedood bij Hilla, onder wie een baby.

Bij de steden Najaf en Hindiyah leverden de Amerikanen en de Irakezen fel strijd in straat-tot-streetgevechten. Soldaten in Hindiyah, een belangrijke plek voor het oversteken van de Eufraat, zeiden dat ze wagens zagen met kinderen en fedajien voordat de strijd begon.

Volgens de Amerikaanse legerleiding is het onvermijdelijk dat in een oorlog burgerslachtoffers vallen. De Amerikaanse generaal Brooks zei dit gisteren naar aanleiding van het feit dat Amerikaanse soldaten bij een controlepost bij de stad Najaf maandag zeven à tien Iraakse vrouwen en kinderen hebben doodschoten.

De Amerikanen hadden het vuur geopend op het voertuig waarin de vrouwen en kinderen zaten, nadat het hun stoptekens had genegeerd. Dat gebeurde vlakbij de plek waar dit weekeinde vier Amerikaanse militairen werden gedood bij een Iraakse zelfmoordaanslag.

Op de persconferentie van het centraal commandocentrum in Qatar werd gezegd dat de troepen

29-4-2003

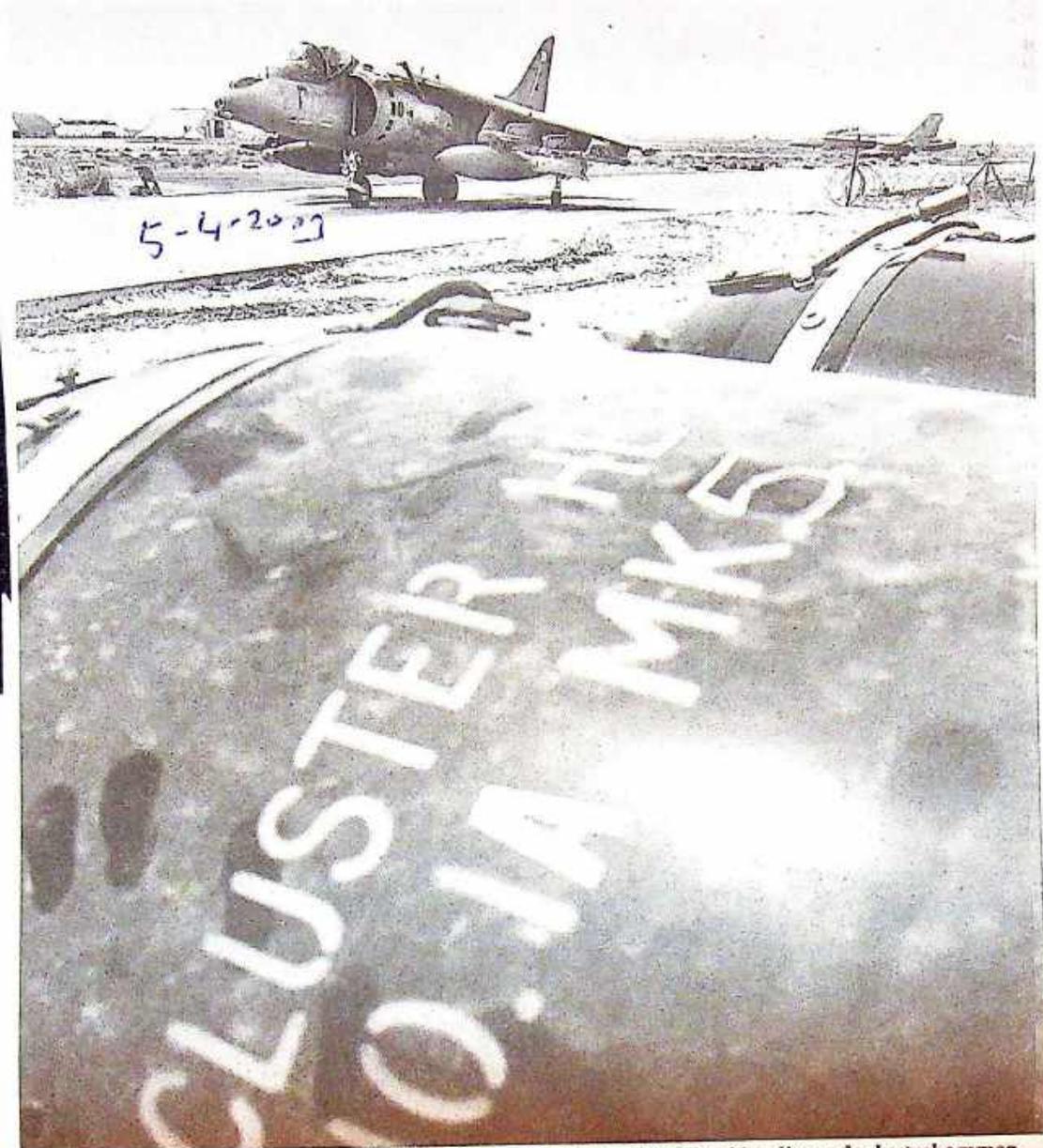
BUITENLAND



Drie zusjes

BAGDAD - De lichamen van de zesjarige Lamiya Ali (foto boven) en haar achtjarige zus Dana (foto links) worden gereedgemaakt voor hun begrafenis, eergisteren in Bagdad. De kinderen waren zaterdag op straat aan het spelen toen een bom ontplofte. Het gaat waarschijnlijk om een explosief dat eerder tijdens de oorlog is afgeworpen maar toen niet is ontploft. Een ander zusje, de twaalfjarige Montaha (foto rechts), raakte gewond. Een jongetje dat bij het ongeluk aanwezig was, vertelde in het ziekenhuis dat zij speelden met iets dat zij in de tuin hadden gevonden. Dezelfde dag raakten vier Amerikaanse soldaten en een zevenjarig meisje gewond toen het meisje bij hen een explosief kwam inleveren dat vervolgens afging. Van een van de soldaten moest een been worden afgezet. Het meisje raakte





KOEWEIT – Een Harrier GR7-toestel van de Britse luchtmacht taxiëert langs klaarliggende clusterbommen die in één klap verschillende doelen verspreid over een groot oppervlak kunnen vernietigen. (Foto Reuters)

AMNESTY INTERNATIONAL > HOME > LIBRARY

ABOUT AI NEWS LIBRARY ACT NOW CAMPAIGNS RESOURCES & LINKS



amnesty international

WORKING TO PROTECT HUMAN RIGHTS WORLDWIDE

Search

Español

Library

Online documentation archive

LIBRARY > MIDDLE EAST AND NORTH AFRICA > MIDDLE EAST > IRAQ

View this document in Français Español

AI INDEX: MDE 14/065/2003 2 April 2003

Take

[Document library](#)

[Recent documents](#)

[Annual report](#)

[Receive updates by email](#)

[Order AI publications](#)

IRAQ

[People come first - Protect](#)

[Human Rights](#)

[Iraq Crisis home page](#)

[Take Action!](#)

Annual report entries:

[2002](#), [2001](#), [2000](#), [1999](#),
[1998](#), [1997](#)

Search by AI INDEX

AMNESTY INTERNATIONAL PRESS RELEASE

News Flash

Act now to protect rights in Iraq!

[AI military experts discussing AI's cluster bombs and land](#)

AI Index: MDE 14/065/2003 (Public)
News Service No: 078
2 April 2003

Iraq: Use of cluster bombs -- Civilian price

Amnesty International is deeply concerned about the high toll of civilian casualties from cluster bombs in US military attacks in heavily populated areas.

On 1 April, at least 33 civilians including many children were reportedly killed and injured in US attacks on the town of al-Hilla. Amnesty International is particularly concerned that cluster bombs were used in the attacks and may have been responsible for the civilian deaths.

and 300

"The use of cluster bombs in an attack on a civilian area of al-Hilla constitutes an attack and a grave violation of international humanitarian law," Amnesty International says today.

an in 1950s

"If the US is serious about protecting civilians, it must publicly commit to a moratorium on the use of cluster weapons. Using cluster munitions will lead to indiscriminate killing of civilians," the organization added.

to 100% of 0.5-100%

According to reports, the type of cluster bomblets used in al-Hilla was BLU97 A contains 202 small bomblets -- BLU97 -- the size of a soft drink can. These cluster bombs scatter over a large area approximately the size of two football fields. At least 5 bomblets do not explode upon impact, turning them into de facto anti-personnel weapons they continue to pose a threat to people, including civilians, who come into contact with them.

Public Document

For more information please call Amnesty International's press office in London 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

For latest human rights news view <http://news.amnesty.org>

[Back to Top ^^](#)

AI INDEX: MDE 14/065/2003 2 April 2003

Related Documents

(MDE 14/119/2003) [Iraq: Field Update](#)

(MDE 14/115/2003) [Iraq: Press Briefing Invitation](#)

(MDE 14/113/2003) [Iraq: Amnesty International in Basra - Field Update IV](#)

(MDE 14/110/2003) [Iraq: Amnesty International in Basra - Field Update IV](#)

(MDE 14/112/2003) [Iraq: comprehensive approach to justice urgently nee](#)

(MDE 14/109/2003) [Iraq: Amnesty International delegates in Basra call fo deployment of UN human rights monitors](#)

[Back to Top ^^](#)

[ABOUT AI](#) | [NEWS](#) | [LIBRARY](#) | [ACT NOW](#) | [CAMPAIGNS](#) | [RESOURCES & LINKS](#) | [CONTACT US](#) | [SITEMAP](#)

© Copyright Amnesty International

HUMAN RIGHTS WATCH

- HOME
- CONTRIBUTE
- COMMUNITY
- NEWS RELEASES
- CURRENT EVENTS
- PUBLICATIONS
- ABOUT HRW
- INFO BY COUNTRY

- Africa
- Americas
- Asia
- Europe/Central Asia
- Middle East/N. Africa
- United States

- GLOBAL ISSUES**
- Arms
 - Children's Rights
 - HIV/AIDS
 - International Justice
 - Prisons
 - Refugees
 - Women's Rights
 - United Nations
 - More...

- CAMPAIGNS**
- BOOKSTORE
 - FILM FESTIVAL
 - PHOTO ESSAYS
 - SITE MAP
 - CONTACT US

SEARCH

GO

hrw.org | DEFENDING HUMAN RIGHTS WORLDWIDE

HUMAN RIGHTS NEWS

PORTUGUÊS FRANÇAIS ПУСКІН
 ESPAÑOL 中文 العربية

[HRW Documents on Cluster Bombs](#)

FREE [Join the HRW Mailing List](#)

U.S. Use of Clusters in Baghdad Condemned [\(Arabic\)](#)

(New York, April 16, 2003) The U.S. Central Command should respond publicly to evidence that U.S. forces used cluster munitions in a populated area of Baghdad, Human Rights Watch urged today.

“U.S. commanders should never use cluster munitions in populated areas... These are wholly inappropriate weapons when civilians are around. The reported use of cluster munitions in Baghdad is a serious charge and the Pentagon must respond publicly to it.”

Kenneth Roth
 Executive Director of Human Rights Watch

According to a report in yesterday's Newsday, a Central Command spokeswoman has anonymously confirmed that U.S. forces have hit urban areas of Baghdad with cluster munitions, stating that they were aimed at Iraqi artillery and missile systems located inside the city.

“U.S. commanders should never use cluster munitions in populated areas,” said Kenneth Roth, executive director of Human Rights Watch. “These are wholly inappropriate weapons when civilians are

around. The reported use of cluster munitions in Baghdad is a serious charge and the Pentagon must respond publicly to it.”

Newsday's reporter provided Human Rights Watch with a photograph he had taken inside a building in what he described as a clearly residential neighborhood well inside Baghdad. Human Rights Watch identified an unexploded cluster submunition in the photograph from either a ground-based Multiple Launch Rocket System (MLRS) or an artillery projectile. The damage to the surrounding walls and floor were also consistent with a cluster munition strike. Human Rights Watch has previously reported that, according to The Pentagon's own data, these particular submunitions have an especially high failure rate.

Human Rights Watch believes that the use of cluster munitions in populated areas may violate the prohibition of indiscriminate attacks contained in international humanitarian law. Despite the utility of cluster munitions in achieving certain military objectives, the wide dispersal pattern of their submunitions makes it very difficult to avoid civilians if they are in the area. Moreover, because of their high failure rate, cluster munitions leave large numbers of hazardous, explosive duds to terrorize civilians even after the attack is over.

The U.S. Army and Marine Corps may be taking less care to avoid civilian casualties with surface-delivered cluster munitions than the U.S. Air Force with air-delivered cluster munitions, Human Rights Watch said.

Related Material

[HRW Documents on the War in Iraq](#)

[U.S. Using Cluster Munitions In Iraq](#)
 HRW Press Release, April 1, 2003

[Cluster Munitions a Foreseeable Hazard in Iraq](#)
 HRW Briefing Paper, March 18, 2003

[Persian Gulf: U.S. Cluster Bomb Duds A Threat](#)
 HRW Press Release, March 18, 2003

[Cluster Munitions: Measures to Prevent ERW and to Protect Civilian Populations](#)
 HRW Memorandum, March 10-14, 2003

Human Rights Watch conducted detailed analyses of the U.S. Air Force's use of bombs in the 1999 Yugoslavia war and the 2001-2002 Afghanistan war. In the U.S. Air Force used cluster bombs substantially less often in populated areas than they had in Yugoslavia, and therefore caused far fewer civilian deaths with cluster bombs.

"It seemed that after Yugoslavia, U.S. commanders learned that cluster munitions cannot be safely used in populated areas," said Roth. "The use of cluster munitions inside Baghdad represents a disturbing step backwards – with deadly consequences."

It is not yet known if there were civilian casualties at the time of the strike, but Newsday reported on several deaths and injuries to children and others who encountered the explosive duds left by the cluster munitions which failed to detonate on initial impact as designed. The duds function as de facto antipersonnel landmines.

This is the first confirmed instance of U.S. use of cluster munitions in Baghdad or other highly populated areas. There have been many unconfirmed allegations of use of both air-dropped and surface-delivered cluster munitions in urban areas by the United States and the United Kingdom. Most notably, some press accounts attributed the deaths of scores of civilians near the village of Hilla in central Iraq on April 1 to U.S. cluster bombs, but the facts have not been established.

In light of its admission of use of cluster munitions, and the already documented deaths and injuries to children and other non-combatants, Human Rights Watch called on the United States to take responsibility with the utmost urgency for assuring:

- the provision of warnings and risk education to the civilian population;
- the clear demarcation of affected areas in order to effectively exclude civilians;
- the rapid clearance of dangerous cluster munition duds.

"The Pentagon is crowing about the Air Force sparing civilians by using only precision weapons in Baghdad," said Roth. "But that's a meaningless achievement if the Army then comes along and indiscriminately batters civilian neighborhoods with cluster munitions."



[Home](#) | [Current Events](#) | [News](#) | [Publications](#) | [About HRW](#) | [Documents by Country](#) | [Global Issues](#) | [Campaigns](#) | [Contribute](#) | [What You Can Do](#) | [Community](#) | [Book Store](#) | [Film Festival](#) | [Search](#) | [Site Map](#) | [Contact Us](#) | [Press Contacts](#) | [Privacy Policy](#)

© Copyright 2003, Human Rights Watch 350 Fifth Avenue, 34th Floor New York, NY 10118-3299 USA

HUMAN RIGHTS WATCH

hrw.org | DEFENDING HUMAN RIGHTS WORLDWIDE

HUMAN RIGHTS NEWS

PORTUGUÊS FRANÇAIS PYCCKИЙ
ESPAÑOL 中文 العربية

- HOME
- CONTRIBUTE
- COMMUNITY
- NEWS RELEASES
- CURRENT EVENTS
- PUBLICATIONS
- ABOUT HRW
- INFO BY COUNTRY

[HRW Documents on Cluster Bombs](#)

FREE [Join the HRW Mailing List](#)

U.S. Misleading on Cluster Munitions

(Washington, April 25, 2003) - U.S. claims that cluster munitions have not caused significant damage to civilians in Iraq are highly misleading since the Pentagon is evidently citing only figures on air-dropped cluster bombs, Human Rights Watch said today.

- Africa
- Americas
- Asia
- Europe/Central Asia
- Middle East/N. Africa
- United States

GLOBAL ISSUES

- Arms
- Children's Rights
- HIV/AIDS
- International Justice
- Prisons
- Refugees
- Women's Rights
- United Nations
- More...

CAMPAIGNS

- BOOKSTORE
- FILM FESTIVAL
- PHOTO ESSAYS
- SITE MAP
- CONTACT US

SEARCH

GO

"To imply that cluster munitions caused virtually no harm to Iraqi civilians is highly disingenuous. Instead of whitewashing the facts, the Pentagon needs to come clean about the Army's use of cluster munitions, which has been much more fatal to civilians."

Kenneth Roth Executive Director of Human Rights Watch

The U.S. Army has used ground-based Multiple Launch Rocket System (MLRS) and other artillery-launched cluster munitions in populated areas of Baghdad and other Iraqi cities, Human Rights Watch said.

U.S. Chairman of the Joint Chiefs Staff Gen. Richard B. Myers told a press conference today in Washington that coalition forces dropped "nearly 1,500 cluster bombs of varying types" during the war in Iraq, and that only 26 of those fell within 1,500 feet of civilian neighborhoods, causing only "one recorded case of collateral damage."

Related Material

[Background on War in Iraq](#)

[U.S. Use of Clusters in Baghdad Condemned](#)
HRW Press Release, April 16, 2003

But Myers did not mention surface-launched cluster munitions, which are believed to have caused many more civilian casualties.

"To imply that cluster munitions caused virtually no harm to Iraqi civilians is highly disingenuous," said Kenneth Roth, executive director of Human Rights Watch. "Instead of whitewashing the facts, the Pentagon needs to come clean about the Army's use of cluster munitions, which has been much more fatal to civilians."

Numerous media reports have provided eyewitness accounts of cluster munitions use against populated areas in the southern part of Baghdad. Newsday reported on April 15 that two children were killed, and one seriously injured, when a cluster munition they were playing with exploded.

According to media reports, cluster munitions have also caused injuries to U.S. troops. The Associated Press reported on April 23 that a U.S. army sergeant was killed in a cluster bomb explosion, and on April 19 that several U.S. service members were injured when a child handed an M-42 submunition to them and it blew up.

In the press conference, Gen. Myers also described cluster munitions as "precision guided."

In fact, the wide dispersal pattern of cluster munitions makes them difficult to target accurately. Moreover, because of their high failure rate, cluster munitions leave large numbers of hazardous, explosive duds that may cause injury or death to civilians long after the war is over. "Cluster munitions are not precision weapons," said Roth. "They are, in fact, indiscriminate weapons - which is why the U.S. military should never use

them near populated areas."

Clearing populated areas of unexploded cluster munitions will require full disclosure of when and where the weapons were used. Human Rights Watch urged the U.S. military to provide information on surface-launched cluster munitions to assist explosive ordnance disposal teams.



[Home](#) | [Current Events](#) | [News](#) | [Publications](#) | [About HRW](#) | [Documents by Country](#) | [Global Issues](#) | [Campaigns](#) | [Contribute](#) | [What You Can Do](#) | [Community](#) | [Book Store](#) | [Film Festival](#) | [Search](#) | [Site Map](#) | [Contact Us](#) | [Press](#)
[Contacts](#) | [Privacy Policy](#)

© Copyright 2003, Human Rights Watch 350 Fifth Avenue, 34th Floor New York, NY 10118-3299 USA

HUMAN RIGHTS WATCH

- HOME
- CONTRIBUTE
- COMMUNITY
- NEWS RELEASES
- CURRENT EVENTS
- PUBLICATIONS
- ABOUT HRW
- INFO BY COUNTRY
 - Africa
 - Americas
 - Asia
 - Europe/Central Asia
 - Middle East/N. Africa
 - United States
- GLOBAL ISSUES
 - Arms
 - Children's Rights
 - HIV/AIDS
 - International Justice
 - Prisons
 - Refugees
 - Women's Rights
 - United Nations
 - More...
- CAMPAIGNS
- BOOKSTORE
- FILM FESTIVAL
- PHOTO ESSAYS
- SITE MAP
- CONTACT US

SEARCH

GO



HUMAN RIGHTS NEWS

PORTUGUÊS FRANÇAIS PYCCKИЙ
ESPAÑOL 中文 العربية

HRW Documents on Cluster Bombs

FREE [Join the HRW Mailing List](#)

**Iraq: Clusters Info Needed from U.S., U.K
Ground-Launched Cluster Munitions Endangering Civilians**

(Kuwait City, April 29, 2003) The United States and United Kingdom are failing to provide adequate data on their cluster munition strikes in Iraq, and this lack of information is endangering Iraqi civilians, Human Rights Watch charged today.

"The United States and United Kingdom need to come clean on what they've done with these weapons,"

Reuben Brigety
Researcher with the Arms Division of Human Rights Watch

The U.S. Department of Defense has acknowledged using nearly 1,500 air-dropped cluster bombs, but has not revealed any information about ground-launched cluster munitions, which may have been much more numerous. The U.K. Ministry of Defense has admitted to using more than 2,000 cluster

munitions, but like the Pentagon, it has not provided detailed information that deminers need to clear "dud" submunitions, which pose hazards to civilians.

"The United States and United Kingdom need to come clean on what they've done with these weapons," said Reuben Brigety, researcher with the Arms Division of Human Rights Watch. "They are not doing all they can to protect civilians from the deadly after-effects of their cluster attacks."

Submunitions from artillery projectiles and multiple launch rockets, as well as aircraft cluster bombs, may have produced tens of thousands of hazardous duds in numerous locations in Iraq, including urban areas, Brigety said. He urged the United States and United Kingdom to provide adequate warnings to civilians, including realistic images of dud submunitions, and assist in all ways possible with the clearance of cluster munition duds.

Mine action organizations and others in the humanitarian community have not received detailed information on the locations, numbers and types of cluster munitions used in combat in Iraq, including types used for the first time.

The U.K. Ministry of Defense admitted on April 24 that its forces had used 2,100 cluster munition artillery projectiles and at least 66 BL-755 cluster bombs in the conflict. In Yugoslavia/Kosovo, the United Kingdom used 500 cluster bombs, and in the 1991 Gulf War, it used 395 cluster bombs and an unknown number of surface-delivered cluster munitions.

The artillery projectile used by the United Kingdom, called the L20A1, contains 49 submunitions, each equipped with a self-destruct device, which the manufacturer claims reduces the dud rate to below 2 percent. The out-of-date BL-755 cluster bombs produced a large number of unexploded duds in combat operations in Kuwait and

Related Material

[Background on War in Iraq](#)

[U.S. Misleading on Cluster Munitions](#)
HRW Press Release, April 25, 2003

[U.S. Use of Clusters in Baghdad Condemned](#)
HRW Press Release, April 16, 2003

[U.S. Using Cluster Munitions in Iraq](#)
HRW Press Release, April 1, 2003

[Cluster Munitions a Foreseeable Hazard in Iraq](#)
Human Rights Watch Briefing Paper, March 2003

[HRW Arms Division](#)

Yugoslavia/Kosovo. There have also been reports that U.K. ground forces used Multiple Launch Rocket Systems, which have a submunition dud rate of 16 percent or more.

Unlike the U.K., the U.S. has not revealed the number of ground-launched cluster munitions used in Iraq. An unnamed U.S. defense official told a reporter for Los Angeles Times that the U.S. does not keep track of ground launched cluster munitions.

"If the Pentagon doesn't keep track of ground-launched cluster munitions, it had better start," said Brigety. "This information is very important, especially when the weapon been improperly used in urban areas."

Several of the ground-launched cluster munitions in service with U.S. and U.K. forces produce an unacceptably high percentage of de facto landmines when they fail to function on impact. Official U.S. data documents a minimum of 14 to 16 percent dud rates for common ground launched cluster munitions. These dud rates climb when the impact environment includes vegetation or structures.



[Home](#) | [Current Events](#) | [News](#) | [Publications](#) | [About HRW](#) | [Documents by Country](#) | [Global Issues](#) | [Campaigns](#) | [Contribute](#) | [What You Can Do](#) | [Community](#) | [Book Store](#) | [Film Festival](#) | [Search](#) | [Site Map](#) | [Contact Us](#) | [Press](#) | [Contacts](#) | [Privacy Policy](#)

© Copyright 2003, Human Rights Watch 350 Fifth Avenue, 34th Floor New York, NY 10118-3299 USA

- HUMAN RIGHTS WATCH
- HOME
- CONTRIBUTE
- COMMUNITY
- NEWS RELEASES
- CURRENT EVENTS
- PUBLICATIONS
- ABOUT HRW
- INFO BY COUNTRY

- Africa
- Americas
- Asia
- Europe/Central Asia
- Middle East/N. Africa
- United States

GLOBAL ISSUES

- Arms
- Children's Rights
- HIV/AIDS
- International Justice
- Prisons
- Refugees
- Women's Rights
- United Nations
- More...

CAMPAIGNS

- BOOKSTORE
- FILM FESTIVAL
- PHOTO ESSAYS
- SITE MAP
- CONTACT US

SEARCH

GO

hrw.org | DEFENDING HUMAN RIGHTS WORLDWIDE

HUMAN RIGHTS NEWS

[HRW Documents on the War in Iraq](#)

PORTUGUÊS FRANÇAIS РУССКИЙ
ESPAÑOL 中文 العربية

FREE [Join the HRW Mailing List](#)

U.S. Using Cluster Munitions In Iraq [Deutsch](#) [Español](#)

(Washington, D.C., April 1, 2003) - U.S. ground forces in Iraq are using cluster munitions with a very high failure rate, creating immediate and long-term dangers for civilians and friendly soldiers, Human Rights Watch reported today.

"The United States should not be using these weapons. Iraqi civilians will be paying the price with their lives and limbs for many years."

Steve Goose
Executive Director of the Arms
Division of Human Rights Watch

submunitions, or cluster munitions. When these submunitions fail to explode on impact as designed, they become hazardous explosive "duds"—functioning like volatile, indiscriminate antipersonnel landmines.

Two U.S. Marines were killed in separate incidents on March 27 and 28 after stepping on unexploded cluster munitions delivered by artillery in southern Iraq.

"The United States should not be using these weapons," said Steve Goose, executive director of the Arms Division of Human Rights Watch. "Iraqi civilians will be paying the price with their lives and limbs for many years."

Human Rights Watch has identified footage of the use of the Multiple Launch Rocket System (MLRS) by artillery units of the 3rd Infantry Division. This is a system that currently uses only submunition payloads. The 1st Battalion of the 39th Field Artillery Regiment of the division deploys at least eighteen MLRS launch units.

The standard M26 warhead for the MLRS contains 644 M77 individual submunitions.

While use of the weapon has not yet been confirmed by official U.S. military sources, it is evident from television images and stories from reporters embedded with U.S. units that U.S. forces are using artillery projectiles and rockets containing large numbers of

Related Material

[Landmines in Iraq: Questions and Answers](#)
Background Briefing, December, 2002

[Cluster Munitions a Foreseeable Hazard in Iraq](#)
Background Briefing, March 18, 2003

[Background on War in Iraq](#)

[More on Cluster Bombs](#)

... purpose grenades ... according to a Department of
Defense report submitted to the U.S. Congress in February 2000, these
submunitions have a failure rate of 16 percent. Thus, the typical volley of twelve
MLRS rockets would likely result in more than 1,200 dud submunitions scattered
randomly in a 120,000 to 240,000 square meter impact area.

The Washington Post reported on March 29 that the U.S. MLRS fired eighteen
Army Tactical Missile System (ATACMS) against suspected air defense sites in

<http://hrw.org/press/2003/04/us040103.htm>

20-5-03

support of a helicopter attack by units of the 101st Airborne Division on March 28. The payload of an ATACMS is 300 or 950 M74 submunitions with a reported failure rate of two percent.

Human Rights Watch has also seen video of U.S. Marine artillery units supporting the 3rd Light Armored Reconnaissance Battalion using 155mm artillery firing projectiles at Iraqi positions; an embedded reporter described "hundreds of grenades" being fired at the Iraqis. These were apparently the M483A1 and M864 projectiles whose submunitions (dual-purpose grenades) have a 14 percent dud rate. The M483A1 projectile contains eighty-eight dual-purpose grenades, and the M864 projectile contains seventy-two dual-purpose grenades.

It is not clear whether air-dropped cluster bombs have been used in the air campaign. Iraqi officials have repeatedly alleged use of cluster bombs by U.S. and U.K. aircraft, but these reports have not been confirmed. U.S. air forces used cluster bombs, notably the CBU-87 Combined Effects Munition, extensively in the first Gulf War in 1991, in Yugoslavia/Kosovo in 1999 and in Afghanistan in 2001 and 2002.

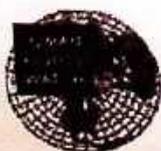
At least eighty U.S. casualties during the 1991 Gulf War were attributed to cluster munition duds. More than 4,000 civilians were killed or injured by cluster munition duds after the end of the war.

Human Rights Watch has called for a global moratorium on use of cluster munitions until the humanitarian problems caused by the weapons are addressed. Short of that commitment, Human Rights Watch has urged the United States and others that may deploy cluster munitions in Iraq to prohibit the use of any cluster munitions in attacks on or near populated areas and to suspend use of cluster munitions that have been tested and identified as producing high dud rates. If cluster munitions are used, it is crucial that the U.S. record, report, track, and mark known or suspected cluster munition strike areas and preserve the information so it can be disseminated quickly in clearance efforts.

"The United States must rapidly provide extensive information and warnings to civilian populations to protect them from cluster munition duds," said Goose. "The United States now bears a special responsibility to help clear these deadly remnants of war as quickly as possible."

Vast numbers of cluster munition duds will complicate the reconstruction of Iraq as well as endangering civilians and peacekeepers, Goose said.

Iraq has also extensively used antipersonnel landmines. For more background on Iraq's mines and unexploded ordnance, please see <http://www.hrw.org/campaigns/iraq/iraqmines1212.htm>



WDR V - 4.4.2003 "Echo des Tages" (= Text vom Cass. Band)

Streubomben (Auszug des gesprochenen Textes).

Amerikaner und Briten haben offiziell Einsatz zugegeben. Englischer Verteidigungsminister Hoon erklärte diese für "völlig legal" — 100-fach werden diese Streubomben abgeworfen; eine große Bombe explodiert noch in der Luft, gibt rund 200 kleine Bomben frei, die über einen weiten Raum verteilt, zu Boden fallen und nicht alle sofort detonieren. Nach Angaben der BBC bleiben bis zu 30% dieser Bomben liegen, und sind dann noch jahrelang eine tödliche Gefahr für jeden, der auch nur in ihre Nähe kommt, also auch und vor allem Zivilisten. Dessen ungeachtet, hat Verteidigungsminister Hoon mehrfach gegen jede Kritik verteidigt: " — am besten geeignet für den Einsatz gegen größere Ziele. — — — Auch im letzten Golfkrieg 1991, Kosovo und Afghanistan benutzt — — — die langfristigen Folgen für Zivilisten einfach entsetzlich: Rund 200 Tote hat es — laut "Landminen-Aktion" — im ersten Jahr nach Ende des Kosovo-Konflikts gegeben, zehn (10) Mal so viele Menschen wurden nach dem Ende des Golfkrieges 1991 Opfer, dieser tückischen Blindgänger, besonders viele Kinder. ↳ tödlichen

Die nicht explodierten, kleinen Bomben sehen aus wie bunte Getränke-Dosen oder aber wie harmloses Spielzeug:

hierzu:

Kommentar von

Andreas Zumbach.

Bomben ein Verstoß gegen das humanitäre Völkerrecht, wenn dieses Recht überhaupt einen Sinn machen soll. Doch eine entsprechende öffentliche Feststellung vermeidet leider selbst das Inter-

Andreas Zumack kommentiert:

"Echo des Tages."

Mit ihrem Krieg gegen Irak verstoßen die USA und Großbritannien gegen das Gewaltverbot der UNO-Charta und damit gegen die zentrale Bestimmung des seit Ende des 2. Weltkrieges vereinbarten Völkerrechts. Die entsprechenden Formulierungen der UNO-Charta sind eindeutig, konkret und lückenlos, und lassen keine anderen Interpretationen zu. Weniger klar scheint die Lage hinsichtlich des in den vier (4) Genfer Konventionen von 1949 formulierten humanitären Völkerrechts.

Die Konventionen sollen zur Zivilisierung der Kriegsführung beitragen. Oberste Priorität hat dabei der Schutz der Zivilbevölkerung. Wer diese völkerrechtliche Verpflichtung ernst nimmt, für den kann der Einsatz von Streubomben – wie ihn die USA im Irak-Krieg praktizieren – unter keinen Umständen eine Option sein. Denn die Genfer Konventionen verbieten grundsätzlich und ausnahmslos den Einsatz von Waffen und Munition, deren Wirkung sich nicht verlässlich auf militärische Ziele beschränken läßt; das ist bei Streubomben eindeutig der Fall. Denn nach ihrem Abwurf oder Abschuss verstreut eine Streubombe Tausende kleine, hoch-explosive Sprengkörper über die Fläche mehrerer Fußballfelder. Die im Golfkrieg von 1991 von den US-Streitkräften eingesetzte Streubomben töteten oder verstümmelten über 4000 (vier-tausend) irakische Zivilisten – viele von ihnen wurden nicht unmittelbar Opfer der Streubomben, sondern erst als sie Tage, Wochen oder Monate später auf nicht-explodierte Sprengkörper trafen. Angesichts dieser Auswirkungen auf die Zivilbevölkerung ist der Einsatz von Streubomben ein Verstoß gegen das humanitäre Völkerrecht, wenn dieses Recht überhaupt einen Sinn machen soll. Doch eine entsprechende öffentliche Feststellung vermeidet leider selbst das Inter-

das Internationale Komitee vom Roten Kreuz, obwohl das IKRK die Einhaltung der Genfer Konventionen überwachen soll, viel zu defensiv beschränkte sich das IKRK auch vor Beginn dieses Krieges in seinen Appellen zur Beachtung des humanitären Völkerrechts auf die allgemeinen Verbots-Bestimmungen der Genfer Konventionen. Streubomben oder andere Waffen, deren verheerende Auswirkungen auf die Zivilbevölkerung aus vergangenen Einsätzen bekannt sind, wie etwa Atombomben oder uran-gekärte Munition, werden in den Konventionen nicht ausdrücklich genannt. Daher warnte das IKRK die USA, Groß-Britannien und Irak ausdrücklich nur vor dem Einsatz von chemischen und biologischen Waffen. Denn einzig diese beiden Waffenkategorien sind bislang durch separate internationale Rüstungskontroll-Verträge ausdrücklich verboten, die auch von Washington, London und Bagdad ratifiziert wurden. Zu einem Verbot von Streubomben waren viele Staaten, auch Deutschland, bislang nicht bereit. Damit erweisen sich die, im humanitären Völkerrecht vereinbarten Regeln zur Zivilisierung des Krieges erneut weitgehend als Alibi und Illusion.

Andreas Zumach
kommentierte.

[home](#) / [subscribe](#) / [about us](#) / [books](#) / [archives](#) / [search](#) / [links](#) / [feedback](#)

"America's Best Political Newsletter" Out of Bounds Magazine

counterpunch

edited by alexander cockburn and jeffrey st. clair

New Special Double Issue on the War Print Edition of CounterPunch Available Exclusively to Subscribers: The US vs. Iraq: the Thirteen Year War; The Sanctions That Killed; Bombing Iraq Every 3 Days Since the Ceasefire of 1991; What Would Gore Have Done?; The Rise of the Neocons; Israel's Proxy War Plan; Why Did It End So Quickly?; The Coming Occupation; Re-educating Iraqis, American-style; Those Reconstruction Contracts; Media Hawks; Christian Crusaders; Democratic Candidates and the War; Smart Bombs Go Haywire; Inside the Mind of Santorum; Gore Vidal on John Kerry; Thomas Pickering: the Bad Seed. Remember, the CounterPunch website is supported exclusively by subscribers to our newsletter. Our worldwide web audience is soaring, with more than 60,000 visitors a day. This is inspiring news, but the work involved also compels us to remind you more urgently than ever to **subscribe** and/or make a **(tax deductible) donation** if you can afford it. If you find our site useful please: **Subscribe Now!**

Or Call Toll Free 1-800-840 3683 or write CounterPunch, PO BOX 228, Petrolia, CA 95558

May 3, 2003



Ticking Time Bombs in Iraq

The Continuing Danger of Cluster Bombs

By JOANNE MARINER

Human rights groups criticize cluster munitions for the threat they pose to civilians; the Pentagon defends them for their effectiveness. With the Iraq War, the debate over cluster bomb use has a new test case.

The U.S. military used cluster munitions in 1991, during the Persian Gulf War; in 1999, during the Kosovo conflict; and in 2001 and 2002 in Afghanistan. The resulting civilian casualties led human rights groups to urge the Pentagon not to

Recent Stories

May 1, 2003

Jeffrey St. Clair
[Santorum: That's Latin for Asshole](#)

Iain Boal
[A May Day Message to the FCC: "We Are Many;](#)

<http://www.counterpunch.org/mariner05032003.html>

5-5-03

"They are Few"

Diana Johnstone
About Cuba

Sam Hamod
Killings at Al Fallujah,
City of Mosques

Veteran Intelligence
Professionals for Sanity
Intelligence Fiasco

Lee Sustar
Greed Air: Airline
Workers Agree to Pay
Cuts, While Bosses Stuff
Their Pockets

Peter Linebaugh
May Day at Kut and
Kenthal

Stew Albert
Straight Shooters

Steve Perry
Bush's War Web Log
5/01

 Website of the Day
South Bay Mobilization

April 30, 2003

Ashley Smith
Under Uncle Sam's
Thumb: a History of
Washington's
Occupations

Steve Perry
Bush's War Web Log
4/30

Gary Leupp
Shooting Schoolboys:

deploy the weapon in or near populated areas during the war in Iraq.

Recent statements by the chairman of the Joint Chiefs of Staff suggest that the Pentagon has taken heed of this advice. At a press conference in Washington last Friday, General Richard B. Myers said that U.S. and British forces had dropped "nearly 1,500 cluster bombs of varying types" during the Iraq War, but that only twenty-six of these bombs had hit targets within 1,500 feet of civilian neighborhoods.

The result, he noted with satisfaction, was "only one recorded case of collateral damage" caused by cluster munitions. (This means, in non-military-speak, that only one civilian was killed or injured.)

It would be heartening to think that the Pentagon is finally getting the message. Although twenty-six cluster bombs aimed at or near civilian areas are twenty-six too many, they obviously represent a tiny proportion of the total ordnance used in Iraq.

Unfortunately, Myers' figures are highly disingenuous. They only cover air-dropped cluster munitions, not the surface-launched type that are believed to have caused many more civilian casualties in Iraq. Not only that, but unexploded cluster bomblets, lying in wait for future victims, are likely to increase the toll of civilian deaths and injuries.

What Cluster Bombs Are

Cluster bombs are large weapons that contain dozens and often hundreds of smaller submunitions. They come in over 200 models and can be delivered from the air or the ground, releasing "bomblets" or "grenades" respectively.

Because of the wide dispersal pattern of their bomblets, cluster munitions can destroy broad, relatively "soft" targets, such as airfields and surface-to-air missile sites. They are also effective against targets that move or do not have a precise location, such as enemy troops or

Preliminary Thoughts on
the Fallujah Massacre

Robert Jensen
Fighting Alienation in the
USA

Wayne Madsen
The Four Horsemen of
Propaganda

Ahmad Faruqui
Bush's Strategic Myopia
About the Middle East

Gabriel Kolko
Iraq, the US and the End
of the European Coalition

Adolfo Perez Esquivel
A Nobel Laureat's Letter
to Bush: "You Talk of
Freedom; You Detest
Freedom"

April 29, 2003

Gary Leupp
Disorder and
Opportunity: the Results
of the Iraq War

Uri Avnery
Don't Envy Abu-Mazen

Anthony Gancarski
Brush with the Law

Mickey Z.
POWs: Then and Now

CounterPunch Wire
How to Spin Israel on the
Hill: Internal Lobbying
Documents

vehicles.

The Dangers of Cluster Bomb Use

It is precisely the qualities that make cluster bombs militarily desirable that make them so dangerous to civilians. From the humanitarian perspective, the weapons have two main problems: they are difficult to target accurately, and they leave large numbers of unexploded bomblets, or duds.

Cluster bombs cannot be precisely targeted. Once a cluster casing opens, it releases hundreds of unguided bomblets that disperse over a wide area. The wide dispersal pattern of these submunitions makes it very difficult to avoid civilians if they are in the area in which the cluster bombs are dropped.

Cluster bombs also produce problematic aftereffects because many of the bomblets do not explode on impact as intended. While all weapons have a failure rate, cluster bombs are more dangerous because they release such large numbers of bomblets. As a result, every cluster bomb leaves some unexploded ordnance.

This high dud rate puts civilians at great risk. Unexploded bomblets become like landmines: they lie in wait, killing civilians who visit the battlefield days or weeks after an attack is over. Some people consider cluster bomblet duds even worse than landmines because of their extreme volatility.

Sadly, children are particularly vulnerable to unexploded bomblets because of their curiosity and failure to understand danger. On Sunday, the Los Angeles Times reported the case of Nabil Khalil, age 14, hospitalized in Kirkuk after playing with a cluster bomblet that he found in an abandoned Iraqi army camp. He lost one hand, suffered severe face injuries and can barely open his eyes.

Deploying Cluster Bombs in Iraqi Cities

It is because of these dangers that human rights

Robert Fisk
Did the US Murder Journalists?

Chris Floyd
Bush Telegraphs His Punches on Syria

Wayne Madsen
About Those Iraqi Intelligence Documents

Wallace Gagne
Pilgrimage or Demolition Derby?

Eliot Katz
Playing Catch with Cracked Globes

Steve Perry
Bush's War Web Log 4/29

April 28, 2003

Ann Harrison
Fighting Back: Medical Marijuana Patients Sue Ashcroft

Robert Jensen
Lack of WMD Kills the Case for War

Peter Phillips
Total Information Control

Ron Jacobs
Get the US Out of Iraq and Its Military Out of Our Minds

Mark Hand
Peace Park: The Pentagon Solution to a Baseball Stadium

groups contend that cluster bombs should never be deployed in civilian areas. While the Pentagon has offered figures indicating low use of air-dropped cluster bombs in Iraqi cities, it has not provided similar information regarding ground-based cluster munitions.

According to Human Rights Watch, the U.S. Army did, in fact, use ground-based cluster munitions in populated areas of Baghdad, as well as other Iraqi cities. Its researchers believe that these weapons caused many more civilian casualties than did air-based cluster bombs.

Media reports have confirmed these claims. Several journalists have provided eyewitness accounts of cluster munitions use against populated areas in the southern part of Baghdad. Newsday reported on April 15 that two children were killed, and one seriously injured, when a cluster munition they were playing with exploded.

"Tough Choices"

At Friday's press conference, discussing cluster bomb use, General Myers talked about the "tough choices" that the military faces in making targeting decisions. But some choices should not just be tough; they should be excluded.

The record shows that the military should not use cluster bombs of any type in populated areas. Moreover, given the weapon's terrible impact on civilians, the Pentagon should reconsider whether the cluster bomb is necessary to its arsenal.

Joanne Mariner is a human rights attorney. An earlier version of this piece appeared in FindLaw's Writ. She can be reached at: mariner@counterpunch.org.

Yesterday's Features

Jeffrey St. Clair
Santorum: That's Latin for Asshole

Iain Boal
A May Day Message to the FCC: "We Are Many; They are Few"

Clusterbommen

Meiy
'Op humanitaire gronden', is volgens internationale conventies het inzetten van massavernietigingswapens verboden. Onder massavernietigingswapens rekent men ondermeer nucleaire, biologische en chemische strijdmiddelen. In de oorlog tegen Joegoslavië gebruikt de NAVO, zoals openlijk wordt toegegeven de zogenaamde 'clusterbommen'. Door hun nietsontziende vernietigende uitwerking zijn ook deze in diverse internationale conventies niet toegestaan. Clusterbommen worden in (twee) containers onder aan vliegtuigen vervoerd. Elke container bevat tweehonderdveertig clusterbommen. Als de container is afgeworpen ontploft deze waardoor er een regen van aan kleine parachutes neerdalende clusterbommen ontstaat die op hun beurt weer exploderen. Tijdens de explosies ontstaat in een gebied van 150 meter bij één kilometer, een vuurzee en een soort tornado van rondvliegende scherven. De bomscherven veroorzaken zeer ernstige verwondingen door hun grootte, hun zeer hoge temperatuur en hun snelheid door de kracht van de explosie. De containers en de bommen zijn van Amerikaans fabrikaat.

Effectief en goedkoop

Clusterbommen zijn vooral zeer effectief tegen personen, maar ook tegen voertuigen en gebouwen. Naar nu bekend is, zijn clusterbommen ingezet boven grote steden als Nisj, Belgrado en Pristina. Alleen al op de regio rond Granica, ten zuidoosten van Pristina, bekend door het vlakbij gelegen Orthodoxe klooster, werden 14 containers met in totaal 3.500 clusterbommen afgeworpen! Een waar bommentapijt. In vergelijking met de zogenaamde 'smart weapons' kunnen clusterbommen niet worden 'gestuurd' en zijn zij daarom minder precies. 20 tot 30 procent van de bommen ontploft niet. (Waardoor zij later, met name voor de burgerbevolking extra gevaar opleveren). Daar staat echter tegenover dat zij in vergelijking met precisiewapens relatief goedkoop zijn, een gemeenschappelijk kenmerk van massavernietigingswapens. ■

(viki@net.yu);

3-6-99



Vergaderjaar 1998-1999

Aanhangsel van de Handelingen

Vragen gesteld door de leden der Kamer, met de daarop door de regering gegeven antwoorden

1570

Vragen van het lid **Marijnissen** (SP) aan de ministers van Buitenlandse Zaken en van Defensie over *burgerslachtoffers bij de NAVO-aanvallen op Servië*. (Ingezonden 3 juni 1999)

1 Kent u het bericht «NAVO erkent opnieuw missers»?¹

2 Kunt u bevestigen dat de NAVO vandaag een flat in Novi Paraz heeft beschoten en dat daarbij burgerslachtoffers zijn gevallen?

3 Waren de raketten die de flat troffen eigenlijk bedoeld voor een televisiestudio? Zo ja, is de televisiestudio in Novi Paraz naar uw mening een legitiem militair doel?

4 Acht u het een legitieme militaire strategie een vermeend militair doel te bestoken dat zo dicht bij een burgergebouw is gevestigd dat een misser onvermijdelijk burgerslachtoffers tot gevolg zal hebben? Zo ja, kunt u dat dan uitleggen? Zo neen, wat gaat u doen om de NAVO te bewegen haar strategie te herzien?

5 Kent u de berichten «NAVO-raketten raken brug: 11 doden»² en «Negen doden door aanval van NAVO op brug»³

6 Kunt u bevestigen of bij de NAVO-aanval op de brug in Varvarin negen, elf of meer burgerslachtoffers zijn gevallen?

7 Bent u het eens met de bewering van de NAVO dat de brug in Varvarin een legitiem militair doelwit was? Zo ja, wat is de militaire relevantie van deze specifieke brug?

Zo neen, bent u voornemens uw mening over de militaire relevantie van dit doelwit binnen de NAVO kenbaar te maken?

8 Bent u van mening dat het aanvallen van een brug op het middaguur van de orthodoxe pinksterdag een legitieme militaire strategie is en dat op deze wijze voldoende wordt geprobeerd burgerslachtoffers te vermijden?

9 In hoeverre acht u deze aanval in overeenstemming met bewering van de NAVO in haar acties alles te doen om zoveel mogelijk burgerslachtoffers te vermijden? Bent u van mening dat deze pretentie bijstelling behoeft in het licht van deze aanval? Zo neen, waarom niet? Zo ja, wat gaat u binnen NAVO-verband ondernemen om de in haar publicaties en persconferenties voorgestelde zorgvuldigheid meer in overeenstemming te brengen met de werkelijkheid?

10 Ziet u in de NAVO-aanval op de brug bij Varvarin een verschuiving in de NAVO-strategie met betrekking tot het kiezen van militaire dan wel burgerdoelen? Zo neen, waarom niet? Zo ja, bent u het eens met deze verschuiving of gaat u uw afkeuring hiervan in NAVO-verband kenbaar maken?

11 Eisen de luchtaanvallen op Joegoslavië steeds vaker en steeds meer burgerslachtoffers? Zo ja, bent u dan ook van mening dat er inmiddels sprake is van een nieuwe balans in de relatie tussen militaire doelen en burgerslachtoffers en bent u bereid deze balans opnieuw te evalueren?

12 Bent u bekend met het rapport van de VN Hoge Commissaris voor Mensenrechten, mevrouw Robinson, over onder andere haar bezoek aan Nis op 12 mei en haar ervaringen met clusterbommen die daar door de NAVO werden afgeworpen?⁵

13 Waren op dat moment een vliegveld en een radiostation het doelwit van de bombardementen?

14 Zijn bij die aanval een marktplaats, een ziekenhuis en een school getroffen?

3-6-99



Vergaderjaar 1998-1999

Aanhangsel van de Handelingen

Vragen gesteld door de leden der Kamer, met de daarop door de regering gegeven antwoorden

1570

Vragen van het lid **Marijnissen** (SP) aan de ministers van Buitenlandse Zaken en van Defensie over *burgerslachtoffers bij de NAVO-aanvallen op Servië*. (Ingezonden 3 juni 1999)

- 1 Kent u het bericht «NAVO erkent opnieuw missers»?¹
- 2 Kunt u bevestigen dat de NAVO vandaag een flat in Novi Paraz heeft beschoten en dat daarbij burgerslachtoffers zijn gevallen?
- 3 Waren de raketten die de flat troffen eigenlijk bedoeld voor een televisiestudio? Zo ja, is de televisiestudio in Novi Paraz naar uw mening een legitiem militair doel?
- 4 Acht u het een legitieme militaire strategie een vermeend militair doel te bestoken dat zo dicht bij een burgergebouw is gevestigd dat een misser onvermijdelijk burgerslachtoffers tot gevolg zal hebben? Zo ja, kunt u dat dan uitleggen? Zo neen, wat gaat u doen om de NAVO te bewegen haar strategie te herzien?
- 5 Kent u de berichten «NAVO-raketten raken brug: 11 doden»² en «Negen doden door aanval van NAVO op brug»³

6 Kunt u bevestigen of bij de NAVO-aanval op de brug in Varvarin negen, elf of meer burgerslachtoffers zijn gevallen?

7 Bent u het eens met de bewering van de NAVO dat de brug in Varvarin een legitiem militair doelwit was? Zo ja, wat is de militaire relevantie van deze specifieke brug? Zo neen, bent u voornemens uw mening over de militaire relevantie van dit doelwit binnen de NAVO kenbaar te maken?

8 Bent u van mening dat het aanvallen van een brug op het middaguur van de orthodoxe pinksterdag een legitieme militaire strategie is en dat op deze wijze voldoende wordt geprobeerd burgerslachtoffers te vermijden?

9 In hoeverre acht u deze aanval in overeenstemming met bewering van de NAVO in haar acties alles te doen om zoveel mogelijk burgerslachtoffers te vermijden? Bent u van mening dat deze pretentie bijstelling behoeft in het licht van deze aanval? Zo neen, waarom niet? Zo ja, wat gaat u binnen NAVO-verband ondernemen om de in haar publicaties en persconferenties voorgestelde zorgvuldigheid meer in overeenstemming te brengen met de werkelijkheid?

10 Ziet u in de NAVO-aanval op de brug bij Varvarin een verschuiving in de NAVO-strategie met betrekking tot het kiezen van militaire dan wel burgerdoelen? Zo neen, waarom niet? Zo ja, bent u het eens met deze verschuiving of gaat u uw afkeuring hiervan in NAVO-verband kenbaar maken?

11 Eisen de luchtaanvallen op Joegoslavië steeds vaker en steeds meer burgerslachtoffers? Zo ja, bent u dan ook van mening dat er inmiddels sprake is van een nieuwe balans in de relatie tussen militaire doelen en burgerslachtoffers en bent u bereid deze balans opnieuw te evalueren?

12 Bent u bekend met het rapport van de VN Hoge Commissaris voor Mensenrechten, mevrouw Robinson, over onder andere haar bezoek aan Nis op 12 mei en haar ervaringen met clusterbommen die daar door de NAVO werden afgeworpen?⁵

13 Waren op dat moment een vliegveld en een radiostation het doelwit van de bombardementen?

14 Zijn bij die aanval een marktplaats, een ziekenhuis en een school getroffen?

3-6-99

15

Bent u nog steeds van mening dat clusterbommen alleen worden geworpen op grote militaire doelen, waarbij de kans op collaterale schade gering is, of van een hoogte waarbij zij nauwkeurig op het doel kunnen worden gericht? Zo ja, hoe intentieel is dan het relaas van mevrouw Robinson over de aanval op Nis waarbij het centrum van de stad werd getroffen?⁴

16

Bent u van mening dat het een legitieme militaire strategie is clusterbommen te gebruiken op of nabij burgerdoelen?

¹ Teletekst NOS 1 juni jl., 15.30 uur.

² Algemeen Dagblad, 31 mei jl.

³ Volkskrant, 31 mei jl.

⁴ Zie antwoorden van de minister van Defensie op vragen van het lid Van Bommel, Aanhangsel Handelingen nr. 1410, vergaderjaar 1998-1999.

⁵ «Report by the High Commissioner on Human Rights on the situation of human rights in Kosovo» (VN Genève, mei jl).

NAVO inmiddels de procedures en voorzorgsmaatregelen aangescherpt. De luchtaanvallen van de NAVO zijn steeds gericht geweest op objecten die deel uitmaken van de infrastructuur die Milosevic in staat stelt zijn militaire campagne in Kosovo voort te zetten. Het ging hierbij met name om het afsnijden van de aanvoerlijnen voor eenheden van de VJ en MUP in Kosovo en het buiten gebruik stellen van opslag-, distributie- en communicatiefaciliteiten in de gehele FRJ. Het buiten gebruik stellen van dit soort infrastructuur kon dus ook gevolgen hebben voor de burgerbevolking.

12 t/m 16

De Regering kent het rapport van de VN Hoge Commissaris voor de Mensenrechten, mevrouw Robinson. Dit rapport geeft geen wijziging in het oordeel van de Regering over de inzet van clusterbommen.

Antwoord

Antwoord van minister **Van Aartsen** (Buitenlandse Zaken), mede namens de minister van Defensie. (Ontvangen 16 juni 1999)

1, 2, 5 en 6

De Regering kent de berichten over collaterale schade als gevolg van NAVO-luchtacties, waarbij burgerslachtoffers zijn gevallen. De NAVO bevestigt dat een flatgebouw in Novi Pazar is getroffen op 1 juni jl. Ook bevestigt zij dat een brug bij Varvarin is aangevallen op 30 mei jl. Hierbij zijn mogelijk slachtoffers gevallen. De NAVO heeft beide incidenten nog in onderzoek.

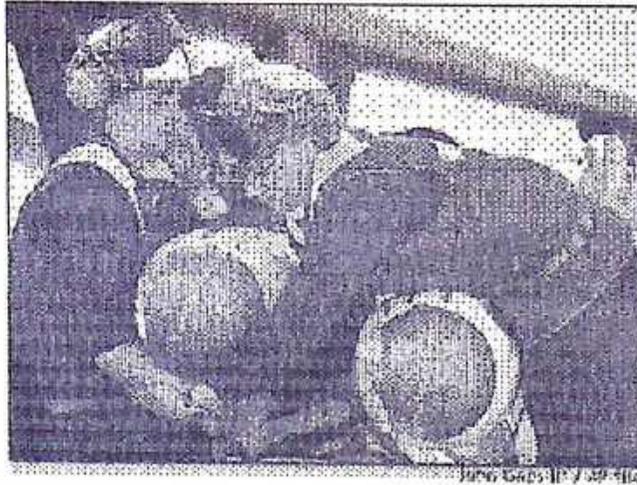
3, 4, 7, 8, 9, 10 en 11

De Regering betreurt de genoemde voorvallen, maar wijst er op dat ondanks uitgebreide voorzorgsmaatregelen de aanwezigheid van burgers in de nabijheid van een doel nooit helemaal kan worden uitgesloten. Het valt daarom helaas niet uit te sluiten dat zich incidenten blijven voordoen waarbij onbedoeld burgerslachtoffers vallen. De Regering heeft desgevraagd al eerder gesteld dat de NAVO de grootst mogelijke zorgvuldigheid betrachtte bij de voorbereiding en uitvoering van de luchtaanvallen. Mede op aandringen van de Regering heeft de

10-6-99

Cluster bombs now NATO's problem

Dropped on the Yugoslavs, unexploded 'bomblets' may now plague peacekeepers



U.S. Navy ordinance personnel link arms while lifting a 500-lbs. cluster bomb under the wing of a Harrier Jump jet on the deck of the USS Kearsarge last month.

By Robert Windrem
NBC NEWS PRODUCER

NEW YORK, June 10 — Up to 10,000 unexploded U.S. "cluster bomblets" may litter the Kosovo landscape, American and human rights officials said Thursday, adding to a list of worries for NATO peacekeepers that already includes landmines, angry Serb locals and the Kosovo Liberation Army.

▶ COMPLETE STORY ▶

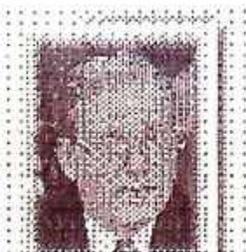
ADVERTISING ON MSNBC

books in the news on **DISPATCH**

CyberMax
New solutions to fit your growing business. Click Here...
The Entrepreneur Series

Business in a box

Where do you go to buy life insurance for less?



U.S. B1-B BOMBERS and F-16 warplanes dropped at least 1,000 cluster bombs on Kosovo since March 24, each containing 202 "bomblets" meant to explode after they disperse. The generally accepted rule of thumb in the U.S. military is that about five percent of cluster bombs fail to detonate, meaning there could be as many as 10,000 unexploded bomblets lying on the ground in



Kosovo.

In effect, these unexploded bombs act like land-mines, often detonating when stepped on. Unlike land-mines, however, the location of cluster bomblets cannot be mapped.

MSNBC Interactive

NATO's ground attack arsenal

■ Tactics and weapons used against Yugoslav armor

The problem is being taken very seriously. In Iraq, for instance, the last country to be subjected to this weapon, more civilians —

approximately 2,600 — have died from stepping on exploded bomblets since 1991 than died during the Gulf War itself.

Cluster bombs have been extremely controversial weapons for some time, and there is an international movement akin to the anti-land-mine campaign seeking to ban them. Last month, Human Rights Watch condemned their use and issued a report on the damage they've done in past conflict.

"The duds that are left inside cluster bombs effectively turn into land-mines," said Joost Hiltermann, director of the Arms Division of Human Rights Watch. "And like anti-personnel land-mines, they kill civilians even years after the conflict has ended. NATO should stop using them immediately."

B-1B Lancer Bomber

long-range strategic bomber used to penetrate sophisticated enemy defenses. It's capable of flying intercontinental missions without refueling. Performs a variety of missions, including conventional weapons carrier for theater operations and delivery of nuclear weapons.



Length: 146 feet
Wingspan: 137 feet
Height: 34 feet
Altitude: 30,000 + feet
Speed: over 900 mph

While a much lower number of cluster bombs were dropped on Yugoslavia war than during the Gulf War, the concentration of bombs were dropped in northwest and southwest Kosovo, precisely where refugees and their military escorts will be entering the country from Albania and Macedonia.

NBC's Robert Windrem is an investigative producer based in New York.

Clusterbommen

De vliegtuigen van de geallieerden wierpen tijdens de elf weken durende luchtoorlog honderden clusterbommen af. De 450 kilo zware bommen bestaan uit 202 kleinere projectielen, busjes gevuld met zo'n 1800 messcherpe metaalsplinters. Hun effect is dodelijk.

Op een afstand van elf meter gaan de splinters nog door pantserwagens, niet gepantserde voertuigen worden zelfs tot op 75 meter in schroot veranderd. Om over mensen maar te zwijgen.

Mensenrechtenorganisaties zoals Human Rights Watch hebben al tijdens de oorlog geprotesteerd tegen het gebruik van dergelijke bommen. Behalve dat het 30.000 gulden kostende explosief verre van 'humaan' is, kleeft er nog een nadeel aan de CBU-87/b zoals het wapen in de militaire folders staat.

Knalgeel

Een deel van de bommen explodeert namelijk niet als ze op de grond komen. Daarom zijn ze ook knalgeel geverfd, dan zijn ze tenminste nog te vinden.

Het kan zo zijn dat de 'moederbom' zich niet heeft geopend of dat de kleine busvormige projectielen niet exploderen. Bijvoorbeeld omdat ze in zachte aarde vallen.

Afhankelijk van welke expert je het vraagt bedraagt het aantal niet geopende busjes van enige honderden tot duizenden.

Dat is slecht nieuws voor de burgers van Kosovo. Volgens de Verenigde Naties hebben niet geëxplodeerde clusterbommen sinds 1991 in Irak ten minste aan 2600 burgers het leven gekost. Het merendeel daarvan kinderen. Ouders in Kosovo doen er daarom goed aan hun kinderen snel te leren wat in de wereld van insecten al bekend is; geel is de kleur van gevaar.

11-7-94

Take the use of cluster bombs--a weapon used with increasing frequency as the war progressed. Made up of more than 200 individual bomblets that float down on small parachutes, cluster bombs are often used against enemy troop concentrations and armored columns. They are not precision weapons. Apart from the fact that they are relatively inexpensive, their main advantage, from a military point of view, is that a single bomb can be used to hit targets over an area the size of several football fields. But this is also their main drawback: If a cluster bomb goes astray--a statistical inevitability in a large-scale bombing campaign--the results can be devastating.

Human Rights Watch, an independent human rights organization, condemned NATO's use of cluster bombs against Yugoslavia as a violation of internationally accepted rules of warfare. A protocol to the 1949 Geneva Convention--negotiated in 1977 but never ratified by the United States--prohibits "indiscriminate" methods of combat or attacks that cannot be "limited" to military objectives (Article 51, Protocol 1).

A further objection to cluster bombs is their high failure rate. According to NATO figures, 1,100 cluster bombs were dropped on Yugoslavia during the course of the campaign, approximately 40 percent on Kosovo and 60 percent on the rest of Serbia. Working from a conservatively estimated failure rate of around 5 percent, this means there are probably at least 11,000 unexploded bomblets scattered around Yugoslavia. The objects--each about the size of a soda can--constitute a continuing danger to soldiers, civilians and children, who are attracted to the brightly colored cans. Last month, two British Gurkha soldiers in Kosovo were killed as they were attempting to defuse the remnants of a cluster bomb that fell on a school.

The Geneva Convention and other international laws codify rules of warfare that have evolved over the centuries in an attempt to spare civilians. NATO strongly denies deliberately targeting civilians--and there is no evidence to suggest otherwise--but it is obvious to anyone who visited Serbia during the war that undermining civilian morale formed an essential part of the alliance's war-winning strategy. Milosevic was unlikely to raise the white flag as long as he had the political support of the Serbian population. To erode this support, NATO gradually expanded its campaign to go after factories, water supply systems, heating plants, television stations and electric power grids, which most people would regard as predominantly civilian targets. When I asked Pentagon spokesman Ken Bacon to speculate on the reasons for Milosevic's surrender, the first factor he mentioned was "the increasing inconveniences that the bombing campaign was causing in Belgrade and other cities."

The key test for the Pentagon in selecting a civilian target was whether it could be described as "dual use." Hitting an electric power grid primarily benefiting civilians was legitimate as long as it could be said to contribute in some way to Milosevic's "command and control system." As the campaign wore on, NATO planners stretched the definition of dual use to the point where Serbs joked darkly that even bread shops had become a potential NATO target, "as soldiers also eat bread."

According to a strict interpretation of the Geneva Convention, many of these targets would be out of bounds. The 1977 protocol (Article 85) prohibits attacks that result in "an excessive loss of life or injury to civilians, or attacks on undefended or demilitarized areas"--a definition that would appear to preclude attacks on buildings in downtown Belgrade or other Serbian cities. "The general rule is that you do not jeopardize civilians if there is any way to avoid it," says Washington lawyer Walter J. Ruckler, a former U.S. Marine who prosecuted Nazi war criminals at Nuremberg.

12-5-99

BELGRADE, May 12 (AFP) - NATO planes again targeted the southern Serbian town of Nis in a daylight raid Wednesday, injuring at least five people, a local official told AFP by phone.

Cluster bombs fell on the residential area in the heart of the town during a raid which lasted from 2:15 p.m. till 3:15 p.m. (1245-1315 GMT), said Aleksandar Ljubić of the local Nis council.

He said there "are injured" but did not know if anyone had been killed.

Igor Mijovica, a surgeon at the local hospital, said that five wounded people had been admitted for treatment.

Serbian media reported that several missiles were also fired at the industrial zone around the town's airport.

The attack came as UN Human Rights High Commissioner Mary Robinson was due to visit Nis, 220 kilometers (135 miles) south of Belgrade.

On Tuesday, one man was killed and five people were injured in a daylight NATO raid on the town. Last Friday several cluster bombs landed in the town center, killing 15 people and injuring another 70.

More casualties in Yugoslavia after NATO bombing.

BELGRADE, May 12 (Itar-Tass) - Dragana Dinić, four years old, was killed by NATO planes on the 50th day of the aggression against Yugoslavia. She died in a suburb of the city of Lipjan, Kosovo, together with two more people.

One died and five were injured during the bombing of storage facilities of the Energo gas company in Nis, the press centre of the Yugoslav army reported on Wednesday.

Two died and three were injured during the bombing of the city of Vlačića Han. Five people, including three physicians, were injured in the city of Čačak. Five people were injured and some 30 civilian buildings were destroyed in the city of Kraljevo. "On the 50th day of the aggression, the targets included mostly the already destroyed production facilities. There were several new targets too," the report of the press centre of the Yugoslav army said.

KRALJEVO: (13:00 - 13:45) The enemy aircraft raided the surrounding area of the town. Once more, four missiles were launched on the village of Ladjevci.

KRAGUJEVAC: (13:45) NATO struck the village of Leskovac on Kragujevac - Kraljevo road in the municipality of Knje. Two persons have been injured.

NIS: (14:55) In the 23rd attack NATO aircraft targeted industrial zone in the northwest part of the city. Several cluster bombs were dropped on the city zone, while the enemy fired 20 missiles at several villages in the vicinity of Nis. Fourteen people were injured. The YA Air Defenses energetically responded to the air attacks of NATO planes.

PIROT: (15:00) Villages in the vicinity of the town were attacked with five missiles for the fourth time since the aggression on the FR Yugoslavia started. TV relay tower and a long-distance power line were hit.

PRISTINA: (22:45) NATO Air Force continually attacks the capital of the southern Serbian province. Last night strong detonations came from the direction of Mt. Gole, which was attacked four times during the night. Slatina civilian airport was attacked, as well as some dozen other town in KosMet.

BELGRADE: (04:15) Several strong detonations were registered in the suburb of Batajnica in the west from the city center.

NOVI SAD: (04:15) The RTS building, which had been attacked for the first time on May 3rd, 1999, was struck again with ten missiles and completely destroyed. Another four detonations were heard from the direction of Mt. Truska Gora. In the capital of Vojvodina a large number of housing facilities were damaged.

PANCEVO: (04:10) Around 04:10 and 04:27 hrs two strong detonations were heard in this town, which has been already attacked about ten times by the enemy.

NATO AIRCRAFT AGAIN TARGET BATAJNICA AREA NEAR BELGRADE

BELGRADE - NATO aircraft fired at least four missiles on the area of Batajnica near Belgrade at around 4.15 a.m. local time on Thursday, the city's emergency centre reported.

Strong detonations were heard in the area, the centre said.

SEVERAL DETONATIONS ROCK PANCEVO AREA NEAR

SERBIA'S KOSOVO-METOHJA

PRISTINA, Serbia - Yugoslav air defence systems shot down two pilotless NATO planes over the Yugoslav republic of Serbia's Kosovo-Metohija province, as NATO aggressors overflow the area in waves late on Wednesday and during the night.

The first aircraft fell at the village of Talinovec, near the Pristina-Urosevac road at around 4.45 p.m., and the other, in the very centre of Urosevac at around 6.40 p.m., according to the province's information centre.

In another of its countless raids on the area, NATO planes fired a number of missiles on Mt Golea in the Lipljan municipality at around 9.30 p.m.

U.N. DELEGATION TOURS SERBIA'S NATO-DEVASTATED NIS

NIS, Serbia - The United Nations' inter-agency humanitarian delegation, which arrived in Yugoslavia on Sunday, visited late on Wednesday the NATO-ravaged city of Nis in the southeast of the Yugoslav republic of Serbia.

The delegation, headed by Under Secretary General for humanitarian affairs Sergio Vieira de Mello of Brazil, toured the industrial facilities in the city's northwestern industrial zone devastated in savage NATO air strikes.

Accompanied by District Administrator Jovan Zlatić, the delegation inspected the havoc wreaked on the city's industry by NATO in its unlawful brutal aggression on Yugoslavia, now in its 57th day.

Earlier on Wednesday, the delegation visited also the towns of Aleksinac, Cuprija and Kragujevac, all extensively damaged in NATO air strikes.

NATO KILLS 4, WOUNDS 19 CIVILIANS IN ATTACK ON GNJILANE

GNJILANE - Four civilians were killed and 19 were wounded in the NATO attack on an industrial suburb of Gnjilane, Serbia's Kosovo-Metohija province, at 10.20 a.m. Wednesday.

Three women working in the Mladost restaurant were killed outright, and a worker of the Binacka Morava company died of his wounds later. The 19 wounded are in intensive care, Gnjilane hospital Director Dr. Dragan Mihailovic told Tanjug.

Rescue teams are still searching the ruins for other casualties.

NATO warplanes fired one missile each at 10.20 a.m. at the administration building of the Binacka Morava company, the restaurant Mladost and the workshop of the transport company

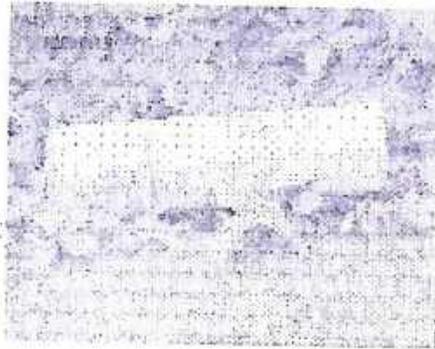
12-5-99

POLITICS

Criminals hit the apartment area by cluster bombs

May 12, 1999

Nis, 12 May, 1999 (Tanjug) - The NATO criminals hit several cluster bombs on the apartment area in the Eastern Nis, provoking the crime on the civilians.



The Tanjug correspondent says that the bombs were hitting the apartment area "Duvaniste", "Medijana" in the Sreten Mladenovic and Lenin Boulevards, and the Majakovski and Branko Mladenovic Streets.

The Primary School and the High School were the targets. The Primary Schools "Filip Filipovic" and "Cekekula", The High Schools - The School of Economy, The Business School, The School of Catering and the area near The Geriatric Center.



Cluster bomb victim

According to the so far available informations, there were some injured civilians.

The private house was hit in the Majkovski Street and burned in flames. The damage is huge,

The Tobacco Industry Nis was the target of the NATO barbarians today - "The Tobacco Industry" still under the construction, "Nis -

Electric", The Industry of Hardware in Crveni Krst, "Feroks" - the firms in the Northwest area of the industrial zone.

The Medosevac colony was again the NATO criminal's target. A house was on fire.

The Camurlija area in the Northwest of Nis was also hit.



According to the Chief of the County civilian headquarters for Nis, Dr. Jovan Zlatic, the attac

12-5-99

came from the South, the West and the East at 14,55 p.m. and lasted till 15,20.



Civilian houses all time on target

Zlatic stresses that the Eastern apartment zone of the town is the restricted area for circulating around because of the subsequent explosions of the cluster bombs.

Kragujevac , 12, May, 1999 (Tanjug) - Two persons were injured in today's attack of the NATO aggressor on the Gruza village near Leskovac, between Kragujevac and Kraljevo. The five missiles were launched on it at 13,45 p.m.

According to Tanjug, the damage is huge as the great number of the village houses were damaged.

The NATO aviation launched at the same time a missile on the Gruza village Konjusa, between Kragujevac and Gornji Milanovac.

Pirot, 12, May (Tanjug) - Today, some time after 15 p.m. The criminal NATO aviation was bombing Pirot county.

According to Tanjug, two missiles hit the field between the villages Izvor and Polska Rzana and one missile hit the area above the village Sreckovac, where one missile was launched last night.

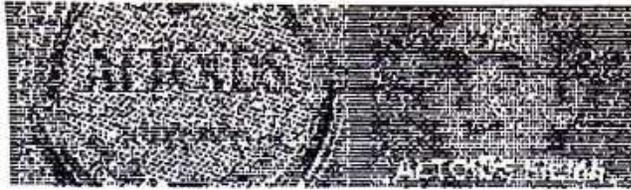
One bomb hit the area in Bela Palanka county.

The Anti-Aircraft Defence of the Yugoslav Army strongly stroke back and soon drove away the aggressor.

According to the first informations from the County Civil Headquarters in Pirot, there were no casualties.

Kraljevo , 12, May (Tanjug)- The NATO aggressor launched many missiles on Ladjevci village, 20 km the Northwest of Kraljevo, today at 13,25 p.m.

The Anti-Aircraft Defence of the Yugoslav Army strongly stroke back.



CURIOUS?

CLICK HERE



Welcome, Guest

[Personalize News Home](#)

Yahoo! News Tue, May 20, 2003

Search for

Questions Linger About Hillah Battle

Sat May 17, 1:45 PM ET

By CHARLES J. HANLEY, AP Special Correspondent

HILLAH, Iraq - The telltale evidence is everywhere: in the pattern of blast marks gouged in a schoolyard's concrete, in the yellow metal casings that once held small bombs, in the bomblets themselves.



Latest news:

- [Kirkuk edges to democracy, but ethnic tensions simmer](#)
AFP - 25 minutes ago
- [Russia expects UN deal on Iraqi sanctions this week: Ivanov](#)
AFP - 39 minutes ago
- [Top Briton in Iraq sees no elections for "one to two years"](#)
AFP - 44 minutes ago

[Special Coverage](#)

"They're all over. They're even in people's bedrooms," said one bomb disposal specialist.

A month after U.S. cluster munitions fell in a deadly shower on Hillah's teeming slums, U.S. forces drove toward victory in Baghdad, 55 miles to the north, the most telling evidence of the war. In the crowded, fly-infested wards of the city hospital, where the toll of dead and wounded mounts, the evidence is everywhere.

At least 250 Iraqis were killed and more than 500 wounded during 17 days of fighting in Hillah, most of them civilians and many the victims of cluster munitions, according to hospital staff. Leftover bomblets still kill or maim hapless civilians daily, they said.

As the pieces of the story of what happened in Hillah in late March and early April are pieced together, gaps and uncertainties remain, including the question of whether Iraqi troops were in the area when they were attacked.

On April 3, Brig. Gen. Vincent Brooks at U.S. Central Command indicated the matter was being investigated. The next day he added that U.S. targeting in such densely populated areas is "not precise."

A month later, the command's Lt. Herb Josey said, "It is correct to assume the investigation is still going on." The investigation has received no results yet, he said, without describing what the investigation consisted of.

While Gen. Richard Myers, chairman of the Joint Chiefs of Staff, confirmed last month that high-flying B-52s dropped cluster bombs during the push to Baghdad, the Pentagon ([news](#) - [web sites](#)) has not acknowledged the use of cluster bombs around Hillah.

Such weapons — delivered by rockets, howitzer shells and air-dropped bombs — open up before impact to scatter bomblets over wide areas, sometimes the size of a football field. They're considered effective weapons for attacking soldiers and vehicles and for blocking troop movements.

They were first used in the Indochina War, when U.S. aircraft dropped them on enemy jungle camps and supply lines. Unexploded bomblets still pose a hazard to civilians there. Leftover duds also inflict casualties in Afghanistan ([news](#) - [web sites](#)), Angola, Chechnya ([news](#) - [web sites](#)), Bosnia and Kuwait.

The use of such weapons is not explicitly banned under international law, but human rights groups think it should be at least prohibited in populated areas as too indiscriminate.

http://news.yahoo.com/news?tmpl=story2&cid=540&u=/ap/20030517/ap_on_re_mi_ea/iraq 20-5-03

They also point to the weapons' high "dud rate" — the percentage that don't explode on impact, leaving stray bombs the unsuspecting later. Military experts say artillery-fired cluster munitions have a dud rate of up to 5 percent, but Human Rights Watch claims the rates for some artillery types are three to four times higher.

Human Rights Watch on April 25 accused the Pentagon of a "whitewash," of minimizing in its public statement the effect of cluster munitions on Iraqi civilians by discussing only aerial bombs and not artillery shells, which the group caused most civilian casualties from cluster munitions in Iraq ([news - web sites](#)).

On March 31 and April 1, and apparently on later dates as well, cluster munitions fell among Iraqi peasants in their homes in Nadr, Amira, Kifl and other districts mostly on Hillah's southern edge.

Meeting with journalists in Washington recently, Lt. Gen. William Scott Wallace, who commanded the U.S. Army during the war, specifically mentioned Hillah among several southern cities where the Iraqi military "was much more than what we expected him to be."

The U.S. Army's 101st Airborne Division was pushing north through the green, irrigated countryside between the Tigris and Tigris rivers. Its next objective was Hillah, a town said to have been built centuries ago with bricks from the ancient Babylon.

First the paratroopers had to pass through the Nadr quarter, straddling Highway 8.

How the cluster munitions were delivered — by air or by artillery — is lost in confused Iraqi memories and in the silence on the subject. Wherever they came from, by April 1 hellish scenes were unfolding at Hillah Surgical Hospital. Journalists, bused to Hillah by Saddam Hussein ([news - web sites](#))'s Information Ministry, found dozens of dead civilians, many children, jammed into coffins and lying in hallways.

The besieged doctors reported 33 dead civilians and more than 300 wounded, many from Nadr.

Over 17 days, from all bombing and other fighting, the hospital's records indicate about 500 civilians were wounded. Hospital's director, Dr. Adil al-Himiri, said about 250 people were killed, both military and civilian. The death record is not available, because they were taken to Baghdad subsequently by an Iraqi doctor, he said.

Weeks after the attacks, some victims were still hospitalized, including 13-year-old Faleh Hassan, who lost a hand and needed several operations for severe foot wounds.

An uncle, Hadi Maraza, said five in Faleh's family were wounded. "I think it was artillery shells," Maraza said of the events. "Before landing they sent small bombs flying, like balls." He said no Iraqi soldiers were in the area. "It was shelling."

With Saddam's regime toppled, the hospital staff felt freer to talk by late April. What they said tended to justify the attacks.

"The old regime put military tanks in between the houses, and so they were bombed," said al-Himiri, the hospital director. "The truth. There were military targets."

Another doctor, surgeon Majid al-Khafaji, said he had heard similar stories from wounded people.

But the doctors acknowledged they hadn't gone to the bombed areas themselves. Civil defense workers who were immediately sent to the areas said they saw no sign of the Iraqi military there.

That agrees with what Nadr residents consistently said: The Iraqi military had set up mortars or artillery in Nadr's date-palm grove on the fringe of the slum, but had pulled out. Some believe they left days before the U.S. strikes; some think it was a day before.

Nadr is a place of tightly packed mud-brick homes, garbage-filled paths, herds of goats wandering along gullies, a schoolyard — a rare stretch of concrete — is pocked with an almost regular pattern of blast marks that appear from cluster bomblets. But there are none of the burned-out tanks, other military vehicles or destroyed weapons seen in areas where U.S. forces struck Iraqi troops.

Salem Farhan, 33, a factory worker, said Iraqi artillery in Nadr fired at distant U.S. troops and then withdrew a first cluster-bomb attacks. "They left a few soldiers behind, like neighborhood guards," he said. "Maybe the plan was to attack them."

Repeated U.S. shelling or bombing came as late as April 8, when Farhan's house was hit and a neighbor woman was killed as they took shelter in his yard. His two younger brothers were badly wounded. "There was no real resistance here," Farhan said.

Deaths still come daily, as duds explode when picked up, kicked or otherwise disturbed. "I've dealt with 300 cluster bombs one day," said Hillal Saadi, a civil defense explosives specialist, who destroys duds by piling them up and dynamiting them.

The Hillah area civil defense director, Hussein Jaber, said unexploded bomblets had been retrieved from schools and people's bedrooms.

A corner of his office's front lot is heaped with examples recovered from surrounding areas — from dark gray, spherical bomblets to two bulbous, 6-foot-long, yellow-green shells that held hundreds of bomblets.

Saadi, whose ordnance-disposal experience stretches back to the 1991 Gulf War ([news - web sites](#)), said the Iraqis adopted more advanced cluster munitions. For one thing, "there are more fragments," he said, and held up a metal shell stamped "Bomb, Frag, BLU-97A/B."

"Children were playing with this one when it exploded," he said. "Two were killed and six wounded. It happened before the fall of Baghdad" — that is, on April 5.

The BLU-97 is one of the most sophisticated U.S. cluster weapons, capable of scattering 40 bomblets over a 400-yard area and deadly against tanks as well as soldiers in the open.

At the same time that Hillah residents were unearthing mass graves of victims of Saddam's bloody repression, Al-Himiri, the hospital director, said they were recording as many as four deaths a day from exploding U.S. leftovers. Al-Himiri, the hospital director, clearly troubled even though he believes U.S. forces had legitimate military targets to attack.

"From a military point of view, it's justified," he said. "But from a humanitarian point of view it's not justified."

EDITOR'S NOTE — Associated Press reporters Sameer N. Yacoub, who reported from Hillah after March 31, and Richard Pyle in New York contributed to this story.

 [Email Story](#)

 [Post/Read Msgs \(21\)](#)

 [Print](#)

Ratings: Would you recommend this story?

Not at all **1 - 2 - 3 - 4 - 5** Highly

Avg Rating: 3.69, 101 votes

Next Story: [Key Developments Concerning Iraq](#) (AP)

More [World - Middle East](#) Stories

- [US proposes giving UN more authority in Iraq](#) (AFP)
- [US warns new attacks in Saudi Arabia may be 'imminent'](#) (AFP)
- [Israel on high alert for more bombings as calls increase to oust Arafat](#) (AFP)
- ["Explosion" in northern Israeli town of Netanya was false alarm](#) (AFP)
- [Israeli gov't should accept roadmap say Bellin and Rabbo](#) (AFP)

Copyright © 2003 The Associated Press. All rights reserved. The information contained in the AP News report may not be published, bro
redistributed without the prior written authority of The Associated Press.

Copyright © 2003 Yahoo! Inc. All rights reserved.

[Questions or Comments](#)

[Privacy Policy](#) - [Terms of Service](#) - [Copyright Policy](#) - [Ad Feedback](#)



ABC Online

' + title + '

[This is the print version of story <http://www.abc.net.au/news/newsitems/s855020.htm>]

AEST

Nine Iraqi children killed in explosion

Nine Iraqi children were killed and seven wounded in the south of the country when unexploded ordnance they were playing with detonated, a UN spokesman says.

"Nine children were killed and seven were injured in Missan governorate on Monday when they were playing with unexploded ordnance," David Wimhurst told a press conference in Basra.

"This tragedy highlights the terrible danger that unexploded ordnance represents all around Iraq," Mr Wimhurst said.

Kathryn Irwin, a spokeswoman for the UN Children's Fund (UNICEF), says the ordnance that exploded was an Iraqi rocket.

"There are thousands of stockpiles of weapons in Iraq."

© 2003 Australian Broadcasting Corporation

Copyright information: <http://abc.net.au/common/copyrigh.htm>

Privacy information: <http://abc.net.au/privacy.htm>

Munitions endanger Iraqi children

Children in Iraq are endangering their lives on a daily basis as they strip dumped ammunitions for copper to sell for food, according to aid agencies.

At least six children were killed and seven wounded while dismantling a rocket in Missan governorate, southern Iraq, on Monday.

One aid worker told BBC News Online that unless the UN and coalition forces resolve their differences and work together in a co-ordinated effort, the death toll will rise.

The country is over-run with arms stockpiled by the Saddam Hussein regime and unexploded munitions from the recent war, said Christian Aid's Dominic Nutt from Iraq.

It is a mammoth task - with a large country to cover and not enough people to do the job

Aid worker Dominic Nutt

He said fearful locals are trying to get rid of them, by putting caches in rivers or burying them - making the chances of finding and defusing them even harder for mine clearance workers.

Children who plunder ordnance dumps for brass and copper are leaving the ammunition dangerously exposed - able to be detonated by the 40 degree heat alone.

"The Iraqis have lived with weapons for a very long time, so they are aware of the dangers and have been alerting us to stashed weapons and ammunition," said Mr Nutt.

"But it is a mammoth task - with a large country to cover and there is not enough people here to do the job. As time goes on, the potential for further disasters is increasing."

'Loggerheads'

Mr Nutt said the problem was exacerbated by the current deadlock between the UN and the Coalition over who should run the country.

"I was in a town 240 kilometres (150 miles) north of Basra, which has democratically elected its own town council," he said.

"They are all highly intelligent, educated people who want to get on with sorting out the rubbish, the water situation and the question of ammunitions.

"But they have no power and cannot get any money because the UN and coalition are at loggerheads".

The British Ministry of Defence says it is working hard to try and identify the sites and clear them.

Major Cameron Day said the British army had already identified 350 unexploded ordnance sites in the governorate of Missan and cleared 230.

They say they are also sending out "explosive ordnance teams" to identify sites and are trying to raise awareness of the problem by visiting schools.

International Committee of the Red Cross spokeswoman, Tamar al-Rifai, told BBC News Online that Iraqi doctors were efficiently treating accidental blast victims and Iraqi hospitals were sufficiently equipped to cope with such casualties.

Story from BBC NEWS:

http://news.bbc.co.uk/go/pr/fr/-/1/hi/world/middle_east/3028873.stm

Published: 2003/05/14 20:44:30 GMT

© BBC MMIII

AMNESTY INTERNATIONAL > HOME > LIBRARY

ABOUT AI NEWS LIBRARY ACT NOW CAMPAIGNS RESOURCES & LINKS



amnesty international

WORKING TO PROTECT HUMAN RIGHTS WORLDWIDE

Search [

Español

Library

Online documentation archive

LIBRARY > MIDDLE EAST AND NORTH AFRICA > MIDDLE EAST > IRAQ

View this document in Français

AI INDEX: MDE 14/067/2003 3 April 2003

AMNESTY INTERNATIONAL PRESS RELEASE

News Flash

AI Index: MDE 14/067/2003 (Public)

News Service No: 080

3 April 2003

Iraq: Condemnation of British use of bombs

Amnesty International today condemned the British Government for using clust

Responding to an admission from Defence Secretary Geoff Hoon that these we used in Iraq, Amnesty International said: "We had asked the US and UK govern that they would not use such indiscriminate weapons because of the threat the: Now we understand why they were silent."

"In the face of the glaring evidence of how these weapons affect civilians, we re both governments to undertake not to use them again for the sake of the civilia

"They must also explain where and why the weapons were used."

For more information, please download Amnesty International's previous press use of cluster bombs:

<http://web.amnesty.org/library/index/engmde140652003>

<http://web.amnesty.org/library/index/engact790062003>

<http://web.amnesty.org/library/index/engmde140502003>

To view an interview with Secretary General Irene Khan please see

http://emedia.amnesty.org/IK_clusterbombs.ram

To view an interview with Amnesty International's military expert, please see

<http://emedia.amnesty.org/mines.ram>

Public Document

For more information please call Amnesty International's press office in +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www>

For latest human rights news view <http://news.amnesty.org>

[Document library](#)

[Recent documents](#)

[Annual report](#)

[Receive updates by email](#)

[Order AI publications](#)

IRAQ

[People come first - Protect Human Rights](#)

[Iraq Crisis home page](#)

[Take Action!](#)

Annual report entries:

[2002](#), [2001](#), [2000](#), [1999](#),

[1998](#), [1997](#)

Search by AI INDEX

OK

[Back to Top ^^](#)

AI INDEX: MDE 14/067/2003 3 April 2003

Related Documents

[\(MDE 14/119/2003\) Iraq: Field Update](#)

[\(MDE 14/115/2003\) Iraq: Press Briefing Invitation](#)

[\(MDE 14/113/2003\) Iraq: Amnesty International in Basra - Field Update May 9 2003](#)

[\(MDE 14/110/2003\) Iraq: Amnesty International in Basra - Field Update May 8 2003](#)

[\(MDE 14/112/2003\) Iraq: comprehensive approach to justice urgently needed](#)

[\(MDE 14/109/2003\) Iraq: Amnesty International delegates in Basra call for urgent deployment of UN human rights monitors](#)

[Back to Top ^^](#)

[ABOUT AI](#) | [NEWS](#) | [LIBRARY](#) | [ACT NOW](#) | [CAMPAIGNS](#) | [RESOURCES & LINKS](#) | [CONTACT US](#) | [SITEMAP](#)

© Copyright Amnesty International

NATO Hits Market In Serbian City, Killing 11

7-5-99

BELGRADE (Reuters) - NATO planes dropped cluster bombs on a crowded outdoor market and a hospital complex in the southern Serbian city of Nis Friday, killing at least 11 people and injuring scores, Yugoslav officials said.

"There is nothing military within a kilometer (half a mile) of it," Mayor Zoran Zivkovic told Reuters by telephone from the industrial city of 250,000 people, 230 km (140 miles) south of Belgrade.

Zivkovic had said earlier that cluster bombs had been dropped on the hospital and the market in the third NATO attack of the day at around 11:25 a.m. (0925 GMT).

about 60 were wounded during today's NATO attack on Nis downtown with cluster bombs (at 11:30am), but the results are not final. There are still lot of nonexploded cluster bombs (few hundreds) in Nis downtown. 20 people of more than 60 wounded in Nis are in critical condition and their lives are in danger.

Aggressor's atrocious crime

Nis, May 7, 1999 (Tanjung) - Aggressor's NATO aviation and its commanders committed today an atrocious crime over the civilian population in Nis, by bombarding it's center with cluster bombs. This weapon has been forbidden by the international conventions. Moreover, in the Nis downtown there are neither military nor police facilities.

According to the information received so far, at least 11 persons were killed and several dozens wounded. It is feared that the casualty toll is not final and that the number of killed persons in this bloody genocide feast of the aggressor in Nis is even higher. The damage is enormous.

The citizens of targeted central Nis are constantly being warned not to leave their shelters and apartments for the danger of small bombs left behind from the cluster bombs. The rough estimations show that there are several hundred of small cluster bombs scattered all over the town.

The part of the town hit most roughly is the part around Velika Pijaca (Big Market) where the density of people is the highest during the day. There is a Vice-chancellor's Office, a Health Care Center "12 Februar" and a Bus Station there.

The news that the enemy used cluster bombs in bombing the health care center, at first shocked the citizens of Nis. Unfortunately, the news was confirmed and the casualty toll is rising every hour.

It was the 14th attack on the town, and the third in the last ten hours and the first one in the broad daylight.

Novi Sad, May 7 - Four strong explosions, from the direction of Mt. Fruska Gora, were heard in the Voivodina capital of Novi Sad at around 2:20 p.m. local time Friday.

6-5-99

11:30 Three explosions were heard in southern Belgrade suburbs.

11:20 Air raid danger in Belgrade, Novi Sad,

09:55 NATO combat jets have attacked Pristina suburb of Lebane with three missiles this morning.

06:15 End of air raid danger in Belgrade.

04:50 Three explosions were heard eastern of Nis. There were no explosions in city areas. At least one missile hit Medosevac settlement during last attacks on airport. Many civilians are wounded.

04:15 Nis under attack, again!

03:55 NATO air attacks on Nis are probably over. More than 15 explosions were heard in 2 attacks. Targets were in north-west areas of Nis. One of targets was Nis airport. FRY Army Air Defence acted heavy like never before.

03:30 NATO attack on Nis is still going on.

02:55 Explosions in Nis !

02:40 NATO combat jets in low flight over Krusevac.

01:30 Nocaj village near Sremska Mitrovica was targeted tonight with two missiles. According to first information, there are no wounded but large number of houses are damaged.

00:40 Railroad bridge and powerline near Vatin were targeted.

00:30 NATO attacked wider Vrsac area. International railroad to Romania, near Vatin, was targeted.

00:19 Four explosions spotted in Pozarevac area.

NATO raids on industrial and civilian facilities on May 6th and in the night between May 6th and 7th 1999

NATO air force continued its raids yesterday and last night. The aggression on FR Yugoslavia started 45 days ago and the enemy continued to target industrial plants: villages and urban quarters. Major damages have been caused: casualties have been registered: and the pollution of the environment is becoming dramatic in various localities.

LIPLJAN: (11:36) Six missiles have been fired at this small town in the southern Serbian province with a prevalently Serbian population. The attack that lasted until 12:40 the recently opened

NAVO WEIGERT MEDEWERKING BIJ OPRUIIMEN

Clusterbommen van de NAVO kosten nog steeds kinderlevens

VAN DE REDACTIE

Ze vallen op in het hoge gras, de felgele blikjes en de glimmende tennisballen. Spelende kinderen in Joegoslavië rapen ze op. Ook al zijn ze nog zo gewaarschuwd door hun vaders en moeders. Want ze spelen met - vaak nog niet geëxplodeerde - delen van clusterbommen in handen. In de handjes van de kinderen knallen ze alsnog uit elkaar. Het effect is verwoestend. De kinderen verliezen armen, benen en ogen. Vaak zelfs hun leven.

De 'gele blikjes' zijn CBU-87 en RBL755-bommen, de aantrekkelijke 'tennisballen' ATACMS-bommen. De subbommen zitten in een clusterbom die volgens zo effectief zijn omdat ze bij ontploffing in één klap een groot gebied verwoesten.

Duizenden clusterbommen zijn vorig jaar bij de operatie Allied Force afgeworpen. Het meest gedenkwaardige moment was de aanval op de markt en (de parkeerplaats van) het ziekenhuis in Nis waar toevallige voorbijgangers door rondjagende granaatstukken gedood of verminkt werden. De granaten doorboorden zelfs de muur van een ziekenzaal. Volgens berekeningen is 40 procent van de dodelijke slachtoffers van de NAVO-aanvallen geraakt door een scherf of spijker uit een clusterbom.

In hun boek 'De Laatste Oorlog' beschrijven Jan Marijnissen en Karel Glastra van Loon hoe de clusterbommen boven de grond exploderen waardoor tweehonderd granaten vrijkomen. Die granaten versplinteren weer in driehon-

derd stukjes staal die met hoge snelheid alle kanten uitschieten. De splinters doen over lengte van vier voetbalvelden hun verwoestende werk. Wie geraakt wordt door een scherf of spijker overlijdt of raakt zwaar gewond.

Blindgangers

Van alle afgeworpen clusterbommen explodeert 5 procent niet. In sommige gebieden is zelfs 20 procent niet tot ontploffing gekomen. De clusterbommen op of net onder de grond vormen een groot gevaar voor de plaatselijke bevolking; ploegende boeren en spelende kinderen.

Britse Gurkha's 'sneuvelden' al snel na hun intrek in Kosovo toen zij een clusterbom wilden opruimen. Maar het gevaar is nog lang niet geweken. Onlangs vond een jongen in Kosovo de dood en raakten twee vriendjes gewond nadat ze een clusterbom hadden opgeraapt. Het afgelopen jaar zijn - alleen al in Kosovo - zeker honderd mensen gedood door ongelukken met mijnen en clusterbommen. Honderden zijn verminkt.

UNMIK - het VN-bestuur van Kosovo - is ontevreden over het gebrek aan medewerking van de NAVO om de blindgangers op te ruimen. De militaire alliantie wil niet zeggen waar precies clusterbommen gegoooid zijn. "Het is absoluut frustrerend", zegt John Flanagan, leider van het VN-programma voor het opruimen van mijnen en blindgangers in Kosovo. "Tien maanden na het einde van het conflict krijgen we nog steeds flarden van informatie en dat zou niet zo mogen zijn."

De teams die zijn belast met het markeren van niet-ontploffte wapens, hebben totnogtoe pas 60 tot 70 procent van de locaties gemarkeerd. Flanagan: "Veel meer had kunnen worden bereikt als de NAVO eerder over de brug was gekomen met de noodzakelijke informatie."

Pas nadat Flanagan zich direct tot het leger van de Verenigde Staten richtte, kreeg hij uiteindelijk de informatie, zoals de vliegrichting van de toestellen en de stand van de wind.

Oorlogsrecht

Het gebrek aan informatie over de locatie van de clusterbommen is te vergelijken met de geheimzinnigheid over de inzet van munitie met verarmd uranium. De aanklager van het Joegoslavië Tribunaal, Carla del Ponte, stelt dat de nieuwe clusterbommen en kogels met

verarmd uranium niet expliciet in het oorlogsrecht verboden zijn en de NAVO-leiders daarom niet te verwijten valt dat ze de omstreden wapens hebben ingezet.

Maar mensenrechtenorganisaties wijzen op het Additionele Protocol uit 1979 bij de Geneefse Conventie. Daarin wordt duidelijk bepaald dat de inzet van wapens die tot buiten gewoon ernstige verwonding van burgers leidt, niet zijn toegestaan. Clusterbommen zijn zonder twijfel onder die wet te vangen.

Geschokt

Want de risico's van afgewerkt uranium mogen weliswaar wetenschappelijk omstreden zijn, de gevaren van clusterbommen zijn dat zeker niet. Zowel burgers als leden van de 'vredestroepen' zijn geschokt over de gevolgen van dit wapentuig. "Clusterbommen veroorzaken vrijwel altijd meer dan één slachtoffer en het gaat dan bijna altijd om jonge mensen", zegt Flanagan. "Wij waren niet op de hoogte van het grote aantal afgeworpen clusterbommen en we wisten ook niet dat kinderen er zo door worden aangetrokken."

(Bron: New York Times)

CLUSTERBOMMEN

NAVO wierp verboden explosieven, die vuistdik pantser kunnen doorboren, vooral op Nis en Kosovo

Clusterbommen zijn kleine, gele 'blikjes' die uiteenspatten in meer dan driehonderd scherven. De bommen zitten in containers die worden vervoerd door een vliegtuig en worden afgeworpen boven het doel. Op zijn beurt gooit zo'n container op een bepaalde hoogte 202 'blikjes' uit, die aan een parachute naar beneden komen. De parachutes garanderen dat de clusterbommen (de militaire naam is CBU-87) over een groot gebied worden verspreid. Eén container kan een oppervlakte van vier voetbalvelden besproeien met zestigduizend dodelijke stukjes staal.

CBU-87 is 'gecombineerd effect-munitie'. De bom kan pantser tot 177 millimeter dik doorboren, en heeft een verwoestende uitwerking op mensen. De slachtoffers, als ze niet ter plekke overlijden, raken benen en armen kwijt en worden blijvend invalide.

komen.' Cruciale steun komt van de Europese Unie in de vorm van het programma Energie voor Democratie. Sinds december vorig jaar levert de Unie diesel en stookolie voor de verwarmingscentrales van Nis en het nabije Pirot bij de Bulgaarse grens. Binnenkort wordt het aantal steden in het programma uitgebreid. 'Zonder de olie zouden we nu in de kou zitten,' zegt de burgemeester. 'We zouden brandstof moeten kopen van Milosevic en daar hebben we het geld niet voor. Ik zie de hulp als een teken dat de Unie het Servische volk tot de Europese familie wil toelaten.'

Door bureaucratische pesterijen van de Servische autoriteiten - de transporten worden regelmatig opgehouden aan de grens - heeft Nis tot dusver nog maar iets meer dan de helft van de geplande brandstof in ontvangst kunnen nemen. Zivkovic hoopt dat over niet al te lange tijd, als de oppositie regeert, 'Servië weer net als vroeger een land zal zijn dat humanitaire hulp geeft in plaats van krijgt'.

MORELE OVERWINNAAR

Aan de rand van Nis, bij het vliegveld, ligt de gebombardeerde wijk Sljaka. De 62-jarige Dragoljub Minic laat zijn tranen de vrije loop. Zijn eerste bezit, een klein huis, had hij door de jaren heen uitgebreid met een tussenwoning, een groot huis in de achtertuin en een nog niet afgebouwde extra woning. Op 19 april werd driekwart van zijn levenswerk met een paar klappen weggevaagd. Nu bouwvakkers het fundament leggen voor een nieuw huis, betaald door de hulporganisatie Dimitra, zegt hij dat het hem zo spijt dat zijn vrouw er niet bij kan zijn. Een halfjaar geleden is ze gestorven. 'Gebroken van verdriet.'

De inwoners van Nis vinden dat er van al-

Vijf procent van de afgeworpen clusterbommen ontploft niet meteen en vormt een gevaar voor iedereen die ze per ongeluk aanraakt. In operatie Desert Storm in Irak heeft de Amerikaanse luchtmacht meer dan tienduizend clusterbommen gebruikt. Eén bommetje kost veertienduizend dollar, een hele container 2,8 miljoen dollar. De fabrikant van de CBU-87 is Aerojet General/Honeywell.

Het wapen is behalve in Nis ook veel in Kosovo ingezet. Een verslaggever van het Franspersbureau AFP meldde eind april 1999 onont-



7 mei 1999: NAVO-bommen verwoestten hele wijken van Nis

les mis gaat bij de herbouw en de herhuisvesting. De schuur van de buurvrouw van Minic werd ook getroffen. Geen cent krijgt ze. Luidkeels doet ze haar beklag: 'Wie een kippenhok kwijtraakte, krijgt er een flat voor terug. Als je maar connecties hebt!' Servië krijgt voedselsteun en brandstofhulp. Maar veel

Huizen zijn 'bespikkeld' door clusterbommen



plofte clusterbommen te hebben gezien bij het Servische klooster Gracanica ten zuiden van Pristina, bij Merdare ten noordoosten van Podujevo en in de omgeving van Urosevac. In het ziekenhuis in Pristina waren volgens een Servische arts toen al drie- tot vierhonderd mensen behandeld aan verwondingen als gevolg van clusterbommen.

Een NAVO-woordvoerder in Brussel zei dat de alliantie over twee types clusterbommen beschikte, een voor tanks en een voor mensen. Alleen het eerste type zou zijn ingezet. Deze hittezoekende variant, die zelf een doel uitkiest, is de CBU-97. Mogelijk is dit type gebruikt bij de aanvallen op een Albanees vluchtelingenkonvooi (tachtig doden) en twee passagiersbussen in Kosovo (23 en 20 doden).

In de Conventies van Genève staat: 'Het is verboden om wapens, projectielen en materialen in te zetten of manieren van oorlogvoering aan te wenden die per definitie onnodige verwondingen en onnodig lijden veroorzaken.'

Serviërs hebben het gevoel dat Europa en Amerika de ogen sluiten voor de materiële schade en ecologische verwoesting die zijn aangericht. Een jaar na de oorlog vraagt men zich af of het Westen soms meent dat de enige slachtoffers van de oorlog de Albanezen in Kosovo

zijn. Alsof Serviërs geen recht hebben op schadevergoeding. Zij die schade hebben geleden, familieleden hebben verloren, zien dat de macht van Milosevic onaangetaast is gebleven. Het Joegoslavische leger kwam bijkans ongeschonden uit de strijd. Terwijl de hele Servische infrastructuur in puin lag toen midden juni de vrede werd getekend, togen de militairen huiswaarts in gepoetste schoenen en goed onderhouden tanks. Het leger kon zich binnenslands presenteren als de morele overwinnaar.

De voor de hand liggende conclusie is dat, achteraf gezien, het machtigste militaire bondgenootschap ter wereld oorlog heeft gevoerd tegen de Servische burgerbevolking, niet tegen Milosevic. Een in het zwart geklede vrouw staat in haar tuin in de Ljube Nenadovicstraat, pal naast het ziekenhuis. Slobodanka Djordjevic (55) wijst op de beschadigde muren van haar huis. De bekende spikkels. Een paar minuten na de aanval op de markt ontploften ook in haar straat clusterbommen. Onder de zes mensen die met bomscherven werden doorzeefd, was haar man Bozidar. Achter het huis is een winkel gebouwd, met uitzicht op de afdeling pathologie en de kapel van het ziekenhuis. Het is een winkel in doodskisten. Verderop zijn er nog twee. Bozidar Djordjevic is ter aarde besteld in een van zijn eigen doodskisten.

Despotovic, Ruza

Van: Despotovic Ruza [despot@wishmail.net]
Verzonden: woensdag 9 februari 2000 1:55
Aan: Ruza Despotovic; Herman TI; Globalreflexion; Dolf Loth; Annamiek Vermeulen
Onderwerp: Blair responsible for cluster bombs (<http://www.serbia-info.com/news/2000-02/0>)

www.serbia-info.com/news

<http://www.serbia-info.com/news/index.html>

[<http://www.serbia-info.com/news/index.html>](http://www.serbia-info.com/news/index.html)

CIVIL ISSUES <http://www.serbia-info.com/news/civil/index.html>

MILITARY <http://www.serbia-info.com/news/military/index.html>

KOSOVO AND METOHIA <http://www.serbia-info.com/news/kosovo/index.html>

ECONOMY <http://www.serbia-info.com/news/economy/index.html>

CULTURE AND RELIGION <http://www.serbia-info.com/news/culture/index.html>

SPORT <http://www.serbia-info.com/news/sport/index.html>

<http://www.serbia-info.com/g3/blue-bottom.gif>

<http://www.serbia-info.com/g3/1t.gif> <http://www.serbia-info.com/g3/1t.gif>

<http://www.serbia-info.com/g3/header.gif>

<http://www.serbia-info.com/news/politics/index.html>

<http://www.serbia-info.com/g3/1t.gif>

Blair responsible for cluster bombs

February 07, 2000

Cluster bomb in center of Nis http://www.serbia-info.com/g3/images/kasetna_bomba1m.jpg
Cluster bomb in center of Nis

London, February 7, 2000 (Tanjug) - The decision of bombardment of Belgrade during NATO aggression on Yugoslavia was never formally brought, but the USA decided it by itself, discovered the British TV "Channel 4".

In documentary program on NATO aggression, which was broadcasted last night, it was discovered neither that nor NATO's council, nor any other official body never decided to bomb the center of Belgrade.

The decision on bombardment of Belgrade was brought by the USA, which violated the law of the Alliance and allowed the former NATO's Secretary General Javier Solana to order the bombing of Yugoslavia. The British analysts point today that this was another unpleasant discovery for the government of Tony Blair, which was one of the leaders of NATO aggression, and which was saying that all actions are the result of "unity and common work of western allies". In the same time, a serious accusation on the policy of British government came from the USA.

http://www.serbia-info.com/g3/images/nis_poginuli2-m.jpg

**Pictures of victims from Nis
which terrify the world**

In latest report of New York Organization "Human Rights Watch", it was discovered that the US president forbid the use of so called cluster bombs. It was forbidden after death of many civilians of Nis.

Besides this ban, the British aircraft kept on dropping cluster bombs, which still cause death of

many people in Kosovo and Metohija.

<http://www.serbia-info.com/q3/1t.gif>

[[Home <http://www.serbia-info.com/index.html>](http://www.serbia-info.com/index.html) | [Encyclopedia <http://www.serbia-info.com/enc/index.html>](http://www.serbia-info.com/enc/index.html) | [Facts&Figures <http://www.serbia-info.com/facts/index.html>](http://www.serbia-info.com/facts/index.html) | [News <http://www.serbia-info.com/news/index.html>](http://www.serbia-info.com/news/index.html)]

Copyright © 1998, 1999, 2000 Ministry of Information

Email: [mirs@srbija-info.yu <mailto:mirs@srbija-info.yu>](mailto:mirs@srbija-info.yu)

11-5-99

Last week, the stench of truth became too great for the American media to ignore and still maintain credibility. Until a few days ago, NATO had been given a free ride regarding its murder of civilians who were too old or too young or too slow to avoid missiles and shrapnel. Then cluster bombs destroyed a bus full of children, women and old people of all nationalities, according to Yugoslavia's state-controlled Tanjug news agency. Reports said 20 civilians died and at least 43 were wounded in the May 3 attack near Savine Vode on the Pec-Kula-Rozaje road.

A few days later, NATO cluster bombs devastated a shopping district and a hospital in Nic. National Public Radio described the bodies of a woman who was selling eggs and of her two customers, and of a man who lay dead in the garden he was tending until he was cut to shreds by shrapnel.

Team members report seeing extensive destruction by NATO of civilian targets, which has resulted in the loss of income for nearly 20 percent of the entire Yugoslavian population. NATO says relatives of President Slobodan Milosevic owned some civilian targets. The ISSA team learned, however, that "the vast majority of these factories were either State-owned, privately owned by non-Milosevic family members or, for the greater part, owned jointly by the State and by the workforces of the various factories. As a result, this has directly contributed to an attack on the average Yugoslav family."

Clusterbommen

ME, 94

'Op humanitaire gronden', is volgens internationale conventies het inzetten van massavernietigingswapens verboden. Onder massavernietigingswapens rekent men ondermeer nucleaire, biologische en chemische strijdmiddelen. In de oorlog tegen Joegoslavië gebruikt de NAVO, zoals openlijk wordt toegegeven de zogenaamde 'clusterbommen'. Door hun nietsontziende vernietigende uitwerking zijn ook deze in diverse internationale conventies niet toegestaan. Clusterbommen worden in (twee) containers onder aan vliegtuigen vervoerd. Elke container bevat tweehonderdveertig clusterbommen. Als de container is afgeworpen ontploft deze waardoor er een regen van aan kleine parachutes neerdalende clusterbommen ontstaat die op hun beurt weer exploderen. Tijdens de explosies ontstaat in een gebied van 150 meter bij één kilometer, een vuurzee en een soort tornado van rondvliegende scherven. De bomscherven veroorzaken zeer ernstige verwondingen door hun grootte, hun zeer hoge temperatuur en hun snelheid door de kracht van de explosie. De containers en de bommen zijn van Amerikaans fabrikaat.

Effectief en goedkoop

Clusterbommen zijn vooral zeer effectief tegen personen, maar ook tegen voertuigen en gebouwen. Naar nu bekend is, zijn clusterbommen ingezet boven grote steden als Nisj, Belgrado en Pristina. Alleen al op de regio rond Granica, ten zuidoosten van Pristina, bekend door het vlakbij gelegen Orthodoxe klooster, werden 14 containers met in totaal 3.500 clusterbommen afgeworpen! Een waar bommentapijt. In vergelijking met de zogenaamde 'smart weapons' kunnen clusterbommen niet worden 'gestuurd' en zijn zij daarom minder precies. 20 tot 30 procent van de bommen ontploft niet. (Waardoor zij later, met name voor de burgerbevolking extra gevaar opleveren). Daar staat echter tegenover dat zij in vergelijking met precisiewapens relatief goedkoop zijn, een gemeenschappelijk kenmerk van massavernietigingswapens. ■

(viki@net.yu).

'Navo-bommen op ziekenhuis van Nis'

NIS - Fragmentatiebommen van de Navo hebben volgens Belgrado een ziekenhuis, een markt en een universiteitsgebouw in Nis getroffen. Daarbij zijn zeker vijftien mensen gedood en zeventig anderen verwond.

De Navo wilde de aanval niet bevestigen en zei slechts een radiozender en het vliegveld buiten de stad te hebben aangevallen. „We richten alleen op militaire doelen. Maar we zoeken het nog uit”, reageerde de militaire woordvoerder generaal Walter Jertz. De Navo heeft tot nu toe zes keer erkend een burgerdoel te hebben geraakt. Volgens Belgrado kwamen daarbij ruim 200 mensen om het leven.

Burgemeester Zivkovic van Nis was gistermiddag woedend: „Er is geen enkel militair doel binnen een kilometer van de markt”, aldus Zivkovic. Volgens hem ging het om fragmentatiebommen, die de omliggende gebouwen hebben veranderd in 'Zwitserse gatenkaas'. Donderdag beschoot de Navo ook al Nis, met name olieopslagplaatsen. De zuidelijke stad herbergt veel militairen, en dient voor het Joegoslavische leger als uitvalsbasis naar Kosovo.

Gisteren werd ook een spoor-

brug op de lijn van Belgrado naar Boekarest en een televisietoren getroffen. De Servische televisie viel gisteravond enkele keren uit. Belgrado was voor de derde achtereenvolgende dag géén doelwit.

De Russische minister van buitenlandse zaken Igor Ivanov oordeelde dat nog lang geen sprake is van een 'doorbraak', zoals in het westerse kamp werd gezegd na het akkoord van de G 8. „Jeder uur brengt nog tragedies.” De G 8 - de groep van zeven belangrijkste industrielanden en Rusland - kwam donderdag een strategie overeen om het Kosovo-conflict op te lossen. De Verenigde Naties krijgen daarbij een hoofdrol: er moet onder meer een resolutie komen over de inzet van een vredesmacht, en in een later stadium moeten de VN het bestuur over Kosovo gaan voeren. VN-secretaris-generaal Kofi Annan verwelkomde het akkoord, en benoemde gisteren de Zweedse ex-premier Carl Bildt en de Slowaakse minister van buitenlandse zaken Eduard Kukan tot speciale gezanten voor Kosovo.

Ook de Russische president Boris Jeltsin liet zich positief uit over het akkoord. Zijn bemiddelaar Viktor Tsjernomirdin gaat mogelijk dit weekeinde naar Bonn en Belgrado in een nieuwe poging de

16-5-99
Navo en Joegoslavië tot elkaar te brengen. Ivanov komt vandaag in Groot-Brittannië aan voor een driedaags bezoek, en de Amerikaanse onderminister van buitenlandse zaken Strobe Talbott zal zich begin volgende week in Moskou vervoegen.

Vanuit Joegoslavië is nog geen reactie gekomen op het G 8-akkoord. Belgrado heeft wel de VN toestemming gegeven een humanitaire missie naar Kosovo te sturen om te kijken hoe de Albanese vluchtelingen naar huis kunnen terugkeren. De eerste vijf VN-medewerkers zullen de komende dagen aankomen.

Het Kosovo bevrijdingsleger UCK reageerde verdeeld op het principeakkoord van de G 8. In de Albanese stad Kukes werd enthousiast gereageerd, terwijl het in Tirana verworpen werd. „Het garandeert geen harde oplossing voor de problemen en een einde aan de tragedie in Kosovo”, aldus een UCK-woordvoerder in de Albanese hoofdstad.

Overigens heeft Dennis McNamara van de VN-vluchtelingenorganisatie UNHCR geschat dat Albanië een miljoen vluchtelingen uit Kosovo kan opnemen. Het land heeft er tot nu toe ruim 400 000 binnen de grenzen.

MEER NIEUWS OP PAGINA 5

NEWS

CIVIL ISSUES

POLITICS

• MILITARY

KOSOVO AND METOHIA

ECONOMY

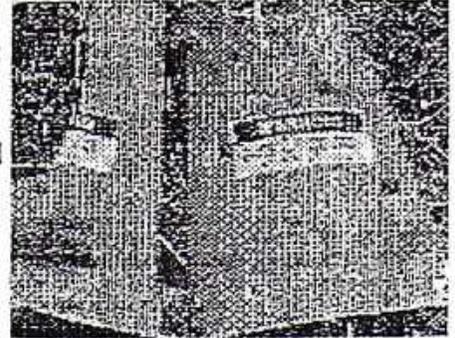
CULTURE AND RELIGION

SPORT

3,500 Cluster Bombs Dropped Around Gracanica

April 18, 1999

Politika, April 18 - Since the beginning of the aggression against our country, the criminal NATO alliance has also used cluster bombs which have been prohibited by international conventions. As learnt from the sources of the Republic Ministry of Internal Affairs, cluster bombs have been used on the whole territory of Serbia, and the victims of their destructive effects have been innocent people as well as a large number of civilian objects.



3500 cluster bombs dropped on the monastery of Gracanica

Thus, for instance, only in the village of Gracanica, 3,500 cluster bombs have been discharged from 14 containers on the village of Gracanica, next to one of the holiest Serbian shrines, the Gracanica monastery.

NATO has been using these bombs in its attack against our country with the purpose of destroying the civilian population. After the shelling, 20 to 30 percent of the cluster bombs remain on ground for further activation, making civilian particularly exposed to them.

The injuries caused by cluster bombs are twofold: mechanical ones, caused by the effects of the exploded particles shooting out, and fire ball injures which inflict serious burns and permanent disability. This is why they are classified among inhumane weapons for mass killing, and have therefore been prohibited by international conventions.

The containers and the cluster bombs are American made. When attacking, the aircraft carries two containers with 240 bombs. In one attack it acts on an area 150 metres wide and 1 kilometre long. The bombs are intended to combat civilians, vehicles and building objects. After the explosion of the metal casing, the fragments of the bomb have a lethal effect on human beings at a distance of 150 metres. The fragments are large and have such a heat energy that they can penetrate 6.4 millimetre armour at a distance of 11 metres, and damage vehicles at a distance of 75 metres, while the point of the shot also displays penetrating cumulative effects.

The bomb also has an incendiary effect. The fireball is 16 metres in diameter, and the incendiary mixture consists of circonium and

The bombs are imprecise and they are scattered without the possibility of controlling their fall.

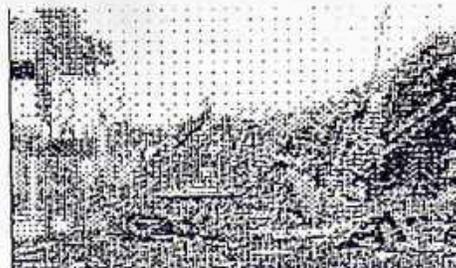
"Cluster-bomb Democracy" on heads of poor

April 22, 1999

"Politika" April 22nd 1999.

T. Ness Nis, April 21st 1999.

A natural and expected event happened: air forces of richest countries sowed their "Cluster-bomb Democracy" at the first place and mostly on poor people.



250 homeless families in one night

At night between Monday and Tuesday, just before midnight, NATO bombers dropped prevailing part of their deathly cargo on one of the most poor and badly regulated suburbs in Ins. The suburb grew at ill drained ground and without urban regulation, precisely, where those who have less could afford themselves roofs over their heads with lowest possible costs.

It is interesting that just before the aggression on our country started Ins City Hall services finished projects, prepared program and all the necessary conditions were fulfilled to regulate underwater in "Sljaka" suburb which were, after first rains, endangering more than half of houses. War conditions stopped execution of the project for which inhabitants of "Sljaka" suburb were fighting for months ...

And then, at night between April 19th and April 20th the most developed countries' bombers "solved problem" of poor in Nis. According to Milan Milosavljevic, president of Commission for evaluation of damages caused by bombing three streets in "Sljaka" suburb, Bujmirska, Lipovacka and Sarajevska, do not exist any more: 250 houses are damaged. More precisely, 11 houses are completely destroyed, 7 have to be completely reconstructed, and 230 it is not possible to live. Maybe some hundred of houses might be repaired and prepared for use.

From people in suburb "Sljaka" on every corner it can be heard the same: "For what I worked all my life and what I've built all my life do not exist any more. Now I have nothing and I have nowhere to go."

23-24-4-99

BELGRADE

During the monstrous strikes of the criminal NATO aircraft against the building of Radio and TV of Serbia, several other buildings in its immediate vicinity were also damaged.

Children theatre "Dusko Radovic" is almost completely destroyed. The church of "St Marc" was hit by great number of big metal fragments of bombs, as well as by the fragments of concrete construction and bricks spread out in the explosions.

The Russian Trinity Church located in the Tasmajdan park was also severely damaged. According to the reports of the Institute for the Protection of the Cultural Monuments of Belgrade, most severely damaged is the horizontal naos bar which connects two pallors at the western part of the church. Series of cracks are visible along the whole bar.

There are many cracks at the ceiling and bars supporting the roof. The painted moltar fell down from some parts of the "sky". At the eastern side of the church all window panes were broken and the window at the altar niche was pulled out.

The Russian Trinity Church attached to the Church of the Moscow Patriarchate was built in 1924 in a traditional Russian style of a cluster of small churches according to the plan of architect of Russian origin Stashewski. This is the only Russian church built in our country during the difficult years after World War I and October Revolution when more than 50 000 people emigrated from Russia into Serbia.

The Trinity Church is protected as a cultural monument within the "The Old Belgrade" project and it is located next to the other well-known cultural monument -the "St Marc" Church.

NOVI SAD

During the last night strike against the downtown of Novi Sad, the NATO warplanes fired several missiles on the oil refinery in the north-eastern part of the town. Eight missiles were fired on the town's housing complex, and some fell on the oil refinery inflicting a blaze.

NIS

NATO criminals targeted only civilian facilities during its last night attack on Nis.

NATO fascists attacked the very centre of the town. Business centre of the Belgrade company "SO Produkt" was destroyed and great number of private house were severely damaged. Greatly damaged was also the company "Velefarm", one of the biggest Nis suppliers of medicines and medical supplies, whose car pool was also destroyed. Machine Industry -Nis and Secondary Machine Engineering School were also significantly damaged. The water and electricity supply in this part of the town was cut down due to the damages inflicted on the water pipes and power transmission systems.

One person was injured during this criminal attack of NATO aggressors. The villages around Nis were also bombed. The greatest damages sustained the villages of Popovac and Cokot. The criminals targeted also the marshalling yard in the village of Popovac which was severely damaged.

KRUSEVAC

Continuing its attacks against civilian facilities in this town, the criminal NATO Alliance damaged the bridge on the Rasina river the night before. The houses and buildings in the vicinity were damaged, the windows were broken, and tiles from the roofs fell down from many houses in this part of the town due to the explosions caused by the missiles of the criminal NATO warplanes.

KRALJEVO

Last night the warplanes of NATO criminal Alliance attacked the broader area of Kraljevo. Two missiles hit the fuel storage in Bogutovac which has been targeted for several times by NATO aggressors thus far. There are no news about the casualties or injured persons. There is a slide on the Kraljevo-Raska road caused by strong detonations.

VRANJE

Seventeen old boy Dalibor Tasic, from the village of Soderci, near Vranje, was killed during the barbarian attack of the criminal NATO aviation the other day at the outskirts of Vranje when 40 missiles of enormous destructive power were dropped.

PRISTINA

Notorious NATO warplanes targeted only civilian facilities during its criminal attack against Pristina and its outskirts last night. The target of the criminal aggressors was again the Pristina outings "Grmija", civilian airport Slatina and radio and TV transmitter with adjacent facilities at the Mount Goles.

Several missiles fell in the area of the village of Ajvalija as well as in the housing complexes of Pomazatin and Belacevac whose residents are ethnic Albanians.

24-25-4-99

midnight, NATO aggressors hit with six missiles civilian airport Slatina, to the south-west of Pristina.

Two hostile missiles fired at 2.18 a.m. fell on the area of Pristina outing space of Grmija, to the north-east of the capital of the Serb southern province.

In the explosion of two days ago, of NATO missiles which fell at 3.00 p.m. in the village of Velika Dobranja, in the municipality of Lipljan, a six-year old Arta Lugic was killed, while her brothers - eight-year only Egzon and Neron and a seven-year old sister Arijeta Lugic, were severely wounded.

Wounded children are placed in Surgical ward of a Pristina hospital. Egzon and Neron underwent surgery. Arijeta's condition is closely monitored and will probably have to be operated too.

Light injuries were sustained by Gentijana and Arif Lugic who are currently at home.

The children's father, Sacir Lugic, waiting for the information on the health condition of his wounded children, said:

" We were at our home in the centre of the village, the children were playing in the yard when we heard a powerful blast. We did not know if it was NATO plane that fell down or a bomb. Children are not guilty at all", he said.

VALJEVO

Aggressor NATO planes last night attacked at 1.41 a.m. the area of village Pricevic, some 20 km south-west of Valjevo. According to preliminary information, the target of the attack was "Jugopetrol" warehouse which was attacked on 17 April last time.

This is the eighth attack on village Pricevic since the beginning of the aggression by NATO forces on 24 March. In the past attack on that area some 20 missiles have been fired.

CACAK

From the Crisis Headquarters in Lucane, it was confirmed that in the attack of last night, the fourth one, 12 missiles were fired on factory "Milan Blagojevic" and 18 farms have been demolished.

Great civilian damage was inflicted in the town of Lucani and villages Lucani and Lisice.

NIS

NATO criminals last night fired 16 high destructive power missiles. Great material damaged was caused to the town and population. The consequences of destruction are particularly high in one of the oldest quarter of Nis, Jagodin mala and centre of the town.

Many private homes were damaged, some of which have been made inhabitable. the residents of Cegarska, Skadarska and the street of Ratko Pavlovic were affected most. Students' home and "Nicauto" enterprise were affected most.

KURSUMLIJA

NATO criminals did not even spare the Serb holy places when they bombed bridges in the Kursumlija outskirts of Kastrat.

Powerful blasts of criminal missiles damaged medieval monasteries of Holy Mother and St. Nicholas, one of the first memorial churches of the Serb prince Stefan Nemanja, in today's Kursumlija and the then Bele Crkve, one of the first capitals. Monastery of St. Nicholas was the seat of Episcopcy of Toplica.

During NATO bombing of production line of metal industry "Metalac", which manufactures mostly agricultural machines, also damaged were the temple of the Holy Trinity in the immediate vicinity of that enterprise, as well as a parochial home. In the wake of powerful blasts glasses and windows broke.

HERCEGNOVI

Yesterday afternoon at 4.44 p.m. a powerful detonation disturbed the residents of Boka Kotorska. Official information are not in yet, but since the powerful blast was heard first and then the sound of a leaving plane, it is assumed that the plane broke the sound barrier.

The powerful detonation was heard by the residents of Herceg Novi, Kotor and Tivat. The same provocation was made by an aggressor plane on Thursday.

INDJIJA

Yesterday at 2.42 p.m. in the region of eastern Srem, in the area of Slankamen, a powerful detonation from an aggressor missile was heard. The glasses on the near-by civilian facilities broke.

SOMBOR

Several powerful blasts were heard last night around 1.30 a.m. to the south-west of Sombor.

Cluster bomb of the NATO aggressors kills five boys

April 24, 1999

Pristina, April 24 (Tanjug - abridged)
- Five boys were killed and two heavily injured in the village of Doganovic, 15 km south from Urosevac, in the explosion of the cluster bomb dropped by the NATO air force.

Edon (3), Fisnik (9), Osman (13), Burim (14) and Vajdat (15) Kodza were killed. Two wounded boys are transferred to the Pristina Hospital. Shrapnels of the cluster bomb lightly injured another four kids.



Children - victims of forbidden weapon

The shell of the cluster bomb with the marks of NATO was find on the scene. A great number of the un-exploded cluster bombs were find in

On that occasion, in addition to RTV relay station which was already hit, the mountain lodge on Mt. Gucevo was already targeted. Refugees, mostly Serbs from Croatia, have been accommodated there.

According to the information of the crisis headquarters, in the area of Loznica there are currently 16,824 refugees, most of whom have been accommodated with the families in the Loznica municipality.

With 22 deadly missiles, NATO aggressors on Saturday and Sunday hit the mountain area of Gucevo, trying to present it as a "successful action against a RTV transmitter". That transmitter on Mt. Gucevo was previously hit with two missiles, on 27 March and 5 April. The ruin was now attacked with eight missiles. The remaining 14 missiles used in several-hours' long attack on Gucevo were obviously used to kill the Serbs from Croatia, accommodated in the mountain lodge.

NIS

27-4-99

In the latest criminal attack of the planes of Western alliance on Nis, houses in residential areas in north-eastern parts of the town were hit - in Jagodin mala settlement, built back in the 18th century. Great damage was caused on the pupils' home of secondary school in Kosovka devojka street, known as an English home, built in 1925-26, with the funds of Leila Padget, the wife of an English consul in Belgrade, in the period since 1912-14.

BELGRADE

NATO aggressor planes last night at 1.06 a.m. again attacked the building "Usce" in the narrow centre of Belgrade. With two missiles, the aggressor hit the top part of the building of the business centre. The missiles destroyed the roof construction where aerials of local radio and TV stations were mounted. In the wake of powerful blasts the glass on near-by residential building broke.

A huge cloud of dust hovered over the business centre "Usce". Hostile NATO alliance bombed this building for the first time on 21 April at 3.15 a.m. This 24-floor building is in the Park of Friendship, in the centre of Novi Beograd. Residential blocks and a Museum of Contemporary Art are in its vicinity.

VALJEVO

Aggressor NATO planes last night around 1.40 a.m. attacked with 8 air-to-land missiles a civilian target - "Jugopetrol" warehouse in the region of Pricevic village. Many residential and business facilities were damaged. More than 30 residential and business facilities in this village can no longer be used.

KRALJEVO

Hostile NATO air planes, shortly after midnight, attacked a wider region of the village of Ladjevac, some 20 km west of Kraljevo. From the direction of the village of Ladjevac a dozen of powerful blasts were heard.

UZICE

A wider region of Uzice was targeted by NATO aggressor last night. Some time after midnight, three powerful blasts were heard in the area of Cigota on Mt. Zlatibor.

KOSOVSKA MITROVICA

Last night at 10.05 p.m., village of Grabovac, municipality of Zvecan, was attacked with one missile. At 11.35 p.m. hostile planes fired a missile in the village of Ugljare, municipality of Zubin Potok, in the immediate vicinity of furniture factory "Simpo". Extensive material damage was caused. Hostile planes also hit village Cibukovina, municipality of Zvecan, at 3.30 p.m.

BACKA PALANKA

Aggressor NATO planes hit with one missile, last night around 1.15 a.m., bridge "25. maj" linking Backa Palanka with Ilok. The bridge was not hit directly and no major damage was caused.

SOMBOR

In last night attack of criminal NATO planes on Sombor, 15 minutes before midnight, aggressor attacked civilian business facilities. For the sixth time since the beginning, NATO planes hit with six missiles already destroyed facilities of military-civilian air-port on the road Sombor-Apatin.

"Majevisa" farm in the vicinity of village Backi Monostor was hit with a single missile. This exclusively civilian business facility sustained material damage.

NOVI SAD

Around 11.45 p.m. a powerful explosion was heard in a wider area of the town, most probably from Fruska Gora, where TV transmitter has already been hit several times before.

7-5-yy

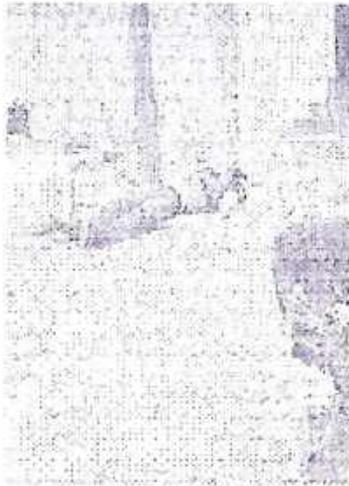
4 EARTH NEWS

Nis Devastated by Stray NATO Bomb

6:43 p.m. ET (22:43 GMT) May 7, 1999

By Katarina Kratovac *Associated Press*

NIS, Yugoslavia — Slavica Dinic was taking a nap with her daughter. Dozens were shopping in a local vegetable market. Others were at a hospital at noon Friday when bombs started hitting residential areas of Nis.



Desmond Boylan/Reuters

A man lies dead in the street after a NATO daylight air raid near a market in the town of Nis.

Cluster bombs, presumably from NATO, struck next to a hospital complex and near a market, bringing death and destruction, peppering the streets with shrapnel and littering the courtyards with their yellow casings.

In a street leading from the market, dismembered bodies were strewn among carrots and other vegetables in pools of blood. A dead woman, her body covered with a sheet, was still clutching a shopping bag with intact carrots.

In a street leading from the market, dismembered bodies were strewn among carrots and other vegetables in pools of

At least 15 people died and 60 others were wounded, said Dr. Petar Bosnjakovic, deputy director of the clinical center at the Nis hospital.

Late Friday, NATO military authorities said it was "highly probable" a cluster bomb attack aimed at a Yugoslav airfield at Nis missed its target and struck a civilian area by mistake.

"This morning, NATO aircraft carried out an attack against Nis airfield using combined effects munitions (cluster bombs)," a NATO military statement said.

"Unfortunately, it is highly probable that a weapon went astray and hit civilian buildings," it said. "There

was no intent to harm civilians during this strike. NATO takes every precaution to avoid civilian casualties during its operations."

Journalists escorted by Serbian authorities were taken to Nis, an industrial city about 120 miles southeast of the capital Belgrade, to view the devastation.

The city has been targeted by NATO before — mostly attacks that struck the industrial zone at night. Nothing prepared people for the bombs that fell just before noon on Friday.

Houses and cars were destroyed on Aneta Andrejevic street, near the vegetable market. The buildings were pockmarked from the cluster bombs, which release explosives that then explode again. More bombs lay unexploded on the streets.

Just across the street from the dead woman's body, a stream of blood trickled away from the body of a young man who had been blown to pieces.

"When it began we rushed to the cellar," said 70-year-old Smilja Juric. "People were screaming afterwards. One wounded man was in my backyard."

One house on Sunatovacka street, near Nis University, was completely burned. Dozens had their windows blown out. Several cars were destroyed. Glass and debris littered the area.

Around the corner Dinic, 30, and her daughter were asleep after a restless night of air strikes when bombs also hit Nis.

"We ducked for cover under the bed. One bomb fell through the roof of the upper floor of our house, but my family is unharmed," she said. Her husband was away at work.

Bombs exploded at a parking lot next to a local hospital, incinerating a dozen cars and smashing the windows of the entrance to the pathology building.

Three people were killed near the hospital, three others died later of their injuries. The other nine were close to the market.

Yugoslav officials were enraged.

"NATO is carrying out daytime attacks. That is Western democracy for you. This is a residential area," said Jovan Zlatic, the head of Nis county.

NATO said it struck the Nis airport in two rounds of attacks before dawn Friday. The alliance also reported "substantial strikes" in Nis, but would not confirm hitting the center of the city.

By Associated Press

Bulletin Boards: Your View

Share your thoughts about the conflict in Kosovo

Related Sites

Links for more information on the region

Fox News does not endorse content on external sites

Video

CLIP: FORT



Thursday's agreement between Russia and the West on the broad outline for a settlement.

"Are steps to peace made by causing so many victims? This is not an accidental mistake of the NATO air force. This is an intentional act to destroy a nation, an act of genocide," he said.

In Medosevac, a village a little more than a mile from Nis, a pre-dawn raid left a large crater in the road. Resident Zagorka Krstic said 30 houses were destroyed. Thirteen were reduced to piles of debris.

Power lines were destroyed. Twisted electrical cables were scattered about. Pieces of furniture were trapped under the rubble.

"I was in Nis baby-sitting my granddaughter," said Radmila Mitrovic, 59, sitting in the rubble of her demolished home. "If I was here, I would be dead. I lost everything."

4100HE WORLD NEWS

10014

comment@foxnews.com

© 1999, News America Digital Publishing, Inc. d/b/a Fox News Online.
All rights reserved. Fox News is a registered trademark of 20th Century Fox Film Corp.
© 1999 Associated Press. All rights reserved.
This material may not be published, broadcast, rewritten, or redistributed.

"Radioton" factory was targeted, and the elementary school in the near-by village of Skulanovo has been damaged. Two bombs fell on the house of the Abidic family in the village. Several members of the family have been injured. The Antic family house has been also devastated.

NOVI SAD: (14:30) Yesterday the capital of the Vojvodina province was raided for the third time in broad daylight by NATO planes. Their target was the "Svetozar Markovic Toza" elementary school in the densely populated quarter of Detelinara several kilometers from the center of the town. In a second attack (17:05) half a dozen missiles were launched. Four persons have been injured.

VRSAC: (23:20) Last night NATO fighter-bombers raided the municipal area. The bridge on the international railroad to Romania has been targeted as well as the high voltage power lines near the village of Vatin close to the Romanian-Yugoslav border.

SABAC: (23:25) Numerous detonations have been registered in the municipal area.

POZAREVAC: (00:19) Four detonations have been heard.

NIS: (03:55) Two attacks have been launched on the town and more than 15 detonations have been registered. NATO air raid focused on the northwestern part of the town. Attacks have been registered on the Nis Airport as well. The YA Air Defence reacted strongly to the aggressors attacks.

SREMSKA MITROVICA: (01:30) Last Night NATO planes launched two missiles on the village of Nocaj near the town of S. Mitrovica. Numerous houses have been damaged.

GRDELICA: The body of a boy has been recovered in the Grdelicka Klisura gorge. He is the 13th victim of the NATO raid on the Belgrade-Salomika train.

Direct effects of NATO aggression on health and health care services of the population of Serbia

Mass killing and wounding are only one of the aspects of humanitarian catastrophe, which was not present in Serbia before NATO aggression, said the Republic Minister of Health Dr. Laposava Milicevic. This can be confirmed by the representatives of the numerous humanitarian organizations, such as the WHO and UNICEF official representatives.

- The aggression which was initiated in an attempt "to prevent humanitarian catastrophe" led to the crime of unprecedented scope, said Dr. Milicevic stressing that the war operations caused mass migrations of people from Kosovo and Metohija, primarily, who

7-5-99

At least nine dead, 30 injured in NATO raid on Nis: reports with casualty reports

BELGRADE, May 7 (AFP) - At least nine people were killed and 30 injured when NATO missiles fell on the southern Serbian town of Nis on Friday, reports said.

The missiles fell in a hospital complex and a nearby market, the state news agency Tanjug and private radio Studio B reported.

Two civilians were killed in the market, a woman was found dead in a nearby restaurant, while the fourth victim was found in a debris of a private house, Studio B reported.

The radio said that rescue teams were at the scene, searching for victims, as a thick cloud of smoke could be seen above the hospital area.

Belgrade state radio said that 30 people were injured and hospitalised after a half-hour raid when missiles hit hospital grounds near a pathology centre and a clinic between 0920 and 0950 GMT.

It added that many cluster bombs could be seen in the area of the attack.

It was the third attack on the town, 220 kms (130 miles) south of Belgrade, on Friday.

Tanjug said four civilians were wounded, two seriously, when a bomb fell on their house in a suburb of the town in the early hours. Several other houses in the vicinity were damaged, the agency said.

Earlier an industrial area to the northwest of the city was also attacked, in the latest of several raids on that zone, Tanjug said.

At least nine dead, 30 injured in NATO raid on Nis: reports with casualty reports

On April 20, NATO planes bombed a residential area in Sarajevo during an attack on an army barracks. Up to 20 people were killed in that raid.

A suburb of the Kosovo capital Pristina was also targeted around 0500 GMT Friday, but there were no immediate reports of casualties, Tanjug reported.

The area around Pristina-Slatina airport was also hit overnight Thursday, as well as the region around northern Kosovo town Podujevo and western town Decane, the Serb Information center in Pristina reported.

April 2008

Vrede.Nu is een uitgave van vredesorganisatie IKV Pax Christi, het samenwerkingsverband van IKV en Pax Christi en verschijnt vier maal per jaar.



Strijd tegen onontploft tuig

Woordvoerder van de Clustermunitie Coalitie ondervindt aan den lijve dat mijnen levensgevaarlijk zijn.

▷ pagina 4

Woede als katalysator voor meer inzet

Projectleider Marianne Moor over haar beweegredenen om in Colombia te werken.

▷ pagina 8 - 9

Pax Christi Ledenconsultatie Pax en Salaam

Over dialoog met de islam.

▷ pagina 15

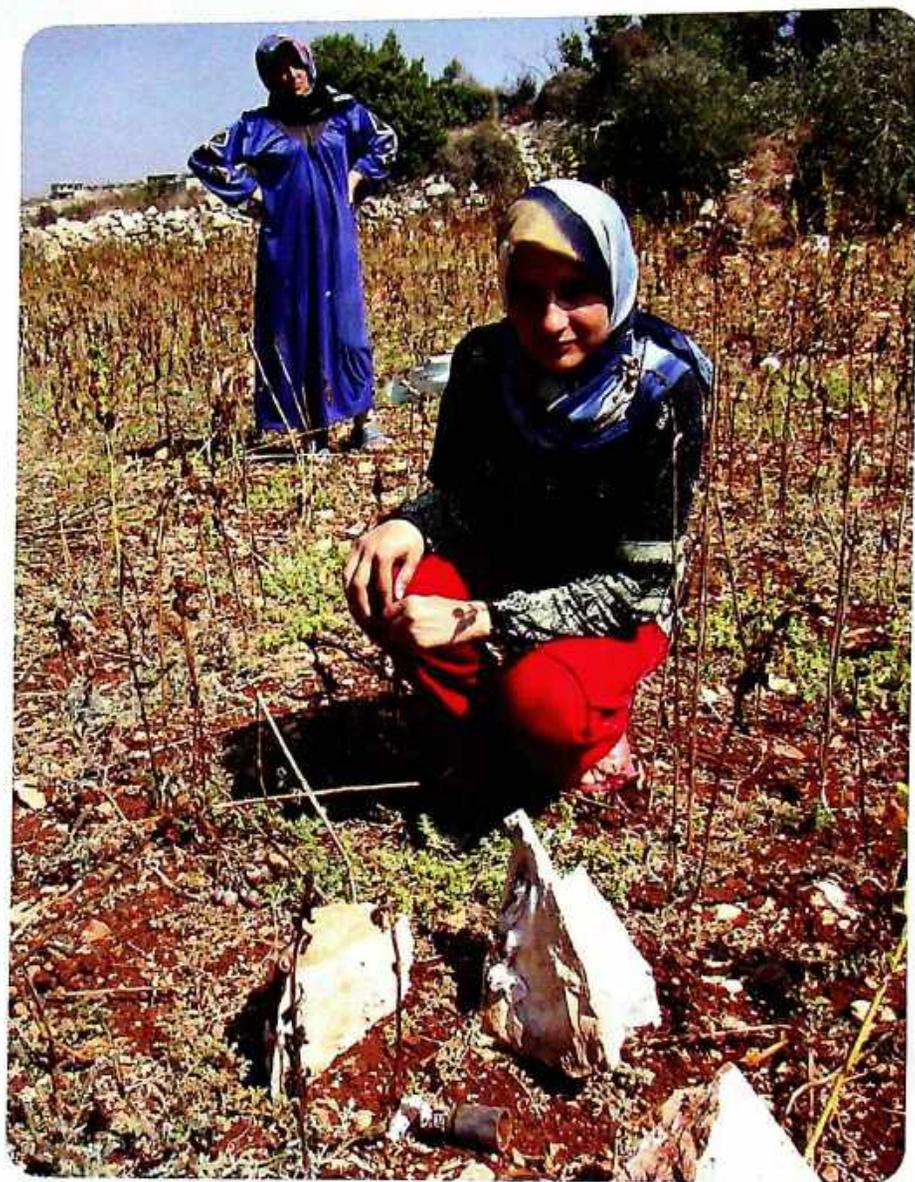
Verbod op clusterbom nabij

De bescherming van mensen staat centraal bij IKV Pax Christi. Ook bij de Verenigde Naties, die in 2005 het concept Responsibility to Protect (R2P) omhelsde. Om de norm naar de praktijk te vertalen is niet altijd gemakkelijk. Toch zijn er voorbeelden waarbij dit simpel is: een verbod op clustermunitie. Bisschop Van Luyn schreef er in februari nog een brief over aan premier Balkenende. De president van Pax Christi deed daarin een klemmend beroep op hem om het non-combattanten beginsel te respecteren en zich in te zetten voor een totaalverbod.

Het internationaal humanitair recht maakt onderscheid tussen burger- en militaire doelen, zoals blijkt uit de Geneve Conventie (1949). Het internationaal humanitair recht beperkt zogenaamd *collateral damage* door het proportionaliteitsbeginsel: wanneer de kans bestaat dat burgers slachtoffer worden, moet dit in verhouding staan met het militaire voordeel dat beoogd wordt. Als een wapen door zijn ontwerp geen onderscheid kan maken tussen burgers en militairen, moeten er alarmbellen gaan rinkelen. Clustermunitie, een bom die zich opent in de lucht waarna er kleine clusterbommen uitvallen die terecht komen in een gebied van enkele voetbalvelden groot, doodt of verminkt zonder onderscheid. Iedereen die zich in dat gebied bevindt, burger of militair, kan slachtoffer worden. Er is geen situatie te bedenken waarin dit wapentype de menselijke veiligheid ten goede komt. Ook jaren later maken onontpofte explosieven een gebied onleefbaar en vallen er dagelijks slachtoffers.

Het momentum

De VN Conventie voor Conventionele Wapens (CCW) vergadert regelmatig over clustermunitie. Binnen de CCW voert IKV Pax Christi een lobby ter regulering van het gebruik van clustermunitie. De weerstand van vele CCW lidstaten (vooral de VS) was echter zo groot dat de lobby pogingen dreigden te verzanden in rituele gesprekken. IKV Pax Christi richtte in 2003 samen met 8 andere organisaties de Clustermunitie Coalitie (CMC) op om sterker te staan in de lobby. De eerste drie



△ Fatimah and Safia uit Libanon wijzen op clustermunitie. Foto: Simon Conway

jaar voelden we ons een roepende in de woestijn. Dit veranderde in november 2006 toen Noorwegen een bijeenkomst organiseerde over clustermunitie. In de

zomer van 2006 gooide Israël 4 miljoen clusterbommen op Libanon, de meeste in de laatste drie dagen van het conflict. De druk op de CCW om nu tot maatregelen

te komen, was groot. De leiding nam de CCW geen stappen die maat besloot dat het genoeg was. Zoals Canada eerder de leiding nam om anti-personssetsmijnen te verbieden, volgde de Noorse regering dat voorbeeld. Noorwegen riep de landen bijeen die binnen de CCW wel bereid waren om iets te doen tegen cluster-munitie.

Oslo proces

Omdat Nederland binnen de CCW niet aandrang om het gebruik van cluster-munitie te beperken, werd Nederland niet uitgenodigd voor de eerste bijeenkomst in Oslo, in februari 2007. Gelukkig kwam Nederland op eigen initiatief en is zij sindsdien deelnemer van wat nu het 'Oslo proces' heet. Inmiddels heeft de vierde conferentie plaatsgevonden in Wellington, Nieuw-Zeeland, en zijn er meer dan 134 landen die zich bij dit proces hebben aangesloten. De vijfde en belangrijkste conferentie vindt in mei 2008 plaats in Dublin, Ierland. Terwijl de afgelopen conferenties in het kader stonden van oriënterende gesprekken, wordt in Dublin over de daadwerkelijke verdrags-tekst onderhandeld. Op tafel ligt een sterke tekst, die weinig ruimte laat voor uitzonderingen en ook bepalingen over slachtofferhulp bevat. Het is nog geen gelopen race. Een tiental landen, waaron-

der Nederland, is geen voorstander van een dergelijk alomvattend verdrag en wil enkele typen clusterbommen behouden.

Civiele diplomatie

Het Oslo proces is een voorbeeld van civiele diplomatie. Staten en civiele organisaties werken samen om tot een internationaal juridisch bindend verdrag te komen. Daarom moet Nederland haar huidige passieve houding verlaten en on-dubbelzinnig het Oslo proces steunen. Geen gemarchandeer met de voorwaar-den en geen onderhandelingen over uit-zonderingsbepalingen. Die rol past Nederland niet. Het is vijf voor twaalf. Het is de hoogste tijd voor Nederland om zich onverkort te scharen achter initia-tiefnemer Noorwegen en gelijkgestemde landen en de wereld te verlossen van een wapen dat zonder onderscheid burgers doodt en verminkt. IKV Pax Christi zal er in Dublin weer bij zijn en oefent invloed uit om tot een sterk verdrag te komen.

Op www.stopclustermunitie.nl en www.ikvpaxchristi.nl kunt u meer lezen en filmpjes bekijken over de campagne tegen cluster-munitie.

: Redactioneel

In deze Vrede.Nu geven we veel aandacht aan wapens en het debat over regulatie van wapens. U herinnert zich de Zembla-uitzending van vorig jaar vast nog wel. Onze eigen Nederlandse pensioenfondsen bleken geld te investeren in cluster-munitie. Gedurende 2007 is er veel vergaderd in allerlei circuits over een verbod op dergelijke wapens die totaal in strijd zijn met de menselijke waardigheid. Branislav Kapetanovic is een van de velen die dat aan den lijve heeft ondervonden. Maar ook Zahra van 11, het meisje op de voorpagina, kan er van meepraten. Zij zag een niet ontplofte clusterbom aan voor speelgoed.

Als organisatie kijken we met spanning uit naar de uitkomsten van de slotconferentie in mei waar hopelijk een totaalverbod op cluster-munitie wordt afgesproken. In de maand mei gedenken we onze vrijheid en vieren we Europadag. Voor Kosovo zal het dit jaar het eerste jaar zijn in onafhankelijkheid. De eenheid in Europa is door de kwestie Kosovo even aan het wankelen gebracht. Internationaal recht, pragmatisme en de wens van de bevolking voor zelfbeschikking, ze staan op gespannen voet met elkaar.

Bewegen naar vrede, kiezen voor vrede, sporten voor vrede, zingen voor vrede. Van 9 tot 13 mei sporten 120 jonge mannen uit 11 etnische groepen met elkaar voor vrede. Dit gebeurt in het door de oorlog verwoestte Kapoeta, een stadje in Zuid-Soedan. Normaal gesproken staan ze elkaar naar het leven, maar door toedoen van IKV Pax Christi en haar partnerorganisaties worden ze bij elkaar gebracht om in vrede met elkaar te sporten. Jonge vrouwen zullen in een korencompetitie wedijveren om een prijs binnen te zingen.

Helma Maas



△ Beeld: Joris Diks

Strijd tegen onontploft tuig



△ Branislav Kapetanovic, woordvoerder Clustermunitie Coalitie

Tijdens de burgeroorlog in voormalig Joegoslavië, van 1991 tot 1995, werd er zoveel clustermunitie gebruikt, dat er in 2000 nog dagelijks clustermunitie werd gevonden. De Serviër Branislav Kapetanovic was al jaren ontmijner in het leger. Op 9 november 2000 ging het mis. "Ik moest die keer de luchthaven van Dubinje onderzoeken op onontploffte clustermunitie. Normaal gezien doen we dat altijd in een team. Omdat er zoveel werk was en ik de enige ontmijner ter plekke was, ging ik alleen. De gebouwen waren bomvrij, maar in de buurt van de landingsbaan vonden we zes of zeven BLU 97 blindgangers. Ik duwde het gras opzij om beter bij het eerste bommetje te komen. Toen ontplofte het. Ik weet niet eens zeker of ik het ding wel heb aangeraakt."

Branislav lag vier dagen in coma. Hij verloor vier ledematen, had 'drukgolf-schade' aan zijn hoofd en longen, zijn gehoor was beschadigd en tot maanden na het ongeval kon hij nauwelijks zien. Vier jaar lag hij in het ziekenhuis en onderging hij meer dan twintig operaties,

Branislav Kapetanovic, woordvoerder van de internationale Clustermunitie Coalitie, kent als geen ander de gevaren van clustermunitie. Als slachtoffer voert hij actie voor het verbieden van deze 'monsterlijke' wapens. "Wat met mij gebeurde, evenals met vele andere collega's, illustreert hoe gevaarlijk de bommen zijn. Deze wapens zijn onmogelijk te controleren."

van huidtransplantaties tot operaties om granaatscherven uit zijn voorhoofd te halen.

"Ik streed tegen onontploft tuig, om te voorkomen dat nog meer burgerlevens verloren zouden gaan. Het was mijn keuze. Ik wist hoe gevaarlijk dit werk was. Maar het moest gebeuren en kon niet worden uitgesteld. Wat er met mij gebeurde, evenals met vele andere collega's, illustreert hoe gevaarlijk deze bommen zijn. Er komt een moment dat kennis en ervaring niet meer helpen: deze wapens zijn onmogelijk te controleren."

Sinds april 2006 is Branislav woordvoerder van de Clustermunitie Coalitie. Op uitnodiging van IKV Pax Christi, die deel uit maakt van deze coalitie, werd Branislav uitgenodigd als spreker bij de hoorzitting met internationale deskundi-

gen en Kamerleden. Hij noemt het een voortzetting van zijn strijd. "Opnieuw is het mijn keuze om op elke mogelijke manier mee te helpen aan acties die een einde maken aan verdere productie, gebruik of overdracht van clustermunitie. Het is een monsterlijk wapen dat in de eerste plaats burgers doodt en vermindert, iets waarvan ik zelf getuige ben geweest. Een totaal verbod is de enige oplossing, zonder uitzonderingen, zonder excuses." Daar mag het niet bij blijven, vindt Branislav. Er moeten voorzieningen worden getroffen om overlevenden en familieleden van slachtoffers hun rechten en steun te garanderen. "Ik kon op tijd worden behandeld door goede artsen. De duizenden mensen met verwondingen van deze munitie mogen echter niet afhankelijk zijn van geluk. De internationale gemeenschap heeft de taak om in te grijpen."



△ Branislav Kapetanovic tijdens de conferentie over clustermunitie in Wellington, Nieuw-Zeeland

Defensie vernietigt clusterbommen F-16's

17-11-2007
Verbod De Nederlandse luchtmacht gaat de clusterbommen die door F16-gevechtsvliegtuigen worden gebruikt vernietigen. Dat schrijft minister van Defensie Eimert van Middelkoop (ChristenUnie) aan de Tweede Kamer. Clusterbommen vallen bij het neerkomen in honderden kleine bommen uiteen. Nederland streeft in internationaal verband naar een verbod op clustermunities, die volgens Van Middelkoop onaanvaardbaar humanitair leed veroorzaakt. De Nederlandse regering werkt in het kader van het zogeheten Oslo-proces met 103 andere landen aan een internationaal verdrag tegen de clustermunities. Novum

'Geen totaalverbod op clustermunities'

2008
Door een onzer redacteurs
DEN HAAG, 16 MEI. Nederland blijft afzien van een volledig verbod op clustermunities. Minister Van Middelkoop (Defensie, CU) heeft dit gisteren gezegd in de Tweede Kamer. Het kabinet wil een uitzondering maken voor clustermunities die door de Apache-helikopters kan worden afgevoerd. De SP, GroenLinks en D66 willen een totaalverbod.

Clusterbommen legaal, zegt Israël

DOOR SALOMON BOUMAN

TEL AVIV, 27 DEC. Het afvuren van duizenden clustergranaten door Israël tijdens de Libanese oorlog in de zomer van 2006 was niet in strijd met het internationaal recht. Tot die conclusie is een intern militair onderzoek onder leiding van brigadegeneraal Avihai Mandelbit deze week gekomen. Volgens hem zijn de clusterbommen ook in gebruik in legers van westerse landen.

In Zuid-Libanon zijn sinds de oorlog midden augustus eindigde 36 mensen om het leven gekomen en meer dan 220 mensen gewond door de ontploffing van clustermunitie. Volgens de Verenigde Naties en mensenrechtengroepen bevatten de clusterbommen die tijdens de oorlog door Israël werden afgevuurd ten minste vier miljoen bommetjes waarvan zeker een kwart niet onmiddellijk tot ontploffing kwam.

Officieren die de orders hebben gegeven de clustergranaten tijdens de Libanese oorlog te gebruiken zullen als gevolg van de bevindingen van generaal Mandelbit niet gerechtelijk worden vervolgd. Israël heeft indertijd de Verenigde Staten, die clustergranaten hebben geleverd, beloofd dit wapen

27-12-2007
niet tegen civiele doelen in te zetten.

Generaal Mandelbit erkent dat Israël deze belofte heeft geschonden. De reden dat het Israëlische leger toch op grote schaal clusterbommen gebruikte, was volgens hem dat het een effectief wapen was tegen posities in Zuid-Libanon vanwaar katjoesjaraketten op Israël werden afgevuurd en als zodanig geoorloofd was. Wanneer ze clustergranaten afvuurden „respecteerden de Israëlische eenheden de voorschriften van gewaardend conflict [...] en namen zij de ethische waarden in acht” van het Israëlische leger.

Het door generaal Mandelbit geleide onderzoek wees uit dat met deze granaten niet opzettelijk op burgerdoelen werd geschoten. Het onderzoek toonde ook aan dat de Israëlische luchtmacht geen clustergranaten heeft ingezet. De clustergranaten werden door de landstrijdkrachten door middel van zware artillerie en raketlancheerinstallaties afgevuurd.

Ondertussen heeft premier Olmert gezegd naar aanleiding van het binnenkort te verwachten, kritische eindrapport van de commissie Winograd over de Libanese oorlog niet te zullen aftreden.

VS bereid te praten over verdrag clusterbommen

29-6-2007
GENÈVE — De Verenigde Staten willen toch praten over een verdrag voor de beperking van het gebruik van clusterbommen, hebben de Amerikaanse autoriteiten gemeld. Een wereldwijd verbod op het wapen, dat vooral na afloop van de strijd veel onschuldige burgerslachtoffers eist, behoort volgens de VS vanwege het militaire belang ervan niet tot de mogelijkheden.

In februari ondertekenden 46 landen op een conferentie in Oslo een verklaring die moest leiden tot een verdrag tegen clusterbommen. Een groot aantal landen, waaronder Groot-Brittannië, de VS, Chi-

na, India en Rusland, liet tijdens de conferentie echter weten geen begin te willen maken met onderhandelingen over een verbod op clusterbommen.

De VS zeiden van gedachten te zijn veranderd vanwege de „humanitaire implicaties” van het wapen en stelden voor om de discussie verder te voeren binnen het raamwerk van het uit 1980 daterende Verdrag voor Conventionele Wapens (CCW). Clusterbommen zijn bommen waarin honderden kleinere explosieven zitten, die vrijkomen als de bom is afgeworpen en zich over een groot gebied verspreiden. (AP)

‘Nederland vertraagt ban op clusterbom’

2-2-2014
MUNITIE: Nederland is actief bezig een ban op clusterbommen te vertragen. Dat stelt IKV Pax Christi in een rapport. De organisatie roept de regering op om een duidelijke, onderbouwde afbakening te geven over wat wel en niet aanvaardbare munitie is.

IKV Pax Christi verbaast zich er over dat Nederland in tegenstelling tot de strijd tegen landmijnen, bij de clustermunitie niet voorop loopt. Nederland is net als Engeland en Frankrijk tegen een totaalverbod, maar wil wel een verbod op clustermunitie die ‘onaanvaardbaar humanitair leed’ veroorzaakt. Waar de grens tussen ‘aanvaardbaar’ en ‘onaanvaardbaar’ leed ligt is niet duidelijk. Volgens IKV Pax Christi bestaan er geen ‘goede’ clusterbommen en kan de regering niet onderbouwen dat ze bestaan. ANP

Accent Mensenrechtenschending PGGM verkoopt belang om mensenrechten

19-1-2008
AMSTERDAM Na massavernietigingswapens, landmijnen en clusterbommen, is ook beleggen in bedrijven die mensenrechten schenden, taboe bij PGGM. Het pensioenfonds heeft zijn aandelen in de Chinese oliegi-gigant PetroChina verkocht, omdat het personeel van het moederbedrijf CNPC de mensenrechten schendt in Soedan. PGGM beheert 88 miljard euro aan belegd pensioengeld voor werknemers in de zorg.

De pensioenfondsen PGGM en ABP kwamen in maart 2007 negatief in het nieuws toen bekend werd dat de twee grote pensioenfondsen van Nederland beiden belegden in bedrijven die landmijnen en clusterbommen produceren. Daarop namen zowel PGGM als ABP mensen in dienst om de beleggingen te toetsen op duurzaamheid.

PGGM heeft van meerdere organisaties informatie ontvangen over mensenrechtenschendingen door CNPC. Toen PGGM druk uitoefende op PetroChina om daar iets aan te doen, wees het dochterbedrijf alle verantwoordelijkheid van de hand. Daarop besloot PGGM het belang in de PetroChina te verkopen.

Het is de eerste keer dat PGGM een bedrijf uitsluit omdat het mensenrechten schendt, maar volgens een

woordvoerder zal het waarschijnlijk niet de laatste keer zijn. ‘We hebben een lijst met daarop nog 61 verdachte bedrijven.’

Deze bedrijven worden niet, zoals de producenten van massavernietigingswapens of clustermunitie, meteen op de uitsluitingslijst geplaatst. Het pensioenfonds probeert eerst met het bedrijf te praten. ‘Als dan blijkt dat een bedrijf niet openstaat voor een gesprek, of weigert maatregelen te nemen, trekken wij ons terug als belegger’, aldus de woordvoerder van het fonds.

ABP, dat nog wel een belang heeft in PetroChina, heeft de hoop dat het gedrag van de oliegi-gigant zal verbeteren, nog niet opgegeven. Het fonds voert al maanden gesprekken met PetroChina om tot een oplossing te komen. Komt die er niet, dan wordt het belang verkocht.

Het is de vraag of PetroChina wakker ligt van de beslissing van PGGM en de wijfels van het ABP. De belegging van PGGM van 37 miljoen euro is minder dan één honderdste van een procent van de waarde van de oliegi-gigant. Met een beurswaarde van 467 miljard euro is PetroChina het grootste bedrijf ter wereld.

Jasper Karman



Clusterbommen: het gevaarlijkst als de oorlog voorbij is

FOTO: LOOIS VAN DEN BROEK / HOLLANDE HOOGTE

Branislav Kapetanovic: 'We waren elke dag bezig om clusterbommen te ruimen'

Clusterbommen hebben de afgelopen dertig jaar voor meer dan 100.000 burgerdoden gezorgd. Vandaar dat er wereldwijd gewerkt wordt aan een verbod. Op initiatief van SP-Kamerlid Krista van Velzen hield de Tweede Kamer eind juni een hoorzitting over nut en noodzaak van clusterbommen. "Het is het slechtst ontworpen wapen dat ik ooit heb gezien."

TEKST PATRICK ARINK

Een clusterbom bestaat uit een container die gevuld is met een groot aantal kleine bommetjes. Deze containers worden vanuit vliegtuigen afgeworpen, of via artillerie afgeschoten. In de lucht breekt de container open en komen de kleine bommetjes vrij. Doordat de bommen over een groot gebied verspreid worden, raken ze vrijwel nooit alleen militaire doelen. Bovendien hebben clusterbommen als nadeel dat een gedeelte van de bommen niet ontploft. Deze niet ontplofte bommen werken als een soort landmijn. De geringste aanraking kan ervoor zorgen dat een bom alsnog ontploft. Het zijn met name burgers die door clusterbommen om het leven komen. De laagste schattingen gaan uit van (inmiddels)

2800 slachtoffers in Afghanistan, 5.500 in Irak, 300 in Kosovo en 900 in Libanon. Generaal b.d. Frank van Kappen, adviseur van de Navo, betoogde tijdens de hoorzitting in de Tweede Kamer echter dat dat geen argumenten zijn om clusterbommen te verbieden. "Wapens zijn altijd erg, want ze zijn allemaal bedoeld om te doden. Clusterbommen zijn verschrikkelijke wapens, maar het zijn wel wapens met militair nut. Je gebruikt clusterbommen als je veel militaire doelen bij elkaar hebt staan. Ze zijn bedoeld om grote groepen militairen te doden." Dat er bij het gebruik van clusterbommen ook burgerslachtoffers vallen, is volgens Van Kappen onvermijdelijk. "Je zult altijd burgerslachtoffers hebben. Altijd. Schone

oorlogen bestaan niet. Je zult ook altijd onontplofte munitie hebben. Dat is niet alleen zo met clusterbommen, maar met alle bommen."

Het nadeel van clusterbommen is echter dat het percentage niet ontplofte bommen zo groot is. "Tussen de 5 en 25 procent van alle clustermunitie ontploft niet", stelt de Britse wapenspecialist Colin King. Hij werkte twintig jaar voor de Britse Explosieven Opruimings Dienst en geldt als expert op het gebied van mijnen en clusterbommen. "Clusterbommen hebben een slechte reputatie en dat is volkomen terecht. Het zijn de slechtst ontworpen wapens die ik ooit gezien heb. Clusterbommen werken te vaak niet zoals ze bedoeld zijn. Het is moeilijk te voorspellen of ze afgaan of niet. Ik ben net terug uit Afghanistan. Daar heb ik plekken gezien waar bijna 100 procent van de clustermunitie gefaald heeft."

Explosieven-opruimer Kapetanovic verloor een groot deel van zijn armen en benen

Wapenfabrikanten beweren dat moderne clusterbommen een stuk betrouwbaarder

zijn, maar King hecht geen waarde aan de onderzoeken waar wapenfabrikanten mee zwaaien. "Die onderzoeken zijn onder de meest ideale omstandigheden gedaan. Neem de oorlog vorig jaar in Libanon. Israël heeft in het conflict met Hezbollah 4,4 miljoen stuks moderne clustermunitie afgeschoten. Naar schatting liggen er in het zuiden van Libanon ongeveer een miljoen niet ontplofte clusterbommen. Het is en het blijft een onbetrouwbaar wapen."

Hoe verraderlijk clusterbommen zijn, weet ook Branislav Kapetanovic. Hij werkte jarenlang voor de Explosieven Opruimings Dienst in Servië. Tot hij op een dag wat gras opzij schoof om een niet ontplofte clusterbom beter te kunnen bekijken. De clusterbom ontplofte en Branislav verloor een groot deel van zijn armen en benen. Maandenlang balanceerde Branislav op het randje van de dood. Er waren vier jaar revalidatie en twintig operaties voor nodig eer Branislav het ziekenhuis mocht verlaten. Sindsdien zet hij zich in voor een verbod op het wapen dat zijn leven verwoestte: de clusterbom. "Eigenlijk doe ik nu niets anders dan voor mijn ongeluk", zegt hij. "Ik heb altijd gestreden tegen de clusterbom, alleen doe ik dat nu op een andere manier."

Tijdens de Kosovo-oorlog in 1999 bombardeerden Navo-straaljagers uit de Verenigde Staten, Groot-Brittannië en Nederland ruim twee maanden lang doelen in Servië. Die bombardementen moesten ervoor zorgen dat het Servische leger zich terugtrok uit Kosovo. Er werden duizenden clusterbommen afgeworpen, waarvan vele niet ontploften. "We waren iedere dag bezig om clusterbommen te ruimen", vertelt Branislav Kapetanovic. "Ik denk dat ik zelf in totaal meer dan 2.000 niet ontplofte clusterbommen vernietigd heb." Een gebeurtenis die grote indruk maakte op Branislav, was het bombardement op Nis. In plaats van het plaatselijke vliegveld, troffen de Navo-bommenwerpers de stad zelf. Honderden clusterbommen ontploften midden in de stad. "Ik was in Nis toen het gebeurde", vertelt Branislav. "Ik zag hoe de bommen op het ziekenhuis, op de markt en in een buitenwijk terechtkwamen. Met tientallen doden

en gewonden tot gevolg." Samen met zijn collega's ging hij meteen aan het werk. "We moesten de onontploffte bommen meteen ruimen, voor er nog meer onschuldige slachtoffers zouden vallen. We moesten letterlijk over de lijken heen springen om bommen onschadelijk te maken. Dat beeld zal ik mijn leven lang nooit vergeten."

De oorlog is voorbij, maar er blijven slachtoffers vallen

Na 78 dagen bombarderen trok het Servische leger zich terug uit Kosovo en stopten de aanvallen. Maar Servië kampt tot op de dag van vandaag met de gevolgen. "Ondanks onze inspanningen liggen er nog steeds duizenden onontploffte clusterbommen in Servië. Nog steeds vallen daardoor slachtoffers." Anderhalf jaar na het einde van de Kosovo-oorlog maakte een clusterbom een einde aan het werk van Branislav. "Ik heb geluk gehad dat ik het overleefd heb. Onderweg naar het ziekenhuis kreeg ik een hartstilstand, maar de dokters hebben me weer tot leven kunnen wekken." Leven met zijn handicaps valt niet mee. "Ik blijf het moeilijk vinden om me aan te passen. Er zijn zo veel dingen die ik nu niet meer kan. Ik moest ook leren omgaan met de

manier waarop mensen naar mij kijken, maar ik doe mijn best om er het beste van te maken."

Toch ziet Branislav zichzelf niet als slachtoffer. "Ik was een militair en deed mijn werk. Maar de meeste slachtoffers van clusterbommen zijn burgers, kinderen vaak." Om die reden zet hij zich in voor een wereldwijde ban op clusterbommen. "Als je één keer een stedelijk gebied hebt gezien dat getroffen is door clusterbommen, weet je dat er geen geldig excuus is om deze wapens nog langer te gebruiken."

Minister Middelkoop van Defensie heeft in antwoord op een brief van SP-Kamerlid Krista van Velzen een voorlopig moratorium op het gebruik van clusterbommen door het Nederlandse leger aangekondigd. Branislav is daar blij mee: "Maar het is slechts een eerste stap. Ik ben ervan overtuigd dat Nederland uiteindelijk een totaal verbod op clusterbommen zal afkondigen."

Ook SP-Kamerlid Van Velzen vindt dat een moratorium niet ver genoeg gaat. "We moeten geen halve maatregelen nemen. Clusterbommen veroorzaken onacceptabel leed onder burgers. Ze moeten met onmiddellijke ingang verboden worden." ■



Zuid-Libanon: centimeter voor centimeter wordt op clusterbommen onderzocht

FOTO: LANDMINE ACTION

WOENSDAG 27 JUNI 2007

Voorlopig verbod riskant bomtype

Door een onzer redacteurs
ROTTERDAM, 27 JUNI. De Koninklijke Luchtmacht mag tot nader order geen clusterbommen gebruiken, omdat ze meer schade kunnen aanrichten dan beoogd. Een clusterbom bestaat uit een groot aantal kleinere explosieven. Na afwerpen ervan komt het voor dat een deel van de lading niet ontploft. Die explosieven kunnen dan nog slachtoffers maken onder burgers. Het kabinet vindt dat de bommen „groot humanitair leed” kunnen veroorzaken.

Dat heeft minister Verhagen (Buitenlandse Zaken, CDA) gisteren geschreven in een brief aan de Tweede Kamer. Toch stemt het kabinet niet in met een algeheel verbod van clusterbommen, wat hulporganisaties zoals het Rode Kruis bepleiten. „Uit het feit dat wapens soms op onjuiste wijze worden ingezet trekt de regering echter niet de conclusie dat een volledige categorie wapens moet worden verboden”, aldus Verhagen.

Na „zorgvuldige afweging” kan Nederland alsnog besluiten de bommen in te zetten. Volgens Verhagen heeft de inzet van clusterbommen niet per se tot gevolg dat er burgerslachtoffers vallen.

Verouderde en minder betrouwbare clustermunitie heeft Nederland inmiddels afgegoten. De krijgsmacht beschikt nu nog over twee type clusterbommen. De laatste keer dat deze werden ingezet was bij de oorlog in Kosovo, in 1999. De NAVO-macht in Afghanistan beschikt niet over clustermunitie.

Nederland heeft zich dit jaar aangesloten bij een coalitie van 45 landen die een internationaal verdrag voorbereiden tegen het gebruik van clustermunitie. De landen kwamen overeen ook regionaal maatregelen te nemen.

De Tweede Kamerfractie van de SP, GroenLinks, PvdA, D66 en D66 laten weten te steunen. Het kabinet vindt het besluit „goed” maar betreft het de deur op een knip.

is er ten stelligste van overtuigd dat de partij “zich realiseerde dat haar traditionele marxistische interpretatie van het socialisme de verdere electorale groei van de partij wel eens zou kunnen belemmeren”. En dus werd er de afgelopen verkiezingen flink onder “de duiven van het CDA geschoten”. Bewijs? “Een welwillend interview met bisschop De Jong van Roermond, samen met partijleider Marijnissen, in De Tribune van januari 2006, en het optreden van een gospelkoortje tijdens het verkiezingscongres van de SP in datzelfde jaar.”

4-6-2007

Verbod clusterbom dichterbij

Voordat ze de grond raken, veranderen ze in talloze kleine bommetjes die over een grote terreinoppervlakte tot ontploffing komen: clusterbommen. Vernietigend genoeg, zou je zeggen, maar het venijn van dit wapen zit ‘m vooral in de ‘kleine broertjes’ die niét ontploffen. Die blijven als een soort landmijnen liggen. Volgens recent onderzoek van Handicap International zijn door het gebruik van deze submunitie (360 miljoen stuks wereldwijd) al meer dan 100.000 burgerslachtoffers gevallen. De Noorse minister Store van Buitenlandse Zaken nam het initiatief om tot een internationaal verbod te komen op deze wapens en inmiddels hebben 46 landen zich aangesloten. Tot nu toe echter wees Nederland ieder voorstel tot een stop op het gebruik van eigen clustermunitie van de hand. SP-Kamerlid Krista van Velzen bezocht eind mei in Peru een driedaagse conferentie die een internationaal verbod op clusterbommen dichterbij beoogde te brengen. Volgens Van Velzen, die al jaren voor een verbod pleit,

202

Israël gebruikte ze in Libanon. Frankrijk gebruikte ze in Tsjaad. Rusland gebruikte ze in Tsjetsjenië. En de Verenigde Staten gebruikten ze in Vietnam, Laos en Cambodja. Clusterbommen werden in de afgelopen vijftig jaar bij tal van conflicten ingezet. En de nasleep is enorm. Ruim dertig jaar nadat de Amerikanen de bombardementen op Laos beëindigden, worden er nog dagelijks drie Laotianen gedood door niet-ontploffte oorlogstuigen. Zes raken erdoor verminkt. „In Laos kun je geen stap buiten de deur zetten of je komt iemand met een paar missende ledematen tegen”, zegt Tom Wagner, die voor het blad *Handicap International* een serie foto's van gehandicapten voor een advertentiecampagne maakte. Zo kwam de Luxemburgse fotograaf in de provincie Savannaketh een jongen tegen die een hand, drie vingers en een oog verloor tijdens een zoektocht in de bossen naar een zoektocht in de bossen naar oorlogsmetaal. „Zes kilo metaal levert één kilo rijst op”, legt Wagner uit. „Mensen hebben er alles voor over.” De jongen, zijn naam is Latsamy, kan door zijn handicap niet meer werken. Hij doodt zijn tijd met sekato, een vorm van voetbal waarbij gebruik wordt gemaakt van een volleybalnet. „Oorspronkelijk werd de bal van bamboe gemaakt”, zegt Wagner. „Maar tegenwoordig is hij van plastic.” Ook tijdens de bombardementen speelden de Laotianen sekato. „Want niets houdt de menselijke behoefte aan vertier tegen. Zelfs oorlog niet.”

DANIELLE PINEDO

Dit is de achtste aflevering in een serie over sporten in oorlogstijd.



Latsamy, die door ontploffend oorlogstuig gehandicapt raakte, speelt sekato in het Laotiaanse Savannaketh. (Foto Tom Wagner)

Sagittarius

Van: "R Despotovic" <despot@tiscali.nl>
 Aan: "Nico en Neeltje" <nico.s@slobodan-
 Verzonden: maandag 18 juni 2007 22:32
 Onderwerp: Cluster bombs

In the wrong, Lane

The Age, 17 June 2007
Letters to the editor

Terry Lane (10/6) once again brilliantly proves the adage: why let facts get in the way of a good story? Here Lane continues in his tired crusade by focusing only on the US and Israel as the "purveyors" of cluster bombs. Some inconvenient facts (Human Rights Watch, April 2007):

! Manufacturing states: from Lane's tirade, you would assume the US and Israel only. Actually, 34 countries manufacture cluster bombs.

! Exporters: Lane ignores 11 countries that export them.

! Manufacturers: Lane mentions only "Israeli military industries", but 85 companies make cluster bombs, more than half of which are in Europe.

! Stockpiles: 75 countries possess these.

! Use: in the past 15 years, they have been used by **Yugoslavia**, Russia, the Northern Alliance, Sudan, Nigeria, Ethiopia, Eritrea, NATO, the US, the UK, Netherlands, Israel and Hezbollah.

Yes, cluster bombs are horrific. Yes, they (and the wars that trigger their use) should be banned. But let's have the journalistic integrity to admit that half the world still considers them appropriate, rather than pushing an agenda.

RONNIE BRAVERMAN, Elsternwick

Why join the cluster against a ban?

Terry Lane, The Age, 10 June 2007

<http://www.theage.com.au/news/opinion/why-join-the-cluster-against-a-ban/2007/06/09/1181089391310.html>

LIBERAL and Labor senators on the Senate Standing Committee on Foreign Affairs, Defence and Trade have combined to reject a private member's bill by Democrats leader Senator Lyn Allison that would prohibit the acquisition of cluster bombs by the Australian military.

Most of the expert testimony presented to the committee was from organisations supporting a ban on cluster bombs. They were unpersuasive compared with Israel Military Industries salesmen who were there to peddle their M85 model that has proved so precise and successful in southern Lebanon. These are the weapons described by former UN undersecretary-general for humanitarian affairs Jan Egeland as "completely immoral". UN Mine Action Co-ordination Centre for South Lebanon reckoned there were still 900,000 unexploded bombs in December last year, after 80,000 had been cleared.

We expect the conservative government to be gung-ho in the armaments business. They never refuse an invitation to a war, no matter how far away and how irrelevant to our security. However,

28-6-07

Chair of the committee is Liberal Senator Marise Payne, who happens to be president of the Parliamentary Association for UNICEF. UNICEF Australia supported the bill, saying that unexploded bomblets from cluster bombs pose a risk to civilians for years after a conflict has ended. Children are most at risk because they do not understand the threat the bomblets pose. Another case of the Ruddock/Amnesty hypocrisy syndrome?

The Labor senators' minority report on these weapons is bewildering when they were co-sponsors, along with the Greens, of Senator Allison's bill. Why did they want a bill they had sponsored withdrawn? They acknowledge the monstrous nature of the weapons but in the end support withdrawing the bill for the time being. This measure would allow them to consider the concerns raised by Defence and to take account of international developments. Labor senators want to ensure that discussion of, and consultation on, legislation relating to the use of cluster munitions continues so that common ground can be established for the drafting of future legislation. Common ground? Will we look for common ground on chemical and biological weapons? Or torture?

According to Handicap International, 98 per cent of cluster munitions casualties are civilians returning to their homes after war. That's a seriously high collateral damage figure if civilian casualties were not intended.

Is there some enemy we don't know about who is planning to shower parts of Australia with human clearance devices? And should we be responding with some clearance programs of our own? And as Israel and the US are the purveyors of these weapons, won't they be selling to anyone who will buy? Then what? Do we have to keep re-equipping to keep up with the Joneses?

At the Lima Conference on Cluster Munitions last month Australia distinguished itself by joining a small group of nations set against the international will for a ban. Belgium, Austria, Norway and Hungary have all known war and occupation yet renounce cluster bombs.

As the never-ending election campaign drags on we have time to consider our choices. Will we prefer the wicked government we know or the amoral opposition searching for common ground on starkly black and white issues that allow no ethical wiggle room?

Nederlandse culturele ambassadeur op de tocht. Volgens ingewijden zou de taak van de huidige ambassadeur op termijn worden overgenomen door een afdelingsdirecteur.

• Pagina 13

Vier Britse soldaten bij Basra gedood

BAGDAD, 5 APRIL. Vier Britse militairen en hun tolk zijn vanochtend in de buurt van de Zuid-Iraakse stad Basra gedood bij een bomontploffing. In Bagdad zijn vandaag en gisteren in totaal zes Amerikaanse militairen bij bomaanslagen en schietpartijen om het leven gekomen. Sinds 2003 zijn nu 140 Britse en 3.261 Amerikaanse militairen in Irak gedood.

Sagittarius

Van: "R Despotovic" <despot@tiscali.nl>
Aan: "Nico en Neeltje" <nico.s@slobodan-milosevic.org>; "Jenny Ligtenberg"
Verzonden: zaterdag 7 april 2007 1:50
Onderwerp: de Volkskrant - Economie - ABP stapt uit landmijnbedrijven

http://www.volkskrant.nl/economie/article413514.ece/ABP_stapt_uit_landmijnbedrijven

ABP stapt uit landmijnbedrijven
Van onze verslaggever Frank van Alphen

AMSTERDAM - Het pensioenfonds ABP heeft de beleggingen in vier bedrijven die landmijnen maken van de hand gedaan. Het fonds voor ambtenaren, onderwijzers en militairen doet dit als reactie op de recente commotie over beleggingen in de wapenhandel. Komende week maakt het ABP ook de lijst openbaar van de bijna vijfduizend bedrijven waarin het belegt.

BINNENLAND

SP: clusterbom verbannen

Nederland weigert eigen voorraad van de hand te doen

DEN HAAG — SP-Tweede Kamerlid Krista van Velzen dient vandaag een initiatiefwet in om het gebruik, bezit, vervoer en de productie van clustermunitie te verbieden. Nederland heeft weliswaar begin dit jaar in het Noorse Oslo een internationale verklaring ondertekend om vanaf 2008

clusterbommen te verbannen. Maar volgens haar weigert Nederland nog de eigen voorraad van deze munitie te vernietigen.

Van Velzen zei gisteren te hopen dat een Kamermeerderheid „het kabinet corrigeert” en ook in eigen land een verbod instelt. Clustermunitie is zeer omstreden, omdat daarmee een groot aantal kleinere bommen wordt verspreid. Doordat niet alles direct explodeert, maken ze vaak later veel onschuldige slachtoffers.

Direct na de ondertekening van

de overeenkomst in Oslo had het SP-Kamerlid al aangekondigd dat ze met een eigen voorstel zou komen als de regering in haar ogen niet voortvarend genoeg was. Daarbij hoopte zij op steun van CDA en ChristenUnie.

Maar haar collega Joël Voordewind van de ChristenUnie stelt eerst antwoorden van het kabinet op Kamervragen te willen afwachten. „Ik wil eerst weten wat voor een soort clusterbommen we nog hebben en op welke we eventueel een ban willen leggen.” Ook

Angelien Eijnsink van de PvdA wil eerst meer informatie van de regering.

Een woordvoerder van Defensie bevestigt dat Nederland nog clusterbommen heeft. Maar hij benadrukt dat het alleen typen zijn voor F-16's en Apache-helikopters en dat deze alleen worden gebruikt om „strikte, strategische redenen”, bijvoorbeeld om een zakelijk doel als een vliegveld te bestoken. „Anders moeten piloten telkens terugkeren om opnieuw te bombarderen en dat betekent veel meer risico's voor het personeel.” Defensie stelt al een tijd geleden andere typen clusterbommen die erom bekend staan dat ze veel burgerslachtoffers kunnen maken, te hebben vernietigd.

Volgens de zagsman is Nederland ook al jaren actief in internationaal verband om de schadelijke effecten van deze munitie te beperken. Zo wordt er volgens hem aan gewerkt om de techniek aan te passen, zodat bommen die niet direct exploderen door een zelf-destructief mechanisme alsnog snel ontploffen. (ANP)

Britse minister verdedigt inzet clusterbommen

AFP, AP
LONDEN/PARIJS

De Britse minister van Defensie Hoon heeft gisteren het gebruik van clusterbommen gerechtvaardigd. Tegen de BBC-radio zei Hoon dat het 'geheel legale wapens zijn die een legitieme militaire rol vervullen'.

Collignon



SP: clusterbommen ook in Nederland verbieden

DEN HAAG, 2 APRIL. Tweede Kamerlid Krista van Velzen (SP) heeft vandaag een initiatiefwet ingediend om het gebruik, bezit, vervoer en productie van clustermunitie te verbieden. Nederland heeft weliswaar begin dit jaar in het Noorse Oslo een internationale verklaring ondertekend om vanaf 2008 clusterbommen te verbannen. Maar volgens het Kamerlid weigert Nederland nog de eigen voorraad van deze munitie te vernietigen. Van Velzen zei gisteren te hopen dat een Kamermeerderheid „het kabinet corrigeert” en ook in eigen land een verbod instelt. Clustermunitie is zeer omstreden, omdat daarmee een groot aantal kleinere bommen wordt verspreid. Doordat niet alles direct explodeert, maken ze vaak later veel onschuldige slachtoffers. (ANP)

Rel rond geld

clustermunitie

1-3-2007

Van onze correspondent

BRUSSEL, donderdag

Nederlandse banken doen nog steeds zaken met bedrijven die de omstreden clustermunitie produceren. Dat zegt Netwerk Vlaanderen, dat de financiering van een zestal fabrikanten („het topje van de ijsberg”) onderzocht en op grond daarvan zowel ABN Amro als ING en Fortis op een zwarte lijst plaatste. De financiële instellingen zelf zeggen hun leven inmiddels te hebben gebeterd.

Clustermunitie spat uiteen tot tientallen kleine bommetjes, en kan zo in een groot gebied schade aanrichten. Kernprobleem is dat veel van deze munitie faalt en pas afgaat als argeloze burgers - veelal kinderen - erop stuiten. Handicap International maakte eind vorig jaar bekend dat 98 procent van de slachtoffers niet-militairen betreft.

„Wij vinden de banken daarom medeplichtig aan de moord op onschuldige burgers”, aldus Christophe Scheire, woordvoerder van de ideale organisatie Netwerk Vlaanderen.

Scheire benadrukt dat het gaat om algemene bedrijfsleningen, die niet specifiek worden aangewend om de productie van clustermunitie financieren. „Maar niet één contract verbiedt een bedrijf om het geld daar wél voor te gebruiken.”

Uitzondering

Zowel ING als Fortis besloot in 2005 niet langer fabrikanten van clusterbommen rechtstreeks te financieren. Beide bankverzekeraars maken een uitzondering voor grote conglomeraten die beperkt betrokken zijn bij de productie van 'controversiële' wapens, en zeggen alleen de niet-omstreden activiteiten te

'Nederlandse banken zijn medeplichtig aan moord'

niet langer zaken zal worden gedaan.

Een woordvoerder van ING benadrukt dat het krediet aan het Franse conglomeraat Thales valt onder de 'oude gevallen' waar de

bank contractueel niet onderuit kan. Ook bij de medefinanciering van een ander Europees conglomeraat, EADS, is de bank niet de fout in gegaan, zegt ING. „EADS had een belang in een producent van clusterbommen, maar heeft dat verkocht voordat wij een lening verstrekten.”

De beleggingsfondsen van ING en Fortis hebben wat meer vrijheid. „Die keuze ligt bij de klant.”

Een woordvoester van ABN Amro zegt het Vlaamse rapport nog te willen bestuderen. „Maar in algemene zin geldt dat we zorgvuldig zijn met betrekking tot de financiering van de defensiesector. Al sinds enkele jaren zijn we niet direct betrokken bij de productie van bijvoorbeeld clustermunitie.”

Vorige week besloten 46 landen, waaronder ook Nederland, te gaan werken aan een verbod op de productie en het gebruik van clusterbommen dat volgend jaar moet ingaan. België zal dit streven als eerste land in de praktijk brengen. Grote producenten en gebruikers als de Verenigde Staten, Rusland en China doen voor-

MAR 2007

Clusterbommen-conferentie'

Verdrag tegen Clusterbommen komt dichterbij

Hans van Iterson

Clusterbommen zijn bommetjes die met honderden in raketten of grotere bommen worden gestopt en zich bij de ontploffing over een groot terrein verspreiden. Een vrij groot percentage ontploft niet, met als gevolg dat ze op den duur veel burger-slachtoffers eisen, met name kinderen. Clusterbommen zijn recentelijk gebruikt in Irak, Kosovo, Afghanistan en Libanon.

Waarom zijn landmijnen per verdrag verboden en clusterbommen niet? Onderhandelingen hierover in de VN liepen op niets uit. De Noorse regering nam derhalve zelf het initiatief



Noorse minister van Buitenlandse Zaken, Jonas Støre

tot het beleggen van een 'Clusterbommen-conferentie'. Over deze aangelegenheid schreef de NVMP afgelopen december een brief naar premier Balkenende.

De NVMP, vereniging voor Gezondheidszorg en Vredesvraagstukken, is erg blij met het initiatief van Noorwegen aangaande een verdrag ten aanzien van clusterbommen. Noorwegen organiseert in februari een internationale conferentie voor het uithannen van clusterbommen. De Noren pakten de koe bij de hoorns, nadat een VN-conferentie hierover gisteren geen overeenstemming kon bereiken. 'De tijd is rijp voor een gezamenlijke inspanning om dit onmenselijke oorlogstuig te verbieden', aldus de Noorse minister van Buitenlandse Zaken, Jonas Støre.'

Nederland is hierbij geen mede-initiatiefnemer. Sterker nog: Nederland heeft zelfs het conceptverdrag tegen clusterbommen niet ondertekend. Deze afzijdige rol heeft ons verbaasd gezien de vooraanstaande rol die Nederland bij het landmijnenverdrag gespeeld heeft. De Nederlandse regering heeft de afgelopen periode een dubbele houding ten aanzien van clusterbommen getoond. Aan de ene kant heeft de regering zich meerdere malen uitgesproken tegen een verbod op clustermunitie. Anderzijds investeert Nederland in het opruimen van clusterbommen in conflictgebieden vanwege de risico's ervan voor de burgerbevolking. Ons is onduidelijk waarom de regering tot nu toe niet is overtuigd door argumenten om het gebruik van clusterbommen af te zweren.

Wij roepen Nederland op het gebruik, de opslag, de productie en het transport van clustermunitie te stoppen. Daarnaast moet ons land zich sterk maken voor een algeheel verbod op het gebruik van clusterbommen. De eigen voorraad clustermunitie moet worden vernietigd en de hulp aan landen en individuen die het slachtoffer zijn van deze bommen moet worden vergroot. Degenen die clusterbommen gebruiken moeten de bommen opruimen, zorgen voor een goed werkend waarschuwingssysteem en hulp bieden aan de slachtoffers. Onzes inziens heeft het hier een belangrijk onderwerp, gericht op vredesbevorderende activiteiten zonder troepen in te zetten. Wij vragen u dan ook hierover bij de kabinetsformatie afspraken te maken.

Met vriendelijke groet,
H.O. Spanjaard, bedrijfsarts, voorzitter NVMP

Uiterlijk in 2008 sluiten de zesenvertig landen een juridisch bindende overeenkomst die clusterbommen verbiedt.

Grootmachten en belangrijke wapenfabrikanten zoals de Verenigde Staten, Rusland en China boycotten de conferentie in Oslo. Ook Pakistan, India, Australië en Israël hebben geweigerd een afvaardiging naar de Noorse hoofdstad te sturen. Deelnemers aan de conferentie zeiden dat het niettemin zin heeft om clusterbommen in de ban te doen.

Volgens Steve Goose van *Human Rights Watch* zal het verbod ook zonder deelname van de grootmachten impact hebben. Het landmijnverbod dat werd gesloten in Oslo in 1997 zonder de VS, Rusland en China heeft er toch toe geleid dat die grootmachten geen landmijnen meer gebruiken die zijn bedoeld om mensen te treffen, zei hij. Het aantal burgers dat slachtoffer wordt van landmijnen is sinds 1997 gehalveerd.

Clusterbommen zijn bommetjes die bij de honderden in raketten of grotere bommen worden gestopt en zich bij de ontploffing over een groot terrein verspreiden. Een vrij groot percentage ontploft niet, met als gevolg dat ze op den duur veel burgerslachtoffers eisen, met name kinderen.

Clusterbommen zijn recentelijk gebruikt in Irak, Kosovo, Afghanistan en Libanon. De Verenigde Naties schatten dat Israël de afgelopen zomer vier miljoen clusterbommen boven Libanees grondgebied heeft afgeworpen en dat 40 procent niet onmiddellijk is geëxplodeerd.





Minister-President
Ministerie van Algemene Zaken

Postadres
Postbus 20001
2500 EA Den Haag

Bezoekadres
Binnenhof 19, Den Haag

Telefoon
+31 70 308 1965

Fax
+31 70 356 4683

Datum
19 februari 2007

Kenmerk
506646

Nederlandse Vereniging voor Medische Polemologie
De heer H.O. Spanjaard
Boschastraat 17
3514 HN UTRECHT

Geachte heer Spanjaard,

Uw brief van 11 december 2006 heb ik in goede orde ontvangen. Ik bied u mijn oprechte excuses aan voor mijn verlate reactie. In uw schrijven pleit u voor een verbod op clusterwapens. Ik wil hier graag als volgt op reageren.

Zoals u schrijft in uw brief zal de Noorse regering inderdaad eind deze maand een conferentie organiseren die moet leiden tot een verbod op clusterwapens die onaanvaardbaar humanitair leed veroorzaken. De Noorse minister van Buitenlandse Zaken heeft minister Bot ook uitgenodigd voor die conferentie. De Nederlandse regering zal de uitnodiging aannemen en in Oslo zal Nederland steun uitspreken voor een dergelijk verbod.

De verwachting is dat het Oslo-initiatief een belangrijk normstellend traject wordt met betrekking tot de inzet van clustermunitie. De Nederlandse regering wil echter nog geen afscheid nemen van het multilaterale spoor. Het is immers van belang ook grote en belangrijke landen die niet in Oslo zullen zijn bij de les te houden en om de groep landen die bereid is stappen te ondernemen zo groot mogelijk te maken.

Nederland zal zich daarom óók blijven inzetten voor verdere besprekingen over clusterwapens in de VN-ontwapeningsonderhandelingen in Genève.

Met vriendelijke groet,

DE MINISTER-PRESIDENT,
Minister van Algemene Zaken,

Mr. dr. J.P. Balkenende

Het antwoord van de premier volgde een paar dagen voorafgaande aan de Noorse conferentie op 22 februari. Een bemoedigend schrijven. Waarin echter gesproken wordt over steun voor het initiatief en met geen woord over de Nederlandse clusterwapenvoorraad.

Het resultaat van de Oslo-conferentie

Zesenvestig van de negenveertig landen die in Oslo een conferentie over clusterbommen bijwonen, ondertekenen vrijdag 23 februari een verklaring die de omstreden wapens in de ban doet. Dat heeft de Noorse onderminister van Buitenlandse

Zaken, Raymond Johansen, gezegd. Polen, Roemenië en Japan keuren volgens hem de verklaring af.



Clusterbom

Uiterlijk in 2008 sluiten de zesenvestig landen een juridisch bindende overeenkomst die clusterbommen verbiedt.

Grootmachten en belangrijke wapenfabrikanten zoals de Verenigde Staten, Rusland en China boycotten de conferentie in Oslo. Ook Pakistan, India, Australië en Israël hebben geweigerd een afvaardiging naar de Noorse hoofdstad te sturen. Deelnemers aan de conferentie zeiden dat het niettemin zin heeft om clusterbommen in de ban te doen.

Volgens Steve Goose van *Human Rights Watch* zal het verbod ook zonder deelname van de grootmachten impact hebben. Het landmijnverbod dat werd gesloten in Oslo in 1997 zonder de VS, Rusland en China heeft er toch toe geleid dat die grootmachten geen landmijnen meer gebruiken die zijn bedoeld om mensen te treffen, zei hij. Het aantal burgers dat slachtoffer wordt van landmijnen is sinds 1997 gehalveerd.

Clusterbommen zijn bommetjes die bij de honderden in raketten of grote bommen worden gestopt en zich bij de ontploffing over een groot terrein verspreiden. Een vrij groot percentage ontploft niet, met als gevolg dat ze op den duur veel burgerslachtoffers eisen, met name kinderen.

Clusterbommen zijn recentelijk gebruikt in Irak, Kosovo, Afghanistan en Libanon. De Verenigde Naties schatten dat Israël de afgelopen zomer vier miljoen clusterbommen boven Libanees grondgebied heeft afgeworpen en dat 40 procent niet onmiddellijk is geëxplodeerd. ☹

Rel rond geld clustermunitie

Van onze correspondent

BRUSSEL, donderdag
Nederlandse banken doen nog steeds zaken met bedrijven die de omstreden clustermunitie produceren. Dat zegt Netwerk Vlaanderen, dat de financiering van een zestal fabrikanten („het topje van de ijsberg”) onderzocht en op grond daarvan zowel ABN Amro als ING en Fortis op een zwarte lijst plaatste. De financiële instellingen zelf zeggen hun leven inmiddels te hebben verbeterd.

Clustermunitie spat uiteen tot tientallen kleine bommetjes, en kan zo in een groot gebied schade aanrichten. Kernprobleem is dat veel van deze munitie faalt en pas afgaat als ar-

'Nederlandse banken zijn medeplichtig aan moord'

niet langer zaken zal worden gedaan.

Een woordvoerder van ING benadrukt dat het krediet aan het Franse conglomeraat Thales valt onder de 'oude gevallen' waar de

gelooze burgers - veelal kinderen - erop stuiten. Handicap International maakte eind vorig jaar bekend dat 98 procent van de slachtoffers niet-militairen betreft.

„Wij vinden de banken daarom medeplichtig aan de moord op onschuldige burgers”, aldus Christophe Scheire, woordvoerder van de ideale organisatie Netwerk Vlaanderen.

Scheire benadrukt dat het gaat om algemene bedrijfsleeningen, die niet specifiek worden aangewend om de productie van clustermunitie financieren. „Maar niet één contract verbiedt een bedrijf om het geld daar wél voor te gebruiken.”

Uitzondering

Zowel ING als Fortis besloot in 2005 niet langer fabrikanten van clusterbommen rechtstreeks te financieren. Beide bankverzekeraars maken een uitzondering voor grote conglomeraten die beperkt betrokken zijn bij de productie van 'controversiële' wapens, en zeggen alleen de niet-omstreden activiteiten te financieren. Fortis komt nog voor de zomer met een zwarte lijst van bedrijven waarmee

bank contractueel niet onderuit kan. Ook bij de medefinanciering van een ander Europees conglomeraat, EADS, is de bank niet de fout in gegaan, zegt ING. „EADS had een belang in een producent van clusterbommen, maar heeft dat verkocht voordat wij een lening verstrekten.”

De beleggingsfondsen van ING en Fortis hebben wat meer vrijheid. „Die keuze ligt bij de klant.”

Een woordvoerder van ABN Amro zegt het Vlaamse rapport nog te willen bestuderen. „Maar in algemene zin geldt dat we zorgvuldig zijn met betrekking tot de financiering van de defensiesector. Al sinds enkele jaren zijn we niet direct betrokken bij de productie van bijvoorbeeld clustermunitie.”

Vorige week besloten 46 landen, waaronder ook Nederland, te gaan werken aan een verbod op de productie en het gebruik van clusterbommen dat volgend jaar moet ingaan. België zal dit streven als eerste land in de praktijk brengen. Grote producenten en gebruikers als de Verenigde Staten, Rusland en China doen voorts nog niet mee. Het drietal heeft zich ook niet aangesloten bij de ban op landmijnen.

Londen stopt met 'domme' clusterbom

Door onze correspondent

LONDEN, 21 MAART. De Britse regering ziet sinds gisteren af van het gebruik van het soort clusterbommen dat nog jaren later mensen kan doden of verminken doordat delen van de bom niet meteen tot ontploffing komen.

Het resterende Britse arsenaal 'domme' clusterbommen - explosieven waarin zich honderden bommetjes bevinden - zal zo spoedig mogelijk worden vernietigd, zo maakte minister van Defensie Des Browne gisteren bekend.

De minister stelde dat Groot-Brittannië het eerste grote land is dat tot deze stap overgaat. „We hopen dat andere landen ons voorbeeld zullen volgen”, aldus Browne. De Britten maakten onder meer gebruik van clusterbommen in Kosovo en Irak.

De aankondiging van de minister van Defensie ging actievoerders tegen de clusterbommen echter niet ver genoeg. Zij eisen dat de regering ook afziet van het gebruik van 'slimme' clusterbommen.

Net als de 'domme' variant vallen deze uiteen in afzonderlijke explosieve fragmenten. Het verschil is echter dat alles direct tot ontploffing komt. Daardoor is er geen risico dat spelende kinderen, volwassenen of dieren later alsnog worden gedood of verminkt doordat ze een niet geëxplodeerd fragment aanraken.

Vorige maand werden op een conferentie in de Noorse hoofdstad Oslo 46 landen, waaronder Groot-Brittannië, het eens te streven naar een verdrag dat met ingang van 2008 het gebruik van clusterbommen zou verbieden. Er is echter ook veel verzet. De Verenigde Staten zijn tegen een dergelijk verbod en ook Rusland, China, India, Pakistan en Israël, dat vorig jaar nog gebruik maakte van clusterbommen in Libanon, steunen een verbod niet.

De organisatie Handicap International, die zich voor gehandicapten in de wereld inzet, stelt dat er de afgelopen dertig jaar zeker elfduizend mensen gehandicapt zijn geraakt als gevolg van clusterbommen. Volgens de organisatie is 98 procent van de slachtoffers burger.

Militairen betogen echter dat het gebruik van clusterbommen nuttig kan zijn tegen doelen zoals vliegvelden en tanks.

Britse ban op 'domme' clusterbom

LONDEN Het Britse leger verbant als eerste militaire grootmacht zogenoemde 'domme' clusterbommen met onmiddellijke ingang uit zijn wapenarsenaal. Dit maakte minister van Defensie Des Browne dinsdag bekend. Doel van de maatregel is het voorkomen van burgerslachtoffers.

Clusterbommen worden meestal afgeworpen uit vliegtuigen of afgeschoten met raketten, waarna ze uiteenvallen in honderden kleine explosieven. De bommen die worden afgeschafte zijn varianten zonder het mechanisme dat ontploffing dient te garanderen wat voorkomt dat onontploffte resten achterblijven na een conflict. Vooral spelende kinderen worden hier vaak het slachtoffer van.

Het Britse leger gaat 28 miljoen stuks van dit soort munitie vernietigen, aldus Browne. In februari spraken 46 landen in Oslo over een verdrag om het gebruik van de wapens te beperken. De grootste fabrikanten van dit wapentuig - de VS, Rusland, China en Israël - lieten toen verstek gaan.

Rel rond geld clustermunitie

Van onze correspondent

BRUSSEL, donderdag
Nederlandse banken doen nog steeds zaken met bedrijven die de omstreden clustermunitie produceren. Dat zegt Netwerk Vlaanderen, dat de financiering van een zestal fabrikanten („het topje van de ijsberg”) onderzocht en op grond daarvan zowel ABN Amro als ING en Fortis op een zwarte lijst plaatste. De financiële instellingen zelf zeggen hun leven inmiddels te hebben verbeterd.

Clustermunitie spat uiteen tot tientallen kleine bommetjes, en kan zo in een groot gebied schade aanrichten. Kernprobleem is dat veel van deze munitie faalt en pas afgaat als ar-

'Nederlandse banken zijn medeplichtig aan moord'

niet langer zaken zal worden gedaan.

Een woordvoerder van ING benadrukt dat het krediet aan het Franse conglomeraat Thales valt onder de 'oude gevallen' waar de

geleze burgers - veelal kinderen - erop stuiten. Handicap International maakte eind vorig jaar bekend dat 98 procent van de slachtoffers niet-militairen betreft.

„Wij vinden de banken daarom medeplichtig aan de moord op onschuldige burgers”, aldus Christophe Scheire, woordvoerder van de ideale organisatie Netwerk Vlaanderen.

Scheire benadrukt dat het gaat om algemene bedrijfsleningen, die niet specifiek worden aangewend om de productie van clustermunitie financieren. „Maar niet één contract verbiedt een bedrijf om het geld daar wél voor te gebruiken.”

Uitzondering

Zowel ING als Fortis besloot in 2005 niet langer fabrikanten van clusterbommen rechtstreeks te financieren. Beide bankverzekeraars maken een uitzondering voor grote conglomeraten die beperkt betrokken zijn bij de productie van 'controversiële' wapens, en zeggen alleen de niet-omstreden activiteiten te financieren. Fortis komt nog voor de zomer met een zwarte lijst van bedrijven waarmee

bank contractueel niet onderuit kan. Ook bij de medefinanciering van een ander Europees conglomeraat, EADS, is de bank niet de fout in gegaan, zegt ING. „EADS had een belang in een producent van clusterbommen, maar heeft dat verkocht voordat wij een lening verstrekten.”

De beleggingsfondsen van ING en Fortis hebben wat meer vrijheid. „Die keuze ligt bij de klant.”

Een woordvoerder van ABN Amro zegt het Vlaamse rapport nog te willen bestuderen. „Maar in algemene zin geldt dat we zorgvuldig zijn met betrekking tot de financiering van de defensiesector. Al sinds enkele jaren zijn we niet direct betrokken bij de productie van bijvoorbeeld clustermunitie.”

Vorige week besloten 46 landen, waaronder ook Nederland, te gaan werken aan een verbod op de productie en het gebruik van clusterbommen dat volgend jaar moet ingaan. België zal dit streven als eerste land in de praktijk brengen. Grote producenten en gebruikers als de Verenigde Staten, Rusland en China doen voorts nog niet mee. Het drietal heeft zich ook niet aangesloten bij de ban op landmijnen.

Londen stopt met 'domme' clusterbom

Door onze correspondent

LONDEN, 21 MAART. De Britse regering ziet sinds gisteren af van het gebruik van het soort clusterbommen dat nog jaren later mensen kan doden of verminken doordat delen van de bom niet meteen tot ontploffing komen.

Het resterende Britse arsenaal 'domme' clusterbommen - explosieven waarin zich honderden bommetjes bevinden - zal zo spoedig mogelijk worden vernietigd, zo maakte minister van Defensie Des Browne gisteren bekend.

De minister stelde dat Groot-Brittannië het eerste grote land is dat tot deze stap overgaat. „We hopen dat andere landen ons voorbeeld zullen volgen”, aldus Browne. De Britten maakten onder meer gebruik van clusterbommen in Kosovo en Irak.

De aankondiging van de minister van Defensie ging actievoerders tegen de clusterbommen echter niet ver genoeg. Zij eisen dat de regering ook afziet van het gebruik van 'slimme' clusterbommen.

Net als de 'domme' variant vallen deze uiteen in afzonderlijke explosieve fragmenten. Het verschil is echter dat alles direct tot ontploffing komt. Daardoor is er geen risico dat spelende kinderen, volwassenen of dieren later alsnog worden gedood of verminkt doordat ze een niet geëxplodeerd fragment aanraken.

Vorige maand werden op een conferentie in de Noorse hoofdstad Oslo 46 landen, waaronder Groot-Brittannië, het eens te streven naar een verdrag dat met ingang van 2008 het gebruik van clusterbommen zou verbieden. Er is echter ook veel verzet. De Verenigde Staten zijn tegen een dergelijk verbod en ook Rusland, China, India, Pakistan en Israël, dat vorig jaar nog gebruik maakte van clusterbommen in Libanon, steunen een verbod niet.

De organisatie Handicap International, die zich voor gehandicapten in de wereld inzet, stelt dat er de afgelopen dertig jaar zeker elfduizend mensen gehandicapt zijn geraakt als gevolg van clusterbommen. Volgens de organisatie is 98 procent van de slachtoffers burger.

Militairen betogen echter dat het gebruik van clusterbommen nuttig kan zijn tegen doelen zoals vliegvelden en tanks.

Britse ban op 'domme' clusterbom

LONDEN Het Britse leger verbant als eerste militaire grootmacht zogenoemde 'domme' clusterbommen met onmiddellijke ingang uit zijn wapenarsenaal. Dit maakte minister van Defensie Des Browne dinsdag bekend. Doel van de maatregel is het voorkomen van burgerslachtoffers.

Clusterbommen worden meestal afgeworpen uit vliegtuigen of afgeschoten met raketten, waarna ze uiteenvallen in honderden kleine explosieven. De bommen die worden afgeschafte zijn varianten zon-

der het mechanisme dat ontploffing dient te garanderen wat voorkomt dat onontploffte resten achterblijven na een conflict. Vooral spelende kinderen worden hier vaak het slachtoffer van.

Het Britse leger gaat 28 miljoen stuks van dit soort munitie vernietigen, aldus Browne. In februari spraken 46 landen in Oslo over een verdrag om het gebruik van de wapens te beperken. De grootste fabrikanten van dit wapentuig - de VS, Rusland, China en Israël - lieten toen verstek gaan.

Clustermunitie op Libanese bodem: dodelijk voor jàren!

Bert De Belder
ma 26 feb 2007

*CLUSTER BOMMEN!
er, 02.*

In Oslo had op 22 en 23 februari een belangrijke conferentie over clustermunitie plaats. 46 staten kwamen samen met VN-instellingen en humanitaire organisaties, overeen om in 2008 tot een "wettelijk bindend internationaal instrument" te komen voor "een verbod op het gebruik, de productie, de opslag en de overdracht van clustermunitie die onaanvaardbare schade toebrengt aan burgers". Ze willen ook meer samenwerking en hulp bij de opruim van 'vervuilde' gebieden en bij de zorg voor de slachtoffers. Het zijn de moordende effecten van de Israëliische clusterbommen op Libanon die deze duw in de goede richting gaven.

Een systematisch gedropt bommentapijt

Israël bestookte Libanon tijdens zijn agressieoorlog van juli/augustus 2006 elke dag met 3000 bommen, raketten en artilleriestukken. Tegen het einde van de oorlog waren dat er zelfs 6000. Een deel van deze verschrikkelijke bommenregen bevatte clustermunitie: de moederbom spat uiteen in - afhankelijk van het type - 88 tot 644 bommetjes, de grootte van een kleine granaat. 90% van die clusterbommen vuurde Israël af in de laatste 72 uur voor het staakt-het-vuren van 14 augustus 2006. De humanitaire coördinator van de VN, Jan Egeland, noemde dit "compleet immoreel". In totaal zijn volgens Handicap International 4 miljoen stuks clustermunitie in Libanon neergekomen.

Naar schatting 15 tot 40% van de afgevuurde clustermunitie is achtergebleven zonder te ontploffen. Dat betekent dat er wel een miljoen granaten in Libanese dorpen en velden liggen. In feite zijn dat evenveel kleine landmijnen geworden, levensgevaarlijk voor wie erop trapt of ze opraapt. Het Mine Action Coordinating Centre in Zuid-Libanon heeft 839 locaties geïdentificeerd waar Israël clustermunitie op heeft afgevuurd. Ondanks herhaalde oproepen, o.a. van Amnesty International, heeft het Israëlisch leger nooit volledige en accurate informatie ter beschikking gesteld over de gebieden die het met clusterbommen heeft bestookt.

Een half jaar na het staakt-het-vuren blijft de tol van de achtergebleven clustermunitie erg hoog. Meer dan 20 burgers stierven bij accidenten met clustermunitie, meer dan 160 raakten gewond. Ongeveer een derde van hen waren kinderen. De clustermunitie heeft soms de vorm van kleine drinkkartonnetjes, en zijn dikwijls voorzien van kleurige linten, wat ze aantrekkelijk maakt voor nieuwsgierige kinderen. Daarnaast vielen bij het ontmijnen zelf ook nog eens 8 doden en 19 gewonden, waaronder drie Belgische militairen. De eerste weken maakte achtergebleven clustermunitie 3 of 4 slachtoffers per dag, vandaag zijn het er nog steeds enkele per week.

Economisch is Zuid-Libanon erg afhankelijk van de landbouw. Het is er de voornaamste bron van inkomsten, de helft van de bevolking werkt in de landbouw. De streek produceert citrusvruchten, bananen, olijven, groenten, tabak,... 26% van het bebouwde land in Zuid-Libanon is nu 'vervuild' met clusterbommen, landmijnen en andere niet-ontploffte tuigen ('UXO' of 'unexploded ordnance'). De lintjes aan de granaten maken dat ze gemakkelijk in de olijfbomen en bananenplanten blijven hangen. Door de clustermunitie op hun velden konden de boeren nauwelijks irrigeren, planten of oogsten - tenzij op gevaar van hun leven. Het VN-agentschap dat het ontmijnen coördineert heeft een planning opgesteld die rekening houdt met de landbouwcycli van de gekweekte gewassen. De maand maart is rood omcirkeld: dan worden de olijfgaarden en tabaksplantages manueel gecontroleerd door de landarbeiders. Clusteraccidenten verzekerd! Een onderzoekscommissie van de Mensenrechtenraad van de VN is bijzonder scherp voor Israël: "De Commissie vindt dat deze wapens bewust gebruikt zijn om van grote gebieden vruchtbaar landbouwland een 'no go' gebied te maken voor de burgerbevolking."

Schending van het internationaal humanitair recht

"Het gebruik van clusterbommen midden gebieden waar mensen wonen, schendt duidelijk het verbod op aanvallen zonder onderscheid (tussen militairen en burgers) en is daarom een grove schending van het internationaal humanitair recht", stelt Kate Gilmore, vice-algemeen secretaris van Amnesty International. Nochtans is clustermunitie op zich (nog) niet verboden. In 2003 werd in het kader van het Conventioneel Wapenverdrag (voluit: Convention on Certain Conventional Weapons) wel een vijfde protocol vastgelegd over 'explosieve oorlogsresten'. Het legt de verantwoordelijkheid vast voor het ruimen van deze munitie en voorziet een systeem van bijstand aan de getroffen landen. Maar het bevat geen juridisch bindende bepalingen. Op de laatste herzieningsconferentie van het Conventioneel Wapenverdrag, in november 2006 in Genève, kwam er niet meer dan een vage oproep om "het gebruik van clustermunitie te verbieden in concentraties van burgers", en om "de

ontwikkeling, productie, opslag, overdracht en gebruik te verbieden van clustermunitie die ernstige humanitaire schade kunnen toebrengen omdat ze onbetrouwbaar of inaccuraat zijn". De recente conferentie van Oslo gaat duidelijk verder én sneller dan de conferentie van Echternach, euh, van Genève.

Moeizame opruim

Heel wat teams zijn al maanden zoet met het opsporen en opruimen van de clustermunitie en andere UXO's in Zuid-Libanon. Er zijn niet alleen Belgische militairen met ontmijningsploegen aan de slag - in het kader van de VN-vredesmacht Unifil - maar ook teams van Handicap International, van Zweedse, Noorse en Deense ngo's, van VN-agentschappen, van het Libanese leger,... Maar het werk vordert traag, tergend traag. Eind 2006, na meer dan vier maand ontmijnen, waren in totaal 95.000 stuks munitie onschadelijk gemaakt: grosso modo 15.000 door Unifil, 25.000 door de VN en de ngo's, en 55.000 door het Libanese leger. Hieruit blijkt - wat weinig geweten is - dat Unifil dus slechts een deeltje van het werk opknapt. Die 95.000 opgeruimde clusterbommetjes maken niet meer dan 10% uit van het geschatte aantal van 1 miljoen, en ook qua gecontamineerde oppervlakte zien we eenzelfde verhouding: van de 34 km² 'clustermunitiegebied' was eind 2006 nauwelijks 9% opgekuist. Even rekenen: er staat de ontmijningsploegen dus nog drie à vier jaar labeur te wachten!

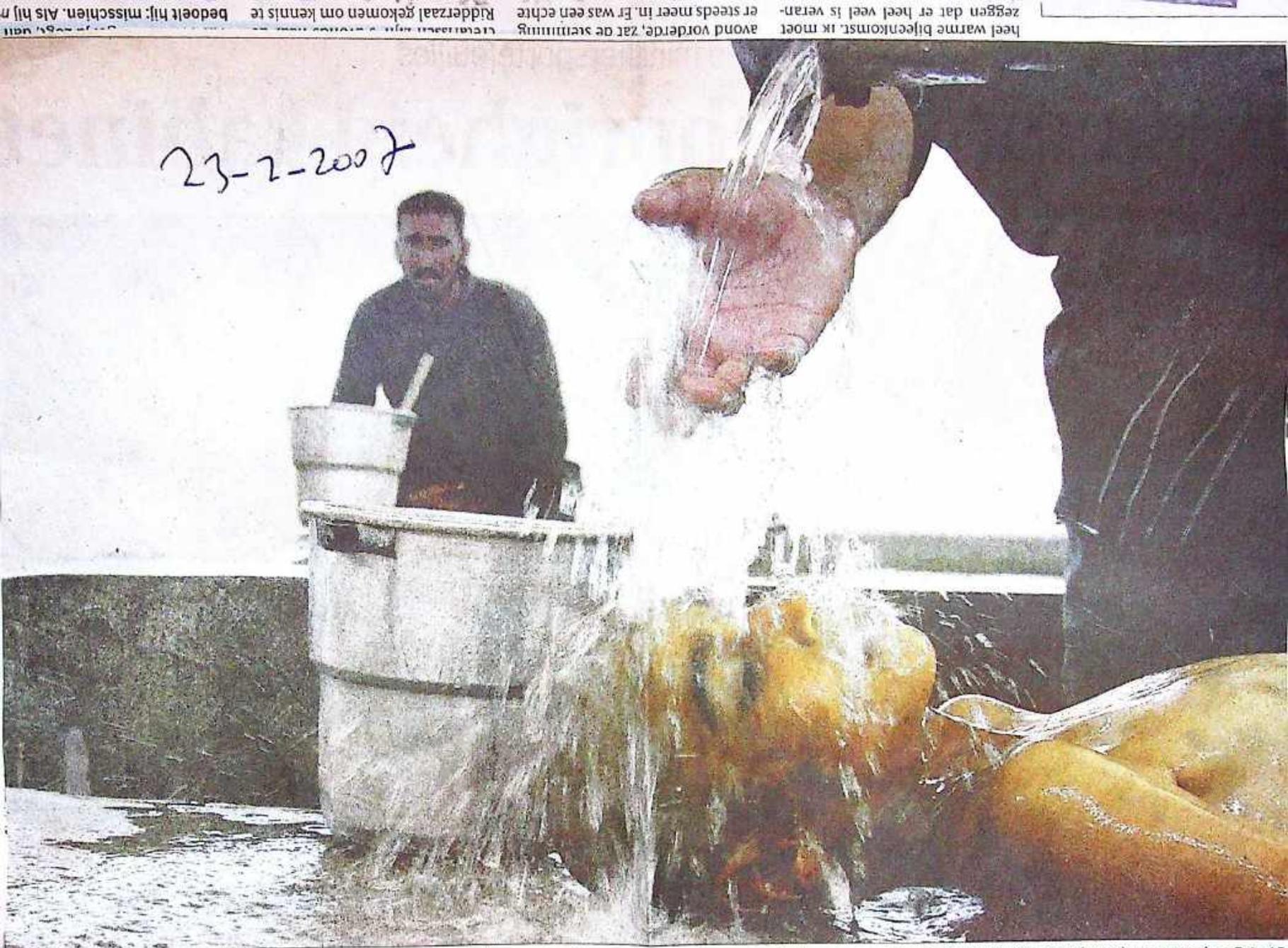
De rol van België

België heeft een team van een kleine 400 militairen in Zuid-Libanon, als deel van de VN-vredesmacht Unifil. Ze zijn sinds eind september ter plaatse, met een mandaat voor zes maand, één maal verlengbaar. Naast medische hulpverlening en wederopbouw zijn de Belgen vooral bezig met ontmijnen. Op zich een goede zaak. Maar de hele Unifil-operatie, en de Europese en Belgische bijdrage daaraan, heeft ook een reukje dat minder humanitair is. Eerste minister Verhofstadt was hierover glashelder in de Kamer: "Ik ben er al lang voorstander van om een eigen Europese defensie-identiteit te ontwikkelen, niet los van de Navo maar als een pijler van de Navo. (...) Deze operatie is een belangrijke stap om binnen het kader van het Atlantisch bondgenootschap als geheel die Europese defensie-identiteit en die Europese defensiepijler te ontwikkelen."

Hoeveel de Belgsiche deelname aan de Unifil-missie zal kosten, en wie ervoor moet betalen, is niet echt duidelijk. Eind augustus sprak Defensieminister Flahaut in de Kamer over een kostenplaatje van 4 miljoen euro voor 2006, waarvan de VN bijna twee derde zouden terugbetalen "op min of meer lange termijn". Voor de tien maand van 2007 - Flahaut ging blijkbaar automatisch uit van een verlenging van het mandaat voor 'zijn' jongens - zou 20 miljoen euro nodig zijn. Van welk budget, dat zouden we ten gepasten tijde dan wel zien...

In diezelfde Kamer van Volksvertegenwoordigers stelden Dirk Van der Maelen en Inga Verhaert (beiden SP.a) vragen over de schendingen van het internationaal humanitair recht in het conflict, en over de mogelijkheid voor herstelbetalingen. Minister van Buitenlandse Zaken De Gucht (VLD) antwoordde ontwijkend: "Het mechanisme van herstelbetalingen is altijd het gevolg van een vredesakkoord. (...) Ik denk niet dat dat kan in de gegeven omstandigheden. Daar zijn in ieder geval geen historische voorbeelden van." En over de schendingen van het internationaal recht "zijn wij volop bezig om daarover een reflectienota te maken". Dat 'volop bezig zijn' aan een nota 'om over na te denken' is blijkbaar nog steeds... bezig.

België speelt internationaal wel een voortrekkersrol om clustermunitie te doen verbieden. Op 9 juni 2006 werd een wet van kracht die voor België, als eerste land ter wereld, het gebruik en de opslag van clustermunitie verbiedt. PS-senator Philippe Mahoux wil nog verder gaan. Eind oktober diende hij een wetsvoorstel in dat het verbod vraagt van "de financiering van de productie, het gebruik en de opslag van clustermunitie". Buitenlandminister De Gucht gaf ook meermaals te kennen dat België gastheer wil spelen voor een internationale conferentie over het verbod op clustermunitie. Uiteindelijk moest België, op de conferentie van Oslo, vrede nemen met een regionale conferentie. De internationale opvolgingsconferenties hebben plaats in Lima (mei/juni), Wenen (november/december) en Dublin (voorjaar 2008).



23-2-2007

Muhammed Hassan kijkt toe terwijl het dode lichaam van zijn 11-jarige zoon Esa Hassan wordt gewassen. Esa had op een speelterrein in Najaf, Irak, een clusterbom gevonden. Foto AP

Grootste gebruikers van clusterbommen huiverig voor conferentie in Oslo over inperkings

heel warme bijeenkomst. Ik moet zeggen dat er heel veel is veranderd sinds de eerste avond voorde, zat de vermindering. Ridderzaal gekomen om kennis te maken. Als hij n

Offensief tegen clusterbommen

Achtergrond

► Noorwegen neemt initiatief tegen gebruik clusterbommen.

► Campagne tegen landmijnen geldt als voorbeeld.

Van onze verslaggever Rob Vreeken

AMSTERDAM Wordt de stunt van tien jaar geleden herhaald? Een groep progressieve westerse landen had destijds schoon genoeg van het stroperige geconfereneer in VN-verband over maatregelen tegen landmijnen.

Samen met organisaties als Human Rights Watch en Handicap International stelden zij dan maar op eigen houtje een verdrag op waarin landmijnen resoluut werden verboden.

Het initiatief werd een weergaloos succes. Activiste Jody Williams kreeg er in 1997 de Nobelprijs voor de Vrede voor. Inmiddels hebben 152 staten het document geratificeerd. Dat landen als de VS, Rusland en China niet meedoen, wordt voor lief genomen.

Vandaag wordt in Oslo, de stad waar het landmijnverdrag werd opgesteld, de klarenstoot gegeven voor deel twee van de campagne: een verdrag tegen clustermunitie, liefst al in 2008.

Bijna vijftig landen nemen deel aan een tweedaagse conferentie. Opnieuw wordt nauw samengewerkt met ngo's, verzameld in de Clustermunitie Coalitie.

De Noorse regering, doodmoe van het gepalaver in het VN-beraad over conventionele wapens (CCW), nam in november het initiatief tot de conferentie. 'Een internationaal verbod kan menselijke rampen

voorkomen', zei minister van Buitenlandse Zaken Jonas Gahr Store. 'Elke dag zijn er meldingen van nieuwe slachtoffers.'

België en Noorwegen kondigden vorig jaar een moratorium op clustermunitie af. Oostenrijk sloot zich daar gisteren bij aan, op de eerste conferentiedag. Nederland is er bij in Oslo, maar houdt zich vooralsnog op de vlakte.

'Moederbommen en hun baby's' zijn nog venijniger dan landmijnen. Elk stuk clustermunitie bevat tien tot honderden stuks 'submunitie' (*duds*), projectielen die na ontploffing van de moederbom alle kanten opvliegen over een gebied van soms wel 20 hectare (veertig voetbalvelden).

Clusterbommen kunnen dus makkelijk burgerslachtoffers maken als ze worden afgeworpen vanuit de lucht of afgevuurd vanaf de grond, maar ook lang daarna. Veel submunitie blijft niet-geëxploedeerd liggen en verandert in een soort landmijnen.

Nog jaren later kunnen burgers

worden getroffen. Vaak zijn dat kinderen, gelokt door het 'speelgoed' dat ze zomaar zien liggen.

Volgens de Verenigde Naties ondervinden 23 ontwikkelingslanden de kwalijke gevolgen van clusterbommen. Het wapentuig doodt en verminkt burgers, maakt landbouwgronden lange tijd onbruikbaar en maakt het vluchtelingen onmogelijk veilig terug te keren. Vietnam, Laos en Cambodja ondervinden deze effecten meer dan dertig jaar na de oorlog nog altijd.

Clusterbommen werden in 1943 voor het eerst gebruikt door de legers van Hitler en Stalin. Vooral in de jaren negentig maakten ze een opmars. Nederlandse F-16's dropten clustermunitie in voormalig Joegoslavië.

Recentelijk werden de bommen op grote schaal gebruikt in Irak (Amerikanen en Britten), Afghanistan (VS) en vorig jaar in Libanon.

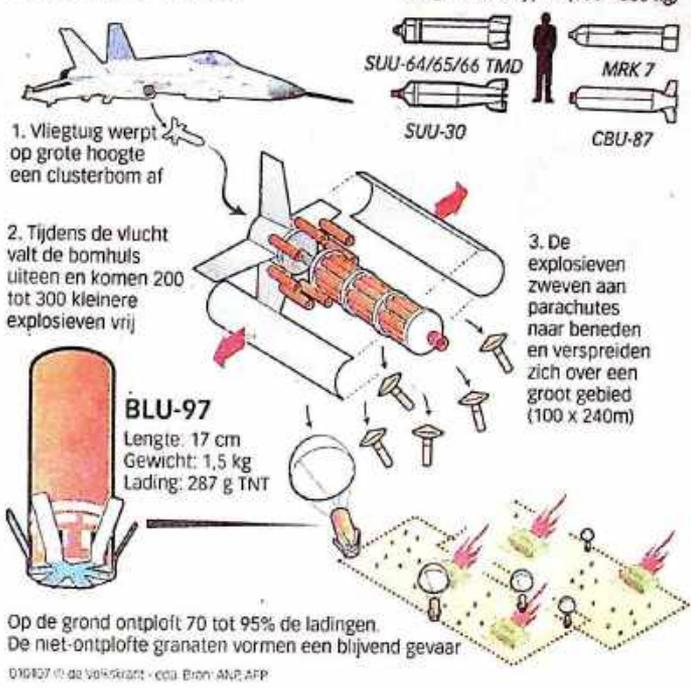
Volgens VN-schatting vuurde Israël maar liefst vier miljoen stuks submunitie af in en rond dorpen

Decennia later ontploft clustermunitie in Vietnam

Phan Van Rot, 14 jaar, liep naar het riviertje in de vroege morgen van 5 juli 2002, om de visnetten te controleren in de buurt van zijn huis in Quang Binh, in het vroegere Noord-Vietnam. Toen Rot de vis uit het net haalde, zag hij een vreemd rond voorwerp. Hij bukte zich en tilde het voorwerp op. Het ontplofte. De zware roet van de voorgaande dagen moet een stuk clustermunitie stroomafwaarts hebben gevoerd. Het projectiel scheurde Rots linkerhand af boven de pols, en zijn linkerbeen on-

der de knie. Zijn darmen raakten geperforeerd. Zijn familie verwachtte dat hij het niet zou overleven. Gelukkig kon hij bijtijds naar het ziekenhuis worden gebracht. De Verenigde Staten hebben tussen 1961 en 1973 clusterbommen met naar schatting 82,6 miljoen stuks submunitie op Noord- en Zuid-Vietnam gegooid, ook op steden als Hanoi, Vinh en Viet Tri. (bron: website Cluster Munition Coalition, www.stopclustermunitions.org)

Clusterbommen



in Zuid-Libanon. Bijna 40 procent daarvan is niet ontploft. Nog elke dag raken in het gebied drie tot vier mensen gedood of gewond, van wie eenderde kinderen.

De VS, Groot-Brittannië en Israël willen alleen in VN-verband praten; in de Noorse hoofdstad zijn ze afwezig. 'Het is niet verband dat de grootste gebruikers van clustermunitie huiverig staan tegenover een proces dat is gericht op een verbod', aldus Steve Goose van Human Rights Watch.

Probleem is dat oorlogen tegenwoordig meestal niet worden gevoerd tussen staande legers op afgebakende slagvelden, maar in gebieden waar strijders zich bewe-

gen te midden van de burgerbevolking.

Dit maakt clustermunitie volgens de tegenstanders tot een vrijwel onbruikbaar wapen.

Niettemin lijkt het niet de bedoeling dat het Noorse initiatief uitmondt in een totaal verbod, zoals met landmijnen het geval was. Veel landen erkennen, naast de nadelen, toch ook het militair belang van clusterbommen.

Er zal worden gewerkt aan nauwgezette regels voor het gebruik ervan. Tot die tijd pleit de Clustermunitie Coalitie voor een wereldwijd moratorium, 'totdat de humanitaire problemen van clusterwapens zijn opgelost'.

Granaatwerpers

De humanitaire opbouw in Uza-
gan bereikt een nieuw hoogte-
punt met de aanschaf van 21 nieu-
we granaatwerpers van de firma
Heckler & Koch: 350 koffiebe-
kertjes per minuut vol met scher-
ven: dodelijk binnen een straal
van 6 meter en verwondingen tot
25 meter en een bereik van 2 kilo-
meter (Binnenland, 20 februari).

Nu begrijp ik waarom Neder-
land in dat gebied ziekenhuizen
wil gaan bouwen: het verwijderen
van kleine scherven uit per onge-
luk getroffen omstanders zal een
hele klus worden.

Harry Baggen, Wijnandsrade





Minister-President
Ministerie van Algemene Zaken

Postadres
Postbus 20001
2500 EA Den Haag

Bezoekadres
Binnenhof 19, Den Haag

Telefoon
+31 70 308 1965

Fax
+31 70 356 4683

Datum
19 februari 2007

Kenmerk
506646

Nederlandse Vereniging voor Medische Polemologie
De heer H.O. Spanjaard
Boschastraat 17
3514 HN UTRECHT

Geachte heer Spanjaard,

Uw brief van 11 december 2006 heb ik in goede orde ontvangen. Ik bied u mijn oprechte excuses aan voor mijn verlate reactie. In uw schrijven pleit u voor een verbod op clusterwapens. Ik wil hier graag als volgt op reageren.

Zoals u schrijft in uw brief zal de Noorse regering inderdaad eind deze maand een conferentie organiseren die moet leiden tot een verbod op clusterwapens die onaanvaardbaar humanitair leed veroorzaken. De Noorse minister van Buitenlandse Zaken heeft minister Bot ook uitgenodigd voor die conferentie. De Nederlandse regering zal de uitnodiging aannemen en in Oslo zal Nederland steun uitspreken voor een dergelijk verbod.

De verwachting is dat het Oslo-initiatief een belangrijk normstellend traject wordt met betrekking tot de inzet van clustermunitie. ~~De Nederlandse regering wil echter nog geen afscheid nemen van het multilaterale spoor.~~ Het is immers van belang ook grote en belangrijke landen die niet in Oslo zullen zijn bij de les te houden en om de groep landen die bereid is stappen te ondernemen zo groot mogelijk te maken.

Nederland zal zich daarom óók blijven inzetten voor verdere besprekingen over clusterwapens in de VN-Ontwapeningsonderhandelingen in Genève.

Met vriendelijke groet,

DE MINISTER-PRESIDENT,
Minister van Algemene Zaken,

Mr.dr. J.P. Balkenende

Rem op ban clusterbom

IKV Pax Christi:
Nederland is expres
 bezig met vertragen

DEN HAAG - Nederland is actief bezig een ban op clusterbommen te vertragen. Dat stelt IKV Pax Christi in een gis-
 teren gepubliceerd rapport. De organi-
 ~~van om te geven~~

over wat wel en niet aanvaardbare munitie is.

13-2-2008
IKV Pax Christi verbaast zich erover dat Nederland in tegenstelling tot de strijd tegen landmijnen, bij de cluster- munitie niet voorop loopt. Nederland is net als Engeland en Frankrijk tegen een totaalverbod, maar wil wel een verbod op clustermunitie die 'onaanvaardbaar humanitair leed' veroorzaakt. Waar de grens tussen 'aanvaardbaar' en 'onaan- vaardbaar' leed ligt is niet duidelijk. Volgens IKV Pax Christi bestaan er geen 'goede' clusterbommen en kan de rege- ring niet onderbouwen dat ze wel be- staan.

Deze maand praten 94 landen in Nieuw-Zeeland verder over een initiatief van Noorwegen (Oslo-proces) dat moet leiden tot een verbod op clustermunitie die 'onaanvaardbaar humanitair leed' veroorzaakt. Nederland pleit voor be- houd van clusterbommen met een 'laag faalratio en zelfvernietigende syste- men', maar ook voor bommen met min- der dan tien stuks submunitie. Noorwe- gen, Oostenrijk, Ierland, Nieuw-Zee-

land, Mexico en Peru gaan verder in hun wens om een verbod. België en Oosten- rijk hebben clusterbommen al verbo-

den. Nederland heeft het gebruik van de eigen clusterbommen CBU-87 opge- schort. Daarvan zijn er in 1999 173 afge- schoten boven Servië. Nederland be- schikt ook over ongeleide M-261 raket- ten die vanuit de Apachegevechtsheli- kopter afgevuurd kunnen worden, maar die zijn nog nooit gebruikt door Neder- land.

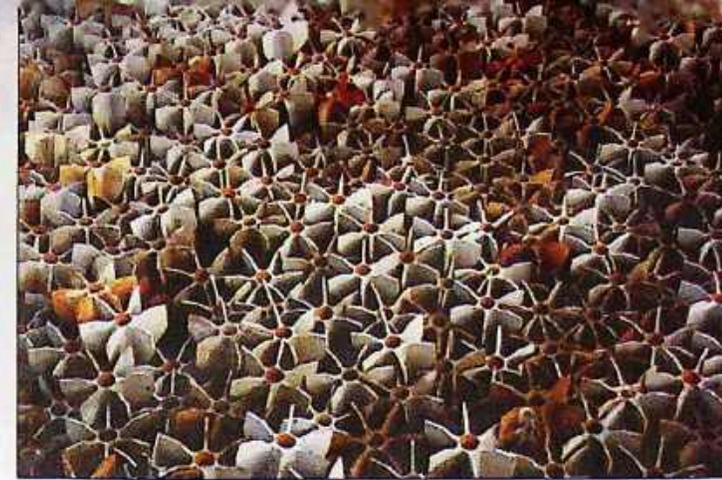
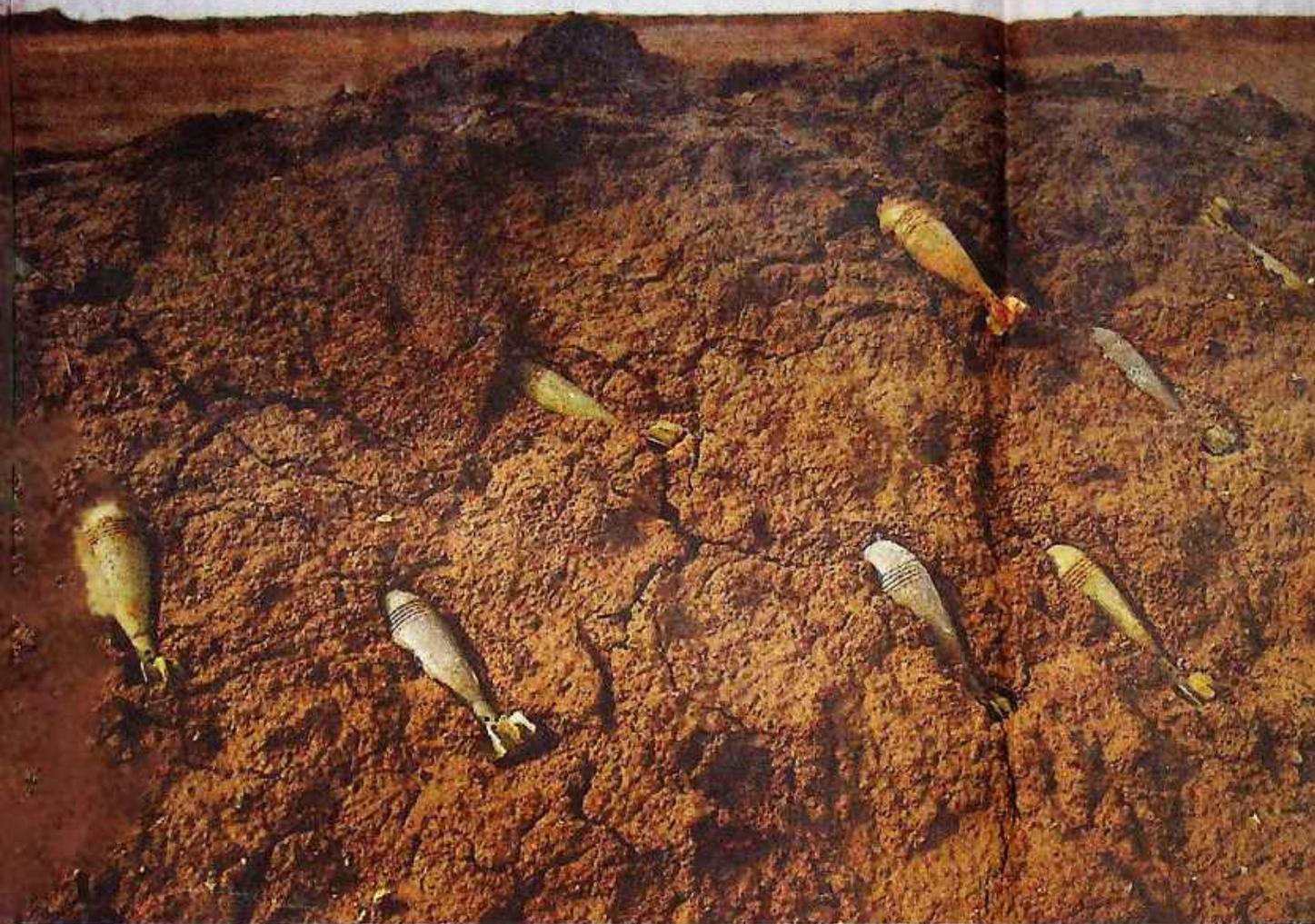
Volgens Handicap International heb- ben clusterbommen in de loop der jaren 55.000 tot 100.000 slachtoffers ge- maakt, van wie 98 procent uit burgers bestond. (ANP)

De tuin van de duivel

12-1-2007

Het ruimen van explosieven in Irak is een levensgevaarlijk karwei dat een heel eigen vorm van gastarbeid met zich meebrengt. Onder leiding van Australische en Nieuw-Zeelandse experts wordt het zware werk opgeknapt door de Zimbabwanen van MineTech. Door **Rolf Bos**, fotografie **Jonathan Olley/Getty Images**





Vanaf links onder, met de klok mee: Chinese mortiergranaten zijn uit hun opslagplaats geslingerd na een ontploffing, veroorzaakt door plundersers die onder meer uit zijn op de brandstof in explosieven; een granaat van Russische makelij wordt gereedgemaakt voor ontmanteling; Zimbabwaanse werknemers in beschermende kleding in Al-Zubai-Dat, nabij de grens tussen Iran en Irak; explosieven van Russische makelij staan, keurig in het gelid, klaar voor vernietiging.

'Welkom in de hel', luidt de begroeting die je hier te horen krijgt.

Vijftien ton ongebruikte munitie en mijnen kunnen de mannen van MineTech dagelijks in Zuidoost-Irak verwerken, en als ze in dit tempo doorgaan met ruimen, dan hebben ze nog voor ruim 180 jaar werk. Want er ligt ruim een miljoen ton van die explosieve rotzooi in deze streek, waar ooit het bijbelse paradijs zou hebben gelegen.

Anno 2007 omschrijven de munitieruimers het gebied als 'de tuin van de duivel'. Hun werk is gevaarlijk en smerig. Het wordt uitgevoerd in een desolaat landschap, waar munitie en mijnen gedumpt zijn uit de vele oorlogen

die de laatste decennia in deze streek gevoerd zijn.

Elke keer als de mannen van MineTech hun stapel ongebruikte munitie laten ploffen, regent het bloedhete, stalen splinters, scherp als scheermesjes, onder een oranje-grijze stofwolk, vol giftige dampen. De ruimers schuilen dan onder hun Isuzu-trucks tot de stofregen gedaald is en gaan dan weer verder met hun sisyfusarbeid.

De mannen van MineTech komen uit Zimbabwe. Ze zijn ex-soldaten van Robert Mugabe en ze werken als gastarbeiders in een bizar en vijandig land onder de supervisie van Australische en Nieuw-Zeelandse experts. 'Er ligt

in dit gebied alleen al meer munitie dan in de totale legervoorraden van Nieuw-Zeeland en Australië te vinden is', zegt de Australische ex-militair Bill Van Ree, die voor de Verenigde Naties het ruimingswerk coördineert.

De Zimbabwanen die het vuile werk verrichten, dragen namen als Tobias Chomburo, Lovejoy Lwange, Elijah Sibande en Innocent Mbdzamiri. Ze weten alles van Chinese mortieren, van Zuid-Afrikaanse 155-mm-granaten en Russische landmijnen. Ze noemen hun werk 'humping and dumping'.

Ze brengen het dodelijke tuig naar de verzamelplaatsen en maken onderweg cynische grappen.

'Als ik een van deze zware baby's zachtjes op mijn voet laat vallen, ben ik mijn voet kwijt', zegt Innocent Mbdzamiri terwijl hij zo'n bom sjouwt, 'maar als ik 'm hard laat vallen, gaan we met z'n allen in een rode mist de lucht in.'

Elijah Sibande was op een dag een mijn aan het ontmantelen, toen het ding ontplofte. Hij werd gered door zijn oranje, beschermende pak, waarin hij in dit kaal-grijze landschap oogt als een figuur uit *Star Wars*. 'Ik had alleen maar wat lichte brandwonden', zegt hij.

Welkom in de hel, luidt de begroeting die je hier te horen krijgt langs de Al Amarah Route 6, de

weg tussen Bagdad en Basra. Kom je hier als journalist op bezoek, dan krijg je een belangrijk advies van de mannen van MineTech: ga nooit van de asfaltweg af, zelfs niet als je moet pissen.

De dappere Afrikanen van MineTech ruimen overal. De ene dag halen ze niet-geëxplodeerde granaten weg uit het kippenhok van mevrouw Ali, de volgende dag kammen ze het enorme gebied uit waar het Iraakse leger in de jaren van Saddam Hussein zijn munitie dumpte en waar tienduizenden landmijnen uit de Iran-Irak-oorlog verstoppertje spelen.

De Zimbabwanen halen hun schouders op als lokale 'Ali Baba's'

met koevoeten illegaal niet-geëxplodeerde artilleriegranaten openwrikken om er de brandstof uit te halen. Als stookmiddel om mee te koken, wordt dat spul op de markt verkocht. Ook met andere explosieve restmaterialen weten deze scharrelaars wel raad.

Ze sluipen als hyena's rond de verlaten munitieplaatsen, de Ali Baba's. Soms komen ze iets te dichtbij en worden ze door bewakers met oude kalasjnikovs weggeschoten. Dan verdwijnen ze weer in het maanlandschap - maar altijd komen ze terug, om te plunderen. Ook nadat er weer eens eentje van hen in een rode mist de lucht is ingegaan.

20-10-2006

'Hezbollah gebruikt clusterbommen'

Van onze correspondent
Alex Burghoorn
JERUZALEM

De Libanese Hezbollah heeft in juli en augustus 113 clusterraketten van Chinese makelij afgeschoten op het noorden van Israël. De mensenrechtenorganisatie *Human Rights Watch* heeft donderdag de eerste bewijzen daarvan gepresenteerd. Bij de clusterraketaanvallen zijn 1 dode en 12 gevonden gevallen.

Israël heeft in de laatste dagen van de zomeroorlog, van 12 juli tot 14 augustus, grote bombardementen met clusterbommen uitgevoerd in Zuid-Libanon. Daar is internationaal zware kritiek op geuit. De Verenigde Naties hebben 749 inslagplaatsen gelokaliseerd.

Het gebruik van clusterbommen is omstreden, omdat de projectielen tientallen of zelfs honderden kleine bommen verspreiden. Ze hebben zodoende een geringe precisie. Het Chinese Type 81, een 122 mm-raket, bevat 39 explosieven, die ieder honderden stalen balletjes in de ronde wegschieten. De kogeltjes hebben een doorsnee van 3,5 millimeter. Op 25 juli trof zo'n raket het dorp Mghar, in Galilea, waar *Human Rights Watch* resten van de heeft aangetroffen.

Het is voor het eerst dat het gebruik van de Chinese raket door Hezbollah is vastgesteld. 'Wij zijn

oververontrust dat niet alleen Israël maar ook Hezbollah clustermunitie heeft gebruikt in het recente conflict, in een tijd dat steeds meer landen het wapen de rug toekeren, omdat het burgers zwaar treft', heeft *Human Rights Watch* verklaard.

Palestijnse ziekenhuizen in de Gazastrook, waar Israël in dezelfde periode een legeroffensief uitvoerde, hebben melding gemaakt van onverklaarbare verwondingen bij slachtoffers. 'We zijn eraan gewend dat scherven het lichaam binnendringen en plaatselijk schade veroorzaken, maar nu zagen we geen scherven, maar we vonden verwoesting', zei Jumaa Saqa'a, arts in het Shifa-hoofdziekenhuis in Gaza-Stad, donderdag in de Britse krant *The Guardian*.

Het Rode Kruis doet onderzoek naar de gevallen, maar vindt het nog te vroeg voor conclusies. De Palestijnse artsen vermoeden het gebruik van een nieuw wapen. Het Israëlische leger ontkent experimentele wapens te hebben gebruikt.

Huidmonsters van slachtoffers zijn in opdracht van het Italiaanse tv-station *Rai* in een laboratorium onderzocht op sporen van een zogeheten 'Dime'-wapen, een experimenteel wapen met wolframdeeltjes. Hoewel de uitslag geen zekerheid verschaft, sluiten de onderzoekers gebruik ervan niet uit.

Israël verdedigt gebruik van clusterbommen in Libanon

12 juli 2006

TEL AVIV, STOCKHOLM - Israël heeft het volste recht clusterbommen te gebruiken en heeft daarmee geen internationale normen overschreden. Dat zegt een Israëlische regeringswoordvoerder in reactie op uitlatingen van het hoofd humanitaire zaken van de Verenigde Naties, Jan Egeland.

Egeland zei woensdag dat het bestoken van Zuid-Libanon met een groot aantal clusterbommen terwijl het staakt-het-vuren in zicht was, compleet immoreel is. De kritiek was ongewoon hard, zelfs voor Egeland, die in het verleden vaker de ongeschreven regel brak dat VN-functionarissen de lidstaten niet te fel belkriteren.

Een ongewoon hoog percentage van de honderden explosieven waaruit clusterbommen bestaan explodeerde niet, zei Egeland. Dit heeft grote problemen veroorzaakt voor vluchtelingen die willen terugkeren naar hun huizen. Voor naar schatting een kwart miljoen Libanese vluchtelingen is er geen weg meer terug, omdat hun huizen zijn vernield of de omgeving vol niet-geëxplodeerde bommen ligt.

Een clusterbom, of-granaat, be-

staat uit een container die is gevuld met kleinere springladingen. Die behuizing opent zich boven de grond waardoor de kleine ladingen zich over een gebied, meestal ter grootte van een paar voetbalvelden, verspreiden. Illegaal is clustermunitie niet. Iedere Navo-krijgsmacht, ook die van Nederland, is ermee uitgerust.

Uit VN-cijfers blijkt dat sinds het bestand van 14 augustus 13 mensen zijn omgekomen en 46 gewond zijn geraakt door de clusterbommen. Israël zou met name vlak voor het bestand inging, het buurland met de bommen hebben bestookt.

Nederland heeft gisteren op de conferentie voor de wederopbouw van Libanon zes miljoen euro beschikbaar gesteld. Daarvan is vier miljoen bestemd voor het opruimen van niet ontplofte munitie. Vertegenwoordigers van meer dan zestig landen en internationale organisaties zijn in Stockholm bijeen op een conferentie die door de Zweedse regering is georganiseerd in samenwerking met de VN. Op deze donorconferentie is gisteren 733 miljoen euro toegezegd voor de wederopbouw op korte termijn van Libanon.

Annan gispt Israël om gebruik clusterbommen

12 juli 2006

SHUNEH - Secretaris-generaal Kofi Annan heeft donderdag tijdens een bezoek aan Jordanië het gebruik door Israël van clusterbommen in Libanon veroordeeld. Clusterbommen zijn projectielen die tijdens de val ontploffen waardoor een groot aantal kleinere bommen vrijkomt. In Libanon zijn meer dan 100 duizend niet geëxplodeerde clusterbommetjes op 390 verschillende plaatsen gevonden, aldus de VN. (AFP)

Guus K. krijgt acht jaar voor levering wapens aan Liberia

7-6-2006

Van onze verslaggever
DEN HAAG

De Nederlandse zakenman Guus K., die gemene zaak maakte met de Liberiaanse dictator Charles Taylor, is woensdag door de Haagse rechtbank veroordeeld tot acht jaar gevangenisstraf. K. werd vrijgesproken van oorlogsmisdaden, maar veroordeeld wegens wapenhandel.

Tegen K. was 20 jaar geëist. K. blies na afloop van de zitting kushandjes naar de publieke tribune, maar daaruit moest niet worden afgeleid dat het relatief milde vonnis een opluchting was. Zijn advocaat Inez Weski kondigde aan in beroep te gaan. Het Openbaar Ministerie

overweegt dat ook. Guus K., die in Liberia geld verdiende met houthandel, is de tweede Nederlander die zich binnen een half jaar voor de Haagse rechtbank moest verantwoorden voor oorlogsmisdaden. Eerder werd collega-zakenman Frans van Anraat veroordeeld tot 12 jaar omdat hij de grondstoffen had geleverd voor het chemische wapenarsenaal van Irak.

In het geval van Guus K. betrof het werknemers van zijn houtkapbedrijven die in dienst van Taylor moordend, verkrachtend en plunderend rondtrokken. Hij werd ervan verdacht hen daartoe te hebben aangezet en te hebben beloond. Daarvan is de rechtbank niet overtuigd. Het hoofd beveili-

ging van een van de houtkapbedrijven gaf weliswaar leiding aan die acties, maar stond ook bekend als een Taylor-aanhanger.

De wapenhandel, door de Verenigde Naties verboden, kan Guus K. wel worden aangerekend. Hij had het beheer over de haven in Buchanan, die volgens de tenlastelegging een aanvoerplek was van wapentuig. 'Het kan niet anders dan dat verdachte van de aanvang af bij voortdurend een voorname rol heeft gespeeld in deze structurele wapenimport.'

Volgens Weski stelt de rechtbank haar cliënt slechts uit hoofde van diens functie verantwoordelijk. Van directe betrokkenheid zou niets gebleken zijn. Daarom wil zij een oordeel van het gerechtshof.

Deadly harvest: The Lebanese fields sown with cluster bombs

Lebanese villagers must risk death in fields 'flooded' with more than a million Israeli cluster bombs - or leave crops to rot

By Patrick Cockburn in Nabatiyeh

Published: 18 September 2006 in The Independent

The war in Lebanon has not ended. Every day, some of the million bomblets which were fired by Israeli artillery during the last three days of the conflict kill four people in southern Lebanon and wound many more.

The casualty figures will rise sharply in the next month as villagers begin the harvest, picking olives from trees whose leaves and branches hide bombs that explode at the smallest movement. Lebanon's farmers are caught in a deadly dilemma: to risk the harvest, or to leave the produce on which they depend to rot in the fields.

In a coma in a hospital bed in Nabatiyeh lies Hussein Ali Ahmad, a 70-year-old man from the village of Yohmor. He was pruning an orange tree outside his house last week when he dislodged a bomblet; it exploded, sending pieces of shrapnel into his brain, lungs and kidneys. "I know he can hear me because he squeezes my hand when I talk to him," said his daughter, Suwad, as she sat beside her father's bed in the hospital.

At least 83 people have been killed by cluster munitions since the ceasefire, according to independent monitors.

Some Israeli officers are protesting at the use of cluster bombs, each containing 644 small but lethal bomblets, against civilian targets in Lebanon. A commander in the MLRS (multiple launch rocket systems) unit told the Israeli daily Haaretz that the army had fired 1,800 cluster rockets, spraying 1.2 million bomblets over houses and fields. "In Lebanon, we covered entire villages with cluster bombs," he said. "What we did there was crazy and monstrous." What makes the cluster bombs so dangerous is that 30 per cent of the bomblets do not detonate on impact. They can lie for years - often difficult to see because of their small size, on roofs, in gardens, in trees, beside roads or in rubbish - waiting to explode when disturbed.

In Nabatiyeh, the modern 100-bed government hospital has received 19 victims of cluster bombs since the end of the war. As we arrived, a new patient, Ahmad Sabah, a laboratory technician at the hospital, was being rushed into the emergency room. A burly man of 45, he was unconscious on a stretcher. Earlier in the morning, he had gone up to the flat roof of his house to check the water tank. While there, he must have touched a pile of logs he was keeping for winter fires. Unknown to him, a bomblet had fallen into the woodpile a month earlier. The logs shielded him from the full force of the blast, but when we saw him, doctors were still trying to find out the extent of his injuries.

"For us, the war is still going on, though there was a cease-fire on 14 August," said Dr Hassan Wazni, the director of the hospital. "If the cluster bombs had all exploded at the time they landed, it would not be so bad, but they are still killing and maiming people."

The bomblets may be small, but they explode with devastating force. On the morning of the ceasefire, Hadi Hatab, an 11-year old boy, was brought dying to the hospital. "He must have been holding the bomb close to him," Dr Wazni said. "It took off his hands and legs and the lower part of his body."

We went to Yohmor to find where Hussein Ali Ahmad had received his terrible wounds while pruning his orange tree. The village is at the end of a broken road, six miles south of Nabatiyeh, and is overlooked by the ruins of Beaufort Castle, a crusader fortress on a ridge above the deep valley along which the Litani river runs.

Israeli bombs and shells have turned about a third of the houses in Yohmor into concrete sandwiches, one floor falling on top of another under the impact of explosions. Some families camp in the ruins. Villagers said that they were most worried by the cluster bombs still infesting their gardens, roofs and fruit trees. In the village street, were the white vehicles of the Manchester-based Mines Advisory Group (MAG), whose teams are trying to clear the bomblets.

It is not an easy job. Whenever members of one of the MAG teams finds and removes a bomblet, they put a stick, painted red on top and then yellow, in the ground. There are so many of these sticks that it looks as if some sinister plant had taken root and is flourishing in the village.

"The cluster bombs all landed in the last days of the war," said Nuhar Hejazi, a surprisingly cheerful 65-year-old woman. "There were 35 on the roof of our house and 200 in our garden so we can't visit our olive trees." People in Yohmor depend on their olive trees and the harvest should begin now before the rains, but the trees are still full of bomblets. "My husband and I make 20 cans of oil a year which we need to sell," Mrs Hejazi says. "Now we don't know what to do." The sheer number of the bomblets makes it almost impossible to remove them all.

Frederic Gras, a de-mining expert formerly in the French navy, who is leading the MAG teams in Yohmor, says: "In the area north of the Litani river, you have three or four people being killed every day by cluster bombs. The Israeli army knows that 30 per cent of them do not explode at the time they are fired so they become anti-personnel mines."

Why did the Israeli army do it? The number of cluster bombs fired must have been greater than 1.2 million because, in addition to those fired in rockets, many more were fired in 155mm artillery shells. One Israeli gunner said he had been told to "flood" the area at which they were firing but was given no specific targets. M. Gras, who personally defuses 160 to 180 bomblets a day, says this is the first time he seen cluster bombs used against heavily populated villages.

An editorial in Haaretz said that the mass use of this weapon by the Israeli Defence Forces was a desperate last-minute attempt to stop Hizbollah's rocket fire into northern Israel. Whatever the reason for the bombardment, the villagers in south Lebanon will suffer death and injury from cluster bombs as they pick their olives and oranges for years to come.

10-11-06

Clusterbommen maken vooral burgerslachtoffers

GENÈVE - Ongeveer 98 procent van de slachtoffers van clusterbommen zijn burgers. Eenderde van hen zijn kinderen, aldus de actiegroep Handicap International. Volgens een onderzoek in 24 landen zijn door het gebruik van clustermunitie 3800 mensen omgekomen, 5500 raakten gewond. Volgens andere schattingen is het dodental veel hoger, rond de honderdduizend. Er liggen 33 miljoen projectielen van clusterbommen in voormalige oorlogsgebieden. (AP)

Hiba en Mohamed: levende getuigen van VS-oorlogsmisdaden in Irak • Bert De Belder

17/12/08

'Health & Occupation Watch', het onderzoeken van de gezondheidseffecten van oorlog en bezetting, is een van de elementen van Health NOW. Geneeskunde voor de Derde Wereld stak zijn nek uit tijdens de oorlog en bezetting van Irak. Tijdens de bombardementen gingen vier artsen op missie naar Bagdad. Dr. Geert Van Moorter ging nog verschillende keren terug tijdens de bezetting. Daaruit kwam de campagne "voor Hiba en andere Iraakse oorlogsslachtoffers".

Op 6 april 2003, twee weken voor haar dertiende verjaardag, raakte Hiba Kassim zwaargewond toen een VS-vliegtuig clusterbommen dropte boven de burgerwijk in Bagdad waar ze woonde. Haar lievelingsbroer werd gedood. Zij hield er zwaar verminkte benen aan over. En een felle overtuiging. "Ik wil voor advocaat studeren", vertelde ze aan Dr. Geert Van Moorter, "zodat ik de mensenrechten kan verdedigen. Met de Amerikaanse soldaten hier hebben we nu geen mensenrechten." Een dag later, op 7 april 2003, verloor Mohamed Ali Sarhan zijn vrouw, zijn kind en zijn twee benen. Een VS-tank schoot de ziekenwagen waar hij samen met zijn hoogzwangere vrouw in zat aan flarden, vlak voor de ingang van het ziekenhuis.

Twee menselijke drama's. Twee oorlogsmisdaden ook: zowel het gebruik van clusterbommen waar burgerbevolking in de buurt is, als het onder vuur nemen van medische voertuigen zijn flagrante schendingen van het oorlogsrecht. Dokters van Geneeskunde voor de Derde Wereld brachten getuigenissen, foto's en video-beelden van Hiba Kassim en Mohamed Ali Sarhan mee uit Bagdad. Mohamed en Hiba's moeder waren bij de 17 Irakezen die met de hulp van de Coördinatie Stop. USA (wat staat voor Stop the United States of Aggression), klacht indienden tegen generaal Tommy Franks, de toenmalige bevelhebber van de VS-troepen in Irak. In België een Amerikaan aanklagen op verdenking van oorlogsmisdaden, begaan in Irak, tegen Irakezen, was mogelijk onder de Belgische wet over de universele bevoegdheid, de zogenaamde genocidewet. Die bepaalde dat hier vervolging kon worden ingesteld wegens genocide, misdaden tegen de menselijkheid en oorlogsmisdaden, begaan door gelijk wie, tegen gelijk wie, en gelijk waar. Maar de Belgische regering plooidde voor de



Hiba Kassim als gregaste op het afscheidsfeest van Gella Vandecaveye, juni 2004. (foto Photonews)

druk uit Washington om de klacht tegen Franks in de kiem te smoren. Premier Verhofstadt en Buitenlandminister Michel holden hun eigen genocidewet uit tot er quasi niets van overbleef. Er zou nooit een 'zaak Franks' komen...

Humanitair, maar ook veel méér dan dat!

Langs die weg zouden Hiba, Mohamed en de vele andere Irakezen nooit gerechtigheid krijgen. Maar zouden ze dan tenminste medische hulp krijgen, een schadevergoeding misschien? *Forget it!* Een jaar na haar verwondingen liep Hiba op krukken. En Mohamed had nog altijd geen prothesen onder de stompen van zijn benen. Dertien jaar embargo hadden de Iraakse gezondheidszorg - tot 1991 het medisch paradepaardje van de hele Arabische wereld - zwaar aangetast. De oorlog bracht meer patiënten en minder medisch materiaal. Meer dan een jaar na de val van het vorige regime was er nog geen verbetering op medisch vlak. Er was gebrek aan medicatie, medisch materiaal, materiaal voor prothesen. En voor de patiënten was het omwille van veiligheids- en financiële

problemen moeilijk om naar het ziekenhuis of het revalidatiecentrum te gaan.

Geneeskunde voor de Derde Wereld (G3W) legde zich niet neer bij deze gang van zaken. G3W haalde Hiba Kassim naar België voor operaties. Voor Mohamed Ali Sarhan en andere patiënten werden gewrichten voor kunstbenen aangekocht en naar Irak gebracht. G3W bracht ook medicamenten naar Falluja en Bagdad.

Met de steun van judokampioene Gella Vandecaveye werd in België een grootscheepse campagne "Steun Hiba en andere Iraakse oorlogsslachtoffers" op touw gezet, waarin naast de fondsenwerking veel aandacht ging naar sensibilisatie. Op honderd-en-een manieren bracht deze campagne de Health NOW-boodschap naar een breed publiek.

Mohamed Ali Sarhan : zijn zwangere vrouw en zijn beide benen kwijt • Geert Van Moorter



Dr. Geert Van Moorter en Dr. Claire Geraets (Geneeskunde voor de Derde Wereld) bij Mohamed Ali Sarhan in Bagdad, april 2003. (foto Geert Van Moorter)

Op 7 april 2003 verloor Mohamed Ali Sarhan bijna alles wat hij had. Zijn vrouw, Sahar Ibrahim, die na vijf jaar huwelijk uiteindelijk zwanger was, kreeg die dag haar weeën. Ze gingen naar de polikliniek in Abu Gharib, een wijk ten noordwesten van Bagdad. Het VS-leger was toen net begonnen met de inval in Bagdad. De VS-militairen schoten op alles wat bewoog. Daardoor kon het gezondheidspersoneel niet in de polikliniek geraken. Mohamed en Sahar zouden daarom met een ziekenwagen naar het Yarmouk-ziekenhuis worden gebracht. Ze stapten in: Mohamed, zijn vrouw en zijn schoonmoeder samen met een andere vrouw, die ook in arbeid was, met haar zuster en vader.

Toen ze aan de ingang van het Yarmouk-ziekenhuis in Bagdad waren, schoot een VS-tank van op 300 meter naar de ziekenwagen. Mohamed's lichaam werd eruit geslingerd, maar zijn beide benen waren van zijn lijf geschoten en bleven in de ambulance achter. Mohamed zag de ziekenwagen in brand vliegen. Hij wou proberen zijn vrouw te redden en kroop op handen, ellebogen en zijn bloedende beenstompen tot aan de ambulance. Hij zag toen hoe VS-soldaten naar hem, een zwaar gewonde, ongewapende burger, schoten. Hij werd daarbij in zijn linkerhand geraakt en kreeg een schampschot aan zijn linker slaap. Hij zag zijn vrouw voor zijn ogen verbranden.

Omstaanders namen de gewonde Mohamed bij zijn armen om hem naar het ziekenhuis te brengen. De soldaten beschoten hen weer, voor de derde keer lag Mohamed onder vuur. In paniek lieten de mensen die hem droegen hem vallen, om zichzelf in veiligheid te brengen. Pas een half uur later konden buurtbewoners hem naar het ziekenhuis brengen. Ook de andere zwangere vrouw in de ziekenwagen werd levend verbrand, net als de twee ongeboren kinderen.

Een afgrijselijk voorval, waarbij alles wat bestaat aan Conventies van Genève en oorlogsrecht werd verkracht. In een oorlog mag je geen medische voertuigen aanvallen. Een soldaat mag geen burgers tot doelwit nemen. En gewonden moet je eerste hulp toedienen en hen naar een medische post brengen. Dit alles werd hier flagrant overtreden door het VS-leger. Meer nog, Mohamed werd tot driemaal toe beschoten, zelfs toen hij al zwaargewond was. De mensen die hem probeerden te helpen werden beschoten. Een van de vele voorbeelden hoe de VS-soldaten zelfs de hulpverlening verhinderden.

»

ABN Amro breekt met tester clusterbommen

Van onze verslaggever
AMSTERDAM

ABN Amro stopt met financieren van Insys, een bedrijf dat onder meer clusterbommen test voor het Britse leger. De bank heeft een koper gevonden voor zijn belang in het beleggingsfonds Causeway Development, dat geld in Insys heeft zitten.

+ Dat heeft een woordvoerder van ABN Amro vrijdag bevestigd. De verkoop van het belang volgt op nieuw beleid ten aanzien van bedrijven in de defensieindustrie. De bank wil geen relaties meer met bedrijven die clusterbommen produceren of testen. Dat het tot nu heeft geduurd voor het belang in Causeway Development werd verkocht, kwam doordat de bank geen koper kon vinden.

21-1-2004
De betrokkenheid van ABN Amro bij Insys heeft tot veel kritiek geleid. Onder meer de Socialistische Partij heeft flink actie gevoerd tegen de bank. De SP wees klanten van ABN Amro bij filialen erop dat 'hun spaargeld werd geïnvesteerd in een clusterbombedrijf'. Bij de laatste aandeelhoudersvergadering stelde een SP-er vragen aan bestuursvoorzitter Rijkman Groenink.

Nadat ze zijn afgeworpen spatten clusterbommen uiteen in duizenden granaten. Niet alle munitie ontploft daarbij. Dat leidt vaak tot slachtoffers onder de burgerbevolking, bijvoorbeeld omdat de munitie later in de handen van spelende kinderen ontploft. Clusterbommen werden onder meer gebruikt tijdens de oorlog in Kosovo.

12-6-2004
ABN-AMRO uit clusterbombedrijf na SP-acties



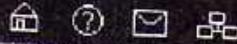
'Mede naar aanleiding van signalen uit de samenleving en van de SP in het bijzonder hebben wij ons defensiebeleid verder aangescherpt.' Zo motiveert bankconcern ABN-AMRO zijn besluit om zich terug te trekken uit het Britse clusterbombedrijf Insys.

Sinds begin 2003 voerde de SP actie bij de bank om klanten erop te wijzen dat hun spaargeld geïnvesteerd werd in een clusterbombedrijf. Die inzet heeft nu succes opgeleverd, tot grote tevredenheid van Kamerlid en actievoordster Krista van Velzen. 'Ik feliciteer alle actievoerders met hun overwinning, maar ook bestuur en directie van ABN-AMRO met dit besluit. Nu is het aan de regering om de clusterbom internationaal verboden te krijgen.' Eenvoudig zal dat niet gaan, beseft Van Velzen: 'Clusterbommen spatten in duizenden kleine granaten uiteen en vernietigen alles en iedereen over een oppervlakte van enkele voetbalvelden. Ze passen daardoor uitstekend in de trend van de westerse landen om oorlog te voeren zonder zelf noemenswaardige verliezen te lijden. Slachtoffers aan de andere kant, ook als het burgers zijn, tellen daarbij in het geheel niet mee.'

VS gebruiken alleen nog 'veilige' landmijnen

20-1-2004
WASHINGTON - De VS zullen alleen nog landmijnen gebruiken die zichzelf na verloop van tijd uitschakelen. Het bedrag voor het opruimen van mijnen die geen militair doel meer dienen, wordt verdubbeld. Volgens het nieuwe beleid zullen alle nieuwe landmijnen voor het Amerikaanse leger makkelijk op te sporen zijn. De VS weigeren echter het internationale verdrag tegen landmijnen te tekenen. (AP)

NRC HANDEELSE



Den Haag

Instanties

Personen

Haagse Staat

Haagse taal

Geschiedenis

Nieuws

Cultuur

Geld

Internet & media

Recepten

Documenten

Columnes

Tegenwoordig

Gedachtenboek

Nieuwsluif

Kalkroepstelsel

Kamionenschief

Services

Webdiensten

Advertenties

Treffers

Waarom

Over ons

LEZERSAANBIEDINGEN

- LPF v
- minis
- Kort i
- en Tc

ACT

- Crisis
- Kabir
- JSF
- Kame
- Balar

Clusterbom van Neêrlands trots...

Nederland vreest dat zogeheten 'clusterbommen' in Afghanistan onnodig veel slachtoffers maken onder de burgerbevolking. Maar dezelfde bommen heeft Nederland zelf nog tijdens de Kosovo-oorlog op grote schaal gebruikt.

Door onze redacteur Steven Derix

ROTTERDAM, 31 OKT. Volgens de Koninklijke Luchtmacht was het een van de „markante momenten" van de Nederlandse deelname aan de Kosovo-oorlog. Op 28 april 1999 wierpen twee Nederlandse F-16's clusterbommen af boven het vliegveld van Podgorica, Montenegro. De aanval was een succes, zo vermeldt de site van het ministerie van Defensie (www.mindef.nl): achttien Servische helikopters en Galeb-jachtvliegtuigen werden door een regen van kleine bommetjes vernietigd. Hoeveel doden er aan Servische zijde vielen, vermeldt de site van het ministerie niet.

Ze zijn goedkoop en effectief. En dus maken clusterwapens deel uit van de arsenalen van alle krijgsmachten ter wereld, ook de Nederlandse. Het principe is simpel: een container die boven een doel wordt afgeworpen, valt uiteen in een serie kleinere bommen of explosieven, die verspreid worden over een gebied ter grootte van grofweg een voetbalveld. Vrijwel alle 'zachte' doelen die zich in het gebied bevinden – tanks, vliegtuigen, infanterie – wordt door de 'submunitie' vernietigd, of, zoals militairen liever zeggen, 'uitgeschakeld'. Tegen bunkers is het wapen niet effectief, tegen niet-versterkte infrastructuur, zoals bijvoorbeeld vliegvelden of trainingskampen voor terroristen, des te meer. Als de clusterbom behalve met explosieven ook nog eens gevuld is geweest met mijnen, zal de vijand zich wel twee keer bedenken voordat hij de aangerichte schade gaat herstellen.

Maar clusterwapens hebben ook nadelen. Omdat de submunitie over een groot oppervlak wordt verspreid, is de kans op onbedoelde slachtoffers en schade (collateral damage) groot. Tijdens een aanval op het vliegveld van Nis in Servië in mei 1999 kwam op een clusterbom terecht op een woonwijk en doodde 18 burgers, waarna de Amerikanen besloten voorlopig geen clusterwapens meer in te zetten. Vrijwel elke clusterbom bevat een aantal 'blindgangers', munitie die niet ontploft. Deze zogenaamde uxo's (van unexploded ordnance), leveren nog lang na het beëindigen van een conflict een gevaar op voor de burgerbevolking.

In 1997 ondertekenden 89 landen het verdrag van Ottawa, dat het gebruik van het soort mijnen verbiedt dat tegen mensen wordt ingezet. Het verdrag maakt ook verschillende typen clustermunitie illegaal – reden voor de VS om het verdrag niet te tekenen. De Nederlandse luchtmacht, maar ook de landmacht, beschikken over allerlei soorten clusterwapens die nog wel 'mogen'. De M109-houwitsers van de artillerie kunnen een granaat afvuren die uiteenvalt in 88 kleine granaatjes; de MLRS (Multi Launch Rocket System) schiet een raket af die is gevuld met maar liefst 644 stuks submunitie, die alles in een gebied van honderd bij honderd meter met de grond gelijk maken. De luchtmacht beschikt over verschillende clusterbommen, waarvan de CBU-87 (202 stuks submunitie) de meest gangbare is. Ongeveer 270 clusterbommen van het type CBU-89 'Gator', die 'anti-personeelsmijnen' bevatten, werden in 1997 op 'non-actief' gesteld. Plannen om deze mijnen te laten vervangen door anti-tankmijnen werden door minister De Grave in 1999 opgegeven.

Het Internationale Rode Kruis stelt in twee rapporten dat clusterwapens 'zodanig onmenselijk, buitenproportioneel en niet-onderscheidend' zijn dat het gebruik ervan – bijvoorbeeld in bewoonde gebieden – aan banden moet worden gelegd. In afwachting van een verdrag zou er een moratorium moeten komen op het gebruik van clusterwapens, zo vindt het Rode Kruis. Nederland steunt dit moratorium niet, maar is wel 'actief betrokken' bij internationaal overleg, zo melden het ministerie van Buitenlandse Zaken en Defensie vorig jaar in een brief aan de Tweede Kamer. In Kosovo wierp de Koninklijke Luchtmacht in totaal 165 clusterbommen van het type CBU-87 af, zo meldt de Kamerbrief. Doelen waren vliegvelden, brandstofopslagplaatsen, maar ook 'verzamelgebieden van militair materieel en militaire eenheden'. Als de wapens daadwerkelijk op grote schaal zijn ingezet tegen concentraties Servische militairen op de grond, kan het haast niet anders of de Nederlandse F-16's hebben veel slachtoffers gemaakt.

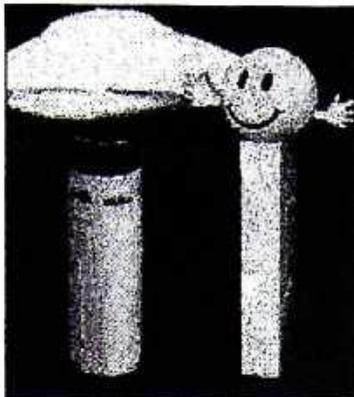


HOME | NEWS | COMMENTARY | ARTS | DISCUSS | READER SERVICES | DONATE | MARKET | ABOUT US

The Case Against Cluster Bombs

Unexploded "bomblets" from the cluster bombs NATO is dropping in Yugoslavia function a lot like land mines. Children are often the victims, because they pick up the brightly colored objects and end up dead or dismembered. Human rights advocates want them banned.

by Jeffrey Benner
May 28, 1999



Cluster "bomblets" often look like toys to unsuspecting children. (Objects not to scale.)

NATO's use of cluster bombs against targets in Yugoslavia has received a fair amount of attention over the past few weeks. Recently, a large number of civilians (not to mention soldiers) have been killed by the cluster bombs, which NATO acknowledges it is using against targets in Yugoslavia. Designed to slaughter people over a wide area, when cluster bombs function properly they are highly effective weapons of mass destruction.

However, criticism of cluster bombs has focused on what happens when these weapons fail to work properly. A 1,000 pound CBU 87 cluster bomb, which is the type U.S. planes have been dropping on targets and troops in Yugoslavia, breaks up into 202 small "bomblets." These soda-can sized munitions float out over an area of several football fields and explode a short distance from the ground, covering the entire area in a shower of deadly shrapnel.

There are two ways these bombs can kill people other than the poor souls for whom they are intended. One is dropping the bombs over the wrong target. That happened on May 7, when NATO dropped cluster bombs on the central marketplace in Nis, killing at least 15 civilians. The other is when an unsuspecting person picks up an unexploded bomblet, a "dud." For every cluster bomb dropped, a small percentage of the 202 bomblets released are duds. Bright yellow with red stripes and a little plastic parachute hood, these soda-can-sized death sticks have proven particularly attractive to curious children. Many are blown to bits and killed in the encounter, while others survive despite the loss of limbs.

There have already been reports of several such tragedies in Yugoslavia, though doubtless we hear of only a fraction of them. One story which did make the news, thanks to Paul Watson of the *Los Angeles Times*, was a case of five ethnic Albanian cousins who were killed in Kosovo when they picked up an unexploded cluster bomblet. A surgeon in Pristina claims he has treated hundreds of innocent victims, mostly for loss of limbs, since the beginning of the NATO campaign.

Such incidents of indiscriminate killing have led groups like Human Rights

F
P
Co
(If Rec
so
V
\$10
(
a
ac
5
yet
e
cli

Watch to argue that "dud" cluster bomblets are, in effect, land mines, and should therefore be banned under the 1997 Anti-Personnel Landmines Treaty. The US has been widely criticized for being one of the few countries (and one of only two NATO countries) yet to sign the treaty. While the U.S. government claims it intends to sign, its reticence is largely due to that fact that, as it is presently worded, the convention could be interpreted to include cluster bombs.

The current draft of proposed U.S. legislation, which would ban the use of land mines by the year 2000, defines anti-personnel devices as "designed, constructed, or adapted to be detonated or exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons."

At a 1997 Pentagon briefing regarding the land mine ban, the Pentagon said that while it supports the land-mine ban, it would like to see the word "primarily" inserted at the beginning of the definition. They believe this would insure that cluster bombs would be exempted from the ban, since they are not "primarily designed" to function as land mines.

If "primarily" were not included, one Pentagon briefer explained, "that could knock out a number of systems that we really do need -- some of our runway and island munitions and that sort of thing, and that's what we're concerned about. We want to be sure that if we're talking about a land mine ban we're talking about land mines." ■

Related Links

[Drop Today, Kill Tomorrow](#)

A rigorous report, with footnotes, on the impact of cluster bombs around the world. Overall a compelling argument for why these weapons should be banned. Put together by the Mennonite Central Committee.

[Human Rights Watch: NATO Use of Cluster Bombs Must Stop](#)

At the bottom of this press release is a link to the briefing paper of which the press release is only a summary.

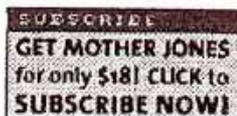
[Federation of American Scientists' "Dumb Bomb" page](#)

A comprehensive list of the various types of cluster bombs. Click on each for pictures and a detailed explanation of each. The type being dropped on Yugoslavia is the CBU 87.

[Photos of the victims](#)

These are photos of civilians injured or killed by NATO bombs which struck a bus on May 3. Witnesses claimed the area was strewn with unexploded cluster bomb munitions.

[E-mail the Editors](#) | [Other Articles by Jeffrey Benner](#) | [More Kosovo Coverage](#)



FREE PHOTO CONTEST **\$10,000!**
CLICK HERE

This article has been made possible by the [Foundation for National Progress](#), the [Investigative Fund of Mother Jones](#), and gifts from generous readers like you.

© 1999 The Foundation for National Progress

[Support Us](#) [Advertise](#) [Ad Policy](#) [Privacy Policy](#) [Contact Us](#) [Subscribe](#)

Depleted Uranium & International Law

containing DU together with the use of other weapons of mass destruction and with indiscriminate effect:

UN Sub-Commission on Prevention of Discrimination and Protection of Minorities Resolution 1996/16, August 29, 1996, E/CN.4/SUB.2/RES/1996/16; UN Press Release, September 4, 1996, HR/CN/755; UN Sub-Commission on Prevention of Discrimination and Protection of Minorities Resolution 1997/36, August 28, 1997, E/CN.4/SUB.2/RES/1997/36.

International peace and security as an essential condition for the enjoyment of human rights, above all the right to life

Sub-Commission resolution 1996/16

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto,

Recalling General Assembly resolutions 42/99 of 7 December 1987 and 43/111 of 8 December 1988 reaffirming that all people have an inherent right to life,

Concerned at the alleged use of weapons of mass or indiscriminate destruction both against members of the armed forces and against civilian populations, resulting in death, misery and disability,

Concerned also at repeated reports on the long-term consequences of the use of such weapons upon human life and health and upon the environment,

Concerned further that the physical effects on the environment, the debris from the use of such weapons, either alone or in combination, and abandoned contaminated equipment constitute a serious danger to life,

Convinced that the production, sale and use of such weapons are incompatible with international human rights and humanitarian law,

Believing that continued efforts must be undertaken to sensitize public opinion to the inhuman and indiscriminate effects of such weapons and to the need for their complete elimination,

Convinced that the production, sale and use of such weapons are incompatible with the promotion and maintenance of international peace and security,

1. Urges all States to be guided in their national policies by the need to curb the production and the spread of weapons of mass destruction or with indiscriminate effect, in particular nuclear weapons, chemical weapons, fuel-air bombs, napalm, cluster bombs, biological weaponry and weaponry containing depleted uranium;

2. Requests the Secretary-General:

(a) To collect information from Governments, the competent United Nations bodies and agencies and non-governmental organizations on the use of nuclear weapons, chemical weapons, fuel-air bombs, napalm, cluster bombs, biological weaponry and weaponry containing depleted uranium, on their consequential and cumulative effects, and on the danger they represent to life, physical security and other human rights;

(b) To submit a report on the information gathered to the Sub-Commission at its forty-ninth session, together with any recommendations and views which he may have received on effective ways and means of eliminating such weapons;

3. Decides to give further consideration to this matter at its forty-ninth session, on the basis of any additional information which may be contained in reports of the Secretary-General to the Sub-Commission or to other United Nations bodies, or which may be submitted to the Sub-Commission by Governments or non-governmental organizations.

34th meeting
29 August 1996

[Adopted by 15 votes to 1, with 8 abstentions.]

Available also at: <http://www.unhchr.ch/huridocda/huridoca.nsf/FramcPage/Body+SC+f;n?OpenDocument>

<http://www.unhchr.ch/f-huridocda/f-huridoca.nsf/0811fcb0b9f6bd58025667300306dcu/887c730868a70a758025665>

© Copyright 1999

Office of the United Nations High Commissioner for Human Rights, Geneva, Switzerland

SUBCOMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES CONCLUDES FORTY-EIGHTH SESSION

9 - Press Release HR/CN/755 4 September 1996

-- Affirmed that weapons of mass destruction and, in particular, nuclear weapons should have no role to play in international relations and thus should be eliminated;

-- Further reaffirmed its support for a total ban on the production, marketing and use of such weapons; urged States that had not yet done so to sign and ratify the Convention on Conventional Weapons and Protocols thereto;

-- Urged all States to be guided in their national policies by the need to curb production and spread of weapons of mass destruction or with indiscriminate effect, in particular nuclear weapons, chemical weapons, fuel-air bombs, napalm, cluster bombs, biological weaponry and weaponry containing depleted uranium;

-- Requested the Secretary-General to collect information from governments and other relevant sources on the use of such weapons and on their consequential and cumulative effects, and to submit a report on the matter to the Subcommission at its forty-ninth session.

International peace and security as an essential condition for the enjoyment of human rights, above all the right to life

Sub-Commission resolution 1997/36

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto,

2-2-2001

Als er geheel niet gebeurt kan
verlate wijzen volgens de Subcommissie
van mentaliteit-defensie (dus inclusief
DU + Christenoma) dan verhoort volgens
de Subcommissie - document de langdurig
en moet men aangehouden worden dat hi
geheel juist was

25-1-2001 RTS

Resolutie voor onderzoek, in het licht van
mass destruction, naar cluster bommen en
DU-wapens van 1996, waarvan ook
erop aangedrongen wordt de verspreiding
en productie van deze wapens te beten

→ deze resolutie van 1996/16 van 29 AUG
1996 is opgenomen - in RTS-dossiers

→ Volgens deze resolutie, aangegeven op de
34ste vergadering van de Sub-Commissie voor
Prevention of Discrimination and Protection
of Minorities, met 15 leden en 8 observatoren,
wordt de Secretaris-Generaal verzocht om
nader onderzoek naar het gebruik van nult wort
wapens en de cumulatieve effecten hiervan
en om daarvan verslag uit te brengen op zijn
49de vergadering

Deze resolutie wordt vervolg gegeven het de
resolutie van de 37^{de} Vergadering van de 28^{ste} augustus van de 1992

Subcommissie, waarin al sprake is van een
rapport van de Secretaris-Generaal onder

"E/CN.4/SUB.2/1997/27" and the

many serious questions raised therein";

en waarin "Ms Clemencia Forero Uruo" genoemd wordt

woult hier en noden studie meer te

verrichten

- 1. Wat Sluit er in dat rapport?

- 2. Wat is het resultaat in dit noden
onderzoek van Ms Clemencia Forero
Uruo?

List of treaties & documents relevant to the question of legality of DU weapons

UN Sub-Commission on Prevention of Discrimination and Protection of Minorities Resolution 1996/16, August 29, 1996, E/CN.4/SUB.2/RES/1996/16

Sub-Commission on Prevention of Discrimination and Protection of Minorities concludes forty-eighth session - **Press release HR/CN/755**, September 4, 1996

UN Sub-Commission on Prevention of Discrimination and Protection of Minorities Resolution 1997/36, August 28, 1997, E/CN.4/SUB.2/RES/1997/36

LIST OF TREATIES RELEVANT TO THE QUESTION OF LEGALITY OF DU WEAPONS

1. *The Petrograd Declaration*, of 1868
2. *Convention with Respect to the Laws and Customs of War on Land*, The Hague, July 29, 1899 - (Hague II)
3. *Convention Respecting the Laws and Customs of War on Land*, The Hague, October 18, 1907 - (Hague IV)

Preamble, paragraph 8 - De Martens clause: "Until a more complete code of the laws of war has been issued, the High Contracting Parties deem it expedient to declare that, in cases not included in the Regulations adopted by them, the inhabitants and the belligerents remain under the protection and the rule of the principles of the law of nations, as they result from the usages established among civilized peoples, from the laws of humanity, and the dictates of the public conscience."

Annex to the Convention, **REGULATIONS RESPECTING THE LAWS AND CUSTOMS OF WAR ON LAND, Section II, Chapter I, Article 22:** "The right of belligerents to adopt means of injuring the enemy is not unlimited."

4. *Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare*, Geneva, June 17, 1925;
5. *Convention Relative to the Protection of Civilian Persons in Time of War*, Geneva, 1949;
6. *Declaration of the United Nations Conference on the Human Environment*, Stockholm, 1972;
7. *Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons, and on their Destruction*, 1972;
8. *Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts* (Protocol I of 1977) prohibits employment of "weapons, projectiles and material and methods of warfare of a nature to cause superfluous injury or unnecessary suffering" (Article 35, paragraph 2), as well as employment of "methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment" (Article 35, paragraph 3; also: Article 55). The use of DU weapons also violates provisions of the same Protocol, regarding the protection of civilian population against effects of hostilities (Article 48; Article 51, paragraphs: 1, 4-c, 5-b; Article 57, paragraph 2-a-ii).
9. *Rio Declaration on Environment and Development* (Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, Annex I).
10. United Nations Sub-Commission on the Promotion and Protection of Human Rights (the former Sub-Commission on Prevention of Discrimination and Protection of Minorities), the main subsidiary body of the UN Commission on Human Rights, had condemned the use of weaponry

containing DU together with the use of other weapons of mass destruction and with indiscriminate effect:

UN Sub-Commission on Prevention of Discrimination and Protection of Minorities Resolution 1996/16, August 29, 1996, E/CN.4/SUB.2/RES/1996/16; UN Press Release, September 4, 1996, HR/CN/755; UN Sub-Commission on Prevention of Discrimination and Protection of Minorities Resolution 1997/36, August 28, 1997, E/CN.4/SUB.2/RES/1997/36.

International peace and security as an essential condition for the enjoyment of human rights, above all the right to life

Sub-Commission resolution 1996/16

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto,

Recalling General Assembly resolutions 42/99 of 7 December 1987 and 43/111 of 8 December 1988 reaffirming that all people have an inherent right to life,

Concerned at the alleged use of weapons of mass or indiscriminate destruction both against members of the armed forces and against civilian populations, resulting in death, misery and disability,

Concerned also at repeated reports on the long-term consequences of the use of such weapons upon human life and health and upon the environment,

Concerned further that the physical effects on the environment, the debris from the use of such weapons, either alone or in combination, and abandoned contaminated equipment constitute a serious danger to life,

Convinced that the production, sale and use of such weapons are incompatible with international human rights and humanitarian law,

Believing that continued efforts must be undertaken to sensitize public opinion to the inhuman and indiscriminate effects of such weapons and to the need for their complete elimination,

Convinced that the production, sale and use of such weapons are incompatible with the promotion and maintenance of international peace and security,

1. Urges all States to be guided in their national policies by the need to curb the production and the spread of weapons of mass destruction or with indiscriminate effect, in particular nuclear weapons, chemical weapons, fuel-air bombs, napalm, cluster bombs, biological weaponry and weaponry containing depleted uranium;

2. Requests the Secretary-General:

(a) To collect information from Governments, the competent United Nations bodies and agencies and non-governmental organizations on the use of nuclear weapons, chemical weapons, fuel-air bombs, napalm, cluster bombs, biological weaponry and weaponry containing depleted uranium, on their consequential and cumulative effects, and on the danger they represent to life, physical security and other human rights;

(b) To submit a report on the information gathered to the Sub-Commission at its forty-ninth session, together with any recommendations and views which he may have received on effective ways and means of eliminating such weapons;

3. Decides to give further consideration to this matter at its forty-ninth session, on the basis of any additional information which may be contained in reports of the Secretary-General to the Sub-Commission or to other United Nations bodies, or which may be submitted to the Sub-Commission by Governments or non-governmental organizations.

34th meeting

29 August 1996

[Adopted by 15 votes to 1, with 8 abstentions.]

Available also at: <http://www.unhchr.ch/huridocda/huridoca.nsf/FramePage/Body+SC+En?OpenDocument>

<http://www.unhchr.ch/Huridocda/Huridoca.nsf/0811fcb0b9f6bd58025667300306dca/887c730868a70a758025665>

© Copyright 1999

Office of the United Nations High Commissioner for Human Rights, Geneva, Switzerland

SUBCOMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES CONCLUDES FORTY-EIGHTH SESSION

9 - Press Release HR/CN/755 4 September 1996

-- Affirmed that weapons of mass destruction and, in particular, nuclear weapons should have no role to play in international relations and thus should be eliminated;

-- Further reaffirmed its support for a total ban on the production, marketing and use of such weapons; urged States that had not yet done so to sign and ratify the Convention on Conventional Weapons and Protocols thereto;

-- Urged all States to be guided in their national policies by the need to curb production and spread of weapons of mass destruction or with indiscriminate effect, in particular nuclear weapons, chemical weapons, fuel-air bombs, napalm, cluster bombs, biological weaponry and weaponry containing depleted uranium;

-- Requested the Secretary-General to collect information from governments and other relevant sources on the use of such weapons and on their consequential and cumulative effects, and to submit a report on the matter to the Subcommission at its forty-ninth session.

International peace and security as an essential condition for the enjoyment of human rights, above all the right to life

Sub-Commission resolution 1997/36

The Sub-Commission on Prevention of Discrimination and Protection of Minorities.

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto,

Recalling General Assembly resolutions 42/99 of 7 December 1987 and 43/111 of 8 December 1988 reaffirming that all people have an inherent right to life,

Recalling also its resolution 1992/39 of 28 August 1992 on arms production and trade and human rights violations,

Recalling further its resolution 1996/16 of 29 August 1996, in which it requested the Secretary-General to submit a report on information gathered on the use of nuclear weapons, chemical weapons, fuel-air bombs, napalm, cluster bombs, biological weaponry and weaponry containing depleted uranium and their consequential and cumulative effects and the danger they represent to life, physical security and other human rights,

Concerned at the use of weapons of mass or indiscriminate destruction or of a nature to cause superfluous injury or unnecessary suffering, both against members of the armed forces and against civilian populations, resulting in death, pain, misery and disability,

Concerned also at repeated reports of the long-term consequences of the use of such weapons upon human life and health,

Concerned further that the physical effects on the environment of testing, storage or disposal of or debris from such weapons, either alone or in combination, and abandoned contaminated equipment constitute a serious danger to life and health,

Convinced that the use of or threat of use of weapons of mass or indiscriminate destruction and, in certain circumstances, the production and sale of such weapons are incompatible with international human rights and/or humanitarian law,

Convinced also that the production, sale, use or threat of use of chemical and biological weapons are incompatible with international law, as well as the promotion and maintenance of international peace and security,

Convinced further that the use on civilian populations of napalm and fuel-air bombs violates the Protocol on Prohibition or Restrictions on the Use of Incendiary Weapons (Protocol III) to the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons,

Believing that the production, sale, use or threat of use of nuclear weapons has serious consequences for the promotion and maintenance of international peace and security,

Believing further that continued efforts must be undertaken to sensitize public opinion to the inhuman and indiscriminate effects of all such weapons and to the need for their complete elimination,

Having considered the report of the Secretary-General (E/CN.4/Sub.2/1997/27) and the many serious questions raised therein,

1. Urges all States to be guided in their national policies by the need to curb the testing, the production and the spread of weapons of mass destruction, or with indiscriminate effect, or of a nature to cause superfluous injury or unnecessary suffering;

2. Decides to authorize Ms. Clemencia Forero Ucros to prepare, without financial implications, a working paper, in the context of human rights and humanitarian norms, assessing the utility, scope and structure of a study on weapons of mass destruction or with indiscriminate effect, or of a nature to cause superfluous injury or unnecessary suffering.

37th meeting ; 28 August 1997 ; [Adopted without a vote. See chap. XIV.]

The Resolution available also at:

<http://www.unhchr.ch/Huridocda/Huridoca.nsf/0811fcb0b9f6bd58025667300306dca/21a4acb0f1b289e>

<http://www.unhchr.ch/huridocda/huridoca.nsf/FramePage/Body+SC+En?OpenDocument>



[Back to the top - Povratak na vrh](#)

ED
IONS

E



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/Sub.2/1997/27
24 June 1997

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-ninth session
Item 11 (b) (ii) of the provisional agenda

**REVIEW OF FURTHER DEVELOPMENTS IN FIELDS WITH WHICH THE SUB-COMMISSION HAS BEEN OR
MAY BE CONCERNED REVIEW OF
ISSUES NOT PREVIOUSLY THE SUBJECT OF STUDIES BUT WHICH
THE SUB-COMMISSION HAS DECIDED TO EXAMINE INTERNATIONAL
PEACE AND SECURITY AS AN ESSENTIAL CONDITION FOR THE
ENJOYMENT OF HUMAN RIGHTS, ABOVE ALL THE RIGHT TO LIFE**

Report by the Secretary-General submitted pursuant to
Sub-Commission resolution 1996/16

CONTENTS

INTRODUCTION

I. COMMENTS PROVIDED BY GOVERNMENTS

Croatia
Nigeria

II. COMMENTS PROVIDED BY UNITED NATIONS BODIES

Centre for Disarmament Affairs

III. COMMENTS PROVIDED BY NON-GOVERNMENTAL ORGANIZATIONS

International Educational Development, Inc.
International Indian Treaty Council

Annex. Information sheet provided by the Centre for Disarmament Affairs

Introduction

1. At its forty-eighth session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 1996/16 of 29 August 1996, concerned at the alleged use of weapons of mass or indiscriminate destruction both against members of the armed forces and against civilian populations, resulting in death, misery and disability, and concerned also at repeated reports on the long-term consequences of the use of such weapons upon human life and health and upon the environment, urged

to be guided in their national policies by the need to curb the production and the spread of weapons of mass destruction of indiscriminate effect, in particular nuclear weapons, chemical weapons, fuel-air bombs, napalm, cluster bombs, biological weapons and weaponry containing depleted uranium.

The Sub-Commission requested the Secretary-General:

(a) To collect information from Governments, the competent United Nations bodies and agencies and non-governmental organizations on the use of nuclear weapons, chemical weapons, fuel-air bombs, napalm, cluster bombs, biological weaponry and weaponry containing depleted uranium, on their consequential and cumulative effects, and on the danger they represent to life, physical security and other human rights;

(b) To submit a report on the information gathered to the Sub-Commission at its forty-ninth session, together with any recommendations and views which he may have received on effective ways and means of eliminating such weapons.

3. Pursuant to that resolution, the Secretary-General, by a communication dated 22 January 1997, invited States and interested intergovernmental and non-governmental organizations to submit their contributions to the High Commissioner/Centre for Human Rights by 8 May 1997.

4. By 30 May 1997, substantive replies had been received from the Governments of Croatia and Nigeria.

5. A reply was also received from the Centre for Disarmament Affairs of the United Nations.

6. International Educational Development, Inc. (IEDI) and the International Indian Treaty Council (IITC) also sent replies. The former also attached material and documents collected by the Laka Foundation and a number of other organizations and researchers.

7. The present report is submitted to the Sub-Commission in pursuance of resolution 1996/16. [[back to the contents](#)]

I. COMMENTS PROVIDED BY GOVERNMENTS

Croatia

[21 May 1997]

[Original: English]

8. In respect of the question of the use, possession and deployment of nuclear weapons, chemical weapons, fuel-air bombs, napalm bombs, cluster bombs and biological weapons the Republic of Croatia shares the views of the Sub-Commission on Prevention of Discrimination and Protection of Minorities as expressed in resolution 1996/16, particularly in respect to the perils which arise from the deployment, possession and use of such weaponry for the full enjoyment of human rights and freedoms of all individuals and groups, especially the right to life and the right to security of person.

9. Additionally, the Republic of Croatia would like to stress that, besides the prohibition of the use of the chemical weapons, napalm bombs, cluster bombs and biological weaponry existing under contemporary international humanitarian law, and the prohibition of the use of nuclear weapons in certain situations prohibited under international law (Geneva Conventions of 1949 and Protocol I of 1977), there is a need to study the impact of the deployment and use of the respective weaponry on the full enjoyment of human rights and freedoms, in particular the right to life, and the right to security of person.

10. In order to enhance the process of the reduction and limitation of arms at the international level, the Republic of Croatia fully supports the disarmament process at both the global and regional levels. Moreover, the Republic of Croatia is not in possession of any of the weapons mentioned in resolution 1996/16. [[back to the contents](#)]

Nigeria

[3 February 1997]

[Original: English]

11. The use of nuclear weapons, chemical weapons, fuel-air bombs, napalm, cluster bombs, biological weaponry and weaponry containing depleted uranium, like the dumping of other toxic and dangerous chemicals and wastes in the developing countries, violates the rights to life, health, physical security and other human rights, such as economic, social and cultural rights and the right to development.

the Secretary-General on the

In light of the above, the Federal Government of Nigeria has continued to encourage the international community to ban the production and use of the above-mentioned weapons, in conformity with international humanitarian law. Likewise, the Government of Nigeria has legislated against all transboundary trade in toxic and hazardous wastes. However, Nigeria is still with the threats of wastes illegally dumped in the country. Most of these wastes are misleadingly labelled as raw materials from certain industries, vegetable oil and artificial resin. [[back to the contents](#)]

II. COMMENTS PROVIDED BY UNITED NATIONS BODIES

Centre for Disarmament Affairs

[22 April 1997]
[Original: English]

13. The Centre enclosed information regarding treaties that constitute legal barriers to the development, possession, use or transfer, as the case may be, of chemical, biological and nuclear weapons; and an excerpt from the recent advisory opinion of the International Court of Justice concerning the legality of the use or threat of use of nuclear weapons (see annex).

14. While the Secretary-General has, in the past, conducted investigations of alleged use of chemical weapons and of alleged violations by some States parties of the Biological Weapons Convention, the Organization is not in a position to make a definitive judgement on these reports of alleged use. The attached information sheet lists the document symbols of reports of the Secretary-General regarding such investigations (see annex).

15. With regard to the immediate and cumulative effects of the weapons mentioned in resolution 1996/16 and the danger they represent to life, physical security and other human rights, the Centre referred to the extensive and well-documented research carried out by the World Health Organization. Its studies trace several years of negative effects of the use or accidental release of chemical and biological (bacteriological) substances for public health, as well as for the environment.

16. Attention was also drawn to the fact that the Secretary-General is strenuously supporting efforts to combat the suffering caused by conventional arms, among them anti-personnel landmines, that are being used in the conflicts that the United Nations is dealing with. For this reason, the Convention on Certain Conventional Weapons with its four Protocols, including its recently amended protocol on landmines and a new protocol on blinding laser weapons, figures on the information sheet. In addition, two very early agreements banning the use in war of certain projectiles and expanding bullets, respectively, are also noted. [[back to the contents](#)]

III. COMMENTS PROVIDED BY NON-GOVERNMENTAL ORGANIZATIONS

International Educational Development, Inc.

[7 April and 21 May 1997]
[Original: English]

17. International Educational Development, Inc. points out that the humanitarian law maxim relating to military operations also applies to weaponry: any weapon necessary to defeat the enemy forces is legal unless specifically prohibited or limited. (1) Prohibitions or limitations may be found in any source of international law: treaties, customary law, principles of law of civilized nations, decisions of tribunals, expert opinion, the laws of humanity and the dictates of the public conscience. Prohibitions on certain weapons may also be included in agreements between the parties to a conflict.

18. The first widely-supported declarations prohibiting weaponry date from the time of the first Hague Conference in 1899 and prohibit projectiles launched from balloons (Declaration IV,1 of 1899), projectiles diffusing asphyxiating gases (Declaration IV,2) and "dum-dum" bullets (Declaration IV,3). These declarations followed a declaration made by 19 States in 1868: the St. Petersburg Declaration Renouncing the Use, in Time of War, of Explosive Projectiles under 400 Grammes Weight. The main issue in these declarations was to prohibit weaponry causing "needless" suffering. Thus, from the beginning of concern over weaponry, the relationship between military necessity and considerations of humanity was made.

19. Subsequent treaties and declarations have focused on prohibitions against more modern weapons: napalm, certain chemical and biological weapons (2) and against modification of the environment for hostile purposes. (3) Action at the General Assembly on weapons includes the Declaration on the Prohibition on the Use of Nuclear and Thermo-Nuclear Weapons, (4) and the Question of Chemical and Bacteriological (Biological) Weapons. (5) In 1973 the Secretary-General issued Respect for Human Rights in Armed Conflict: Existing Rules of International Law Concerning the Prohibition or Restriction of Use of Specific

the Secretary-General on the

(A/9215 (2 vols.)).

In 1983, the General Assembly, in its resolution 38/75 of 15 December, condemned nuclear war in the strongest possible terms ("absolutely, unconditionally and for all times") as "contrary to human conscience and reason, as the most monstrous crime against humanity, and as a violation of the foremost human right, the right to life". The resolution also directed the international community to eliminate all threat of nuclear war and nuclear weaponry.

21. In 1996, the International Court of Justice, in its case on Legality of the Threat or Use of Nuclear Weapons unanimously ruled that the use of nuclear weapons was subject to all rules of humanitarian law. (6) The Court cites, *inter alia*, the Martens Clause "as an affirmation that the principles and rules of humanitarian law apply to nuclear weapons" (para. 87). Key provisions of humanitarian law raised by this opinion include the prohibition on killing or targeting civilians (para. 93), the prohibition on injuring or damaging non-belligerent States (neutral parties) and their people (para. 78), the prohibition of weapons causing undue suffering (paras. 78, 92 and 95) and the prohibition on endangering or damaging the environment (paras. 32-33, 35). In this light, war-time use of nuclear weapons constitutes *per se* a violation of humanitarian law. The Court also ruled that nations are under a duty to negotiate a total ban on further development and the elimination of existing stockpiles of nuclear weapons. Finally, the Court invoked the principle of self-determination when it found that the threat of use of nuclear weapons was illegal if the goal of their use was to force a country to change its leadership or economic policy. The ruling reinforces prohibitions against non-nuclear weapons of the type referred to in Sub-Commission resolution 1996/16 to the degree that these weapons also are subject to the basic tenets of humanitarian law.

22. On 29 April 1997, the Convention Outlawing Chemical Weapons took effect following the ratification of it by 65 countries. The Convention creates the Organization for the Prohibition of Chemical Weapons.

23. The use of most weapons listed in resolution 1996/16 would violate the rules of humanitarian law. Nuclear weapons, chemical weapons, biological weaponry and weaponry containing depleted uranium (hereinafter referred to as DU) are all fundamentally indiscriminate and uncontainable, have severe residual effects long after the war is over, cause undue suffering and harm the environment. For example, DU may cause deaths and serious illnesses, disabilities and birth defects long after its war-time use in weapons. It remains in the soil, water supply and atmosphere for generations, rendering water supplies and agricultural land unusable. According to United States Government documents, short-term effects of high doses of DU can result in death, while long-term effects of low doses have been implicated in cancer. (7)

24. Those listed weapons that have a prolonged generational effect, causing birth defects, illnesses and disease for more than one generation, are particularly in violation of human rights. The use of these weapons could constitute an act of genocide. Fuel-air bombs and cluster bombs are also difficult to contain and therefore pose an undue (grave) risk that their use will violate humanitarian norms. Cluster bombs, in particular, may cause undue suffering of military personnel. In this light, use of such weapons provides a strong inference that the user intended to violate the laws and customs of war, if there is undue suffering of military personnel, if there are undue civilian casualties or other violations from their use.

25. It is also patently clear that all the listed weapons except fuel-air and cluster bombs necessarily violate human rights, especially the rights to life, health, food, shelter and work. The right to food in human rights law (art. 25 of the Universal Declaration of Human Rights; art. 11 of the International Covenant on Economic, Social and Cultural Rights) is closely linked to the right to life as an aspect of the right to subsistence. Many of the listed weapons destroy land that could otherwise be used for agricultural purposes. In the case of the use of weapons containing DU, the land will never be useful for agricultural use - the half-life of DU is 4.5 billion years. The war-time use of depleted uranium also is likely to contaminate food stored in facilities that are not nuclear-proof - and few such facilities are. Bacteriological and chemical weapons can also affect foodstuffs and agricultural lands for many years and, in the case of bacteriological and biological weapons, could result in mutant plant forms with serious effects on human, animal and vegetable life.

26. The right to safe drinking water, which arises from the right to food, the right to life and the right to health, is likely to be even more seriously violated. Again using DU as an example, contaminants from DU weapons can enter the water supply (groundwater, lakes and streams, reservoirs, etc.) far away from the location where the weapons were actually used in combat. Given prevailing winds and rainfall patterns, it is scientifically impossible to limit DU effects to even one country, much less to the legitimate field of battle.

27. Many jobs and forms of employment could be instantly destroyed, with a severe effect on the right to work. For example, countries facing massive short- and long-term lay-offs in agricultural jobs due to contamination or other destruction of agricultural lands may be unable to retool with sufficient speed to prevent serious economic and social consequences. Countries not participating in armed hostilities may also be affected, if, for example, their agricultural lands were affected by depleted uranium, chemical or biological weapons.

28. The use or threat of use of weapons that *per se* violate humanitarian law, such as those listed in resolution 1996/16, can be regarded as torture under the international definition of torture set out in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The use in the definition of the words "any act" means that use of weapons could be an act of torture to the degree that the rest of the definition is met. Legal weapons used in legal military operations against legal military targets would not meet the rest of the test for torture: humanitarian law permits the use of weapons and military operations that are not specifically prohibited and would therefore be subject to the "lawful sanctions" exclusion in the definition. However, illegal weapons do not have that protection, and their war-time use easily meets the rest of the definition of torture: their use causes severe pain and suffering, both physical and mental; their use is intentional; they are used to unduly coerce the enemy or the civilian population into surrender, submission or other state favourable to the user of the

the Secretary-General on the

and their use is under the direct order of public officials.

- most obvious risk of violation of human rights by the development, production and storage of nuclear (including depleted uranium), biological, bacteriological or chemical weapons is because of the almost certain contamination of people, animals, ground, air and water. At this point there is insufficient technology to prevent eventual contamination. Some States have attempted to dump the contaminants from these weapons and their development on other countries, without fully disclosing the contents of containers or the hazards at stake.
30. Less obvious are the implications for economic and social rights when countries spend millions of dollars on the development, production and stockpiling of illegal weapons-munitions that could be used for economic and social advancement. For example, a study prepared by the New Mexico Institute of Mining and Technology indicates a cost of \$248,000 just to ship from New Mexico to nearby Nevada 498 fifty-gallon drums of surface soil contaminated with DU. (8) Another study indicated that it costs the United States nearly \$70 million/day to maintain nuclear warfare capability. (9)
31. Finally, weapons development related to the right to peace and to the right to the use of science and technology for the benefit of humankind. (10) The United Nations action in this area reflects the universally accepted understanding that the right to peace can only be realized with an end to the arms race and only when science and technology are directed away from newer and deadlier weaponry. The development or threat of development of weaponry of the type listed in resolution 1996/16 fundamentally endangers the right to peace, in particular because as one State develops a deadlier weapon, other States think they must also avoid being coerced or threatened by the State having these weapons. (11) Focusing technological advance on weapons whose use would certainly violate humanitarian and human rights law channels substantial amounts of badly needed resources away from solving the huge problems facing the world community.
32. Because many of the rights related to weaponry are considered jus cogens and are clearly in effect during both war and peace, the usual limitation of humanitarian law protections to the enemy becomes inoperable. Thus a State could be liable for injuries to its own citizens during war due to its violations of both human rights and humanitarian law related to illegal weaponry. Some States attempt to refuse claims arising from "acts of war". Such refusal is untenable when the "act of war" is a violation of the laws and customs of war.
33. One attribute of the principle of jus cogens is that the international community must work to repress violations under the legal principle of erga omnes. The principle of erga omnes has been raised in the context of weapons and weapon testing. (12) In a recent statement, the Inter-American Commission on Human Rights of the Organization of American States, in its Press Communiqué No. 13/93 of 25 May 1993, declared that the obligation to respect and guarantee civil and political rights is an obligation erga omnes. This statement reinforces the erga omnes duty to protect the civilian population in time of war because of the inherent link to the right to life and personal security as a cornerstone of civil and political rights. (13) Because of the status of the listed weapons, the international community must condemn all war-time use of them and must work to conclude relevant treaties to effectively eliminate them.
34. The jus cogens and erga omnes nature of the prohibitions of the listed weapons also invokes the duty to warn and inform the international community of the use of these weapons that is occurring or has occurred. The duty to warn and inform was clearly established by the International Court of Justice in the Corfu Channel case, in which the Court declared the failure to warn of sea mines in an area with an international right of sea passage "violates certain and well recognized principles, namely: elementary considerations of humanity". (14) Applying this rule to the listed weapons, a State using, for example, weapons containing DU would be under an affirmative duty to disclose that fact with all particulars, such as quantities, location, and duration of use. Such a State would also be under an affirmative duty to remove all hazardous weapons and residue, to repair all damage done by such weaponry and to minimize, to the extent possible, all negative effects of these prohibited weapons.
35. Victims of weapons that violate humanitarian and human rights law have a right to compensation deriving from both humanitarian and human rights law. The first codified statement in humanitarian law of the customary international law principle of compensation of wrongs is in article III of The Hague Convention of 1907, which provides that a party which violates its provisions must pay compensation and that each party is liable for all acts committed by persons forming part of its armed forces.
36. The clear right to compensation under The Hague Convention reflects the right to compensation as it had been long recognized as either jus cogens or a fundamental principle of law. Fundamental principles of law are customary international law norms relating to the functioning of legal systems. Because these customary norms relating to the functioning of legal systems are considered mandatory or absolute, describing them as principles of law is the same as describing them as jus cogens. Whether described as jus cogens or a fundamental principle of law, the right to compensation as a principle of customary international law is binding on all States.
37. Following the Second World War the international community set up international and regional legal regimes for human rights in which the right to compensation and mechanisms therefor are a prominent feature. (15) A key component of the right to compensation is the duty of all States to provide a procedure by which claims can be brought. The absence of such a procedure, however, does not negate the right, and if a State refuses to provide a forum, the international community as a whole or another State may provide such a forum.
38. In the light of existing rules of compensation, all damage done to persons and property by illegal weapons used in war is actionable in a compensation claim. Any State using the listed weapons in war must provide appropriate compensation to victims. It is legally unthinkable that a person could be a victim of a war crime and not be allowed to exercise the right to one of the most basic aspects of law - the right to compensation. Persons also have a right to seek compensation for injury or damage caused by

the Secretary-General on the

development, production or storage of such weapons.

most effective strategy for elimination of these weapons is enforcement of existing humanitarian and human rights standards. Resolute enforcement of the humanitarian and human rights norms relating to the use of the weapons listed in resolution 1996/16, especially with international condemnation of violations and insistence upon compensation for victims, will go a long way towards elimination of the weapons. The international community must make it prohibitively expensive for States to use such weapons - expensive in monetary terms and expensive in political terms.

Recommendations

40. International Educational Development, Inc. is of the view that dissemination of information about these weapons is important for generating the worldwide will to enforce existing standards and may lead to agreements to condemn and/or eliminate specific weapons. One of the great dilemmas in weaponry and weapons development is the secrecy with which such issues are treated by Governments. Most Governments include information concerning weapons among the highest levels of classified information, so that even legislators of a particular country may be unable to obtain sufficient information. Therefore, any international, regional or national endeavours to require public disclosure and review of weapons and weapon development should be actively pursued.

41. International Educational Development, Inc. suggests that the Sub-Commission might undertake the following measures:

It could adopt a resolution identifying use of the listed weapons as violations of humanitarian and human rights law and the development, production and storage of these weapons as causing grave human rights violations and concerns. Such a resolution could also reinforce the right of victims of such weaponry to compensation;

It could renew its request to the Secretary-General to allow for further evaluation and analysis, and could ask for information on recent armed conflicts where there have been allegations of the use of the listed weapons;

It could request further study of any number of issues related to weaponry that have had inadequate recent attention. Suggested topics include but are not limited to: (i) the issue of State secrecy and the public right to know; (ii) the right to health; (iii) intergenerational rights; (iv) transboundary violations; (v) State coercive acts and human rights; (vi) the substantive evolution of genocide, ethnocide and ecocide; (vii) the right to subsistence and the right to life; and (viii) the need to establish a permanent claims tribunal or procedure by which victims of violations may seek and receive compensation;

It could request the Commission on Human Rights to condemn the use, development, production and storage of the listed weapons and to urge the General Assembly to adopt a similar condemnation;

It could request the Commission on Human Rights to consider the appointment of a Special Rapporteur on armed conflict with a mandate, *inter alia*, to report and investigate allegations of the use of the listed weapons in current wars. [[back to the contents](#)]

International Indian Treaty Council

[15 May 1997]

[Original: English]

42. IITC strongly believes that the right to life includes the right to an environment free from nuclear and other grossly dangerous contamination, and positive measures on the part of States (especially the States responsible for such contamination) to make it so.

43. IITC also believes that all nuclear activity, whether it be mining for the production of nuclear weapons or so-called "peaceful uses of nuclear energy", is firmly within the ambit of the Sub-Commission resolution. There are those in the international community who maintain that there is no such thing as "peaceful uses" of nuclear energy, as the production of such energy also produces plutonium, routinely used in the production of nuclear weapons. Further, human nuclear experimentation conducted by a State's military cannot be considered to be outside the scope of the Sub-Commission resolution, as such experimentation cannot be for any other purpose than to further the military use of nuclear materials.

44. IITC has conducted an assessment of the problem of nuclear contamination and the human rights of indigenous peoples. Indigenous peoples have been poisoned by nuclear contamination since the inception of the so-called nuclear age, beginning with the Pueblo and Shoshone Peoples of New Mexico and Nevada, poisoned by 926 United States, and later joint United States/United Kingdom nuclear weapons tests, begun in 1944 at White Sands, New Mexico. IITC has found that the problem of nuclear contaminants produced as a result of nuclear weapons production, development and testing, is pervasive and serious throughout many indigenous communities in North America and the Pacific.

45. IITC determined the following means of contamination of indigenous peoples and communities:

bomb explosions;
 mining and milling operations;
 reactors;
 age of nuclear waste;
 dumping of nuclear waste;
 radioactive human experimentation and testing.

46. With regard to nuclear weapons testing as a threat to indigenous peoples, IITC cites Tahiti, Polynesia, in particular, as an indigenous community poisoned by such testing. The peoples of Tahiti have suffered nuclear poisoning from radioactive fallout from tests, from eating contaminated fish (marine contamination has an enormous impact on a society where seafood is the main source of food) and from exposure to radioactivity while employed at Mururoa. Workers so employed bring radioactivity to their homes and families on other islands. Some long-term health problems for future generations include cancers, miscarriages, premature births, neurological diseases in newborn babies, deformed children, deaths of babies and children, and leukaemia. There are also relocation-related and poverty-related illnesses and illnesses of the Earth, such as the sinking and cracking of atolls, tidal waves and other environmental changes.

47. The peoples of the Marshall Islands also are experiencing many of the consequences of such tests, including the loss of traditional islands.

48. IITC also cites the United States Government's use of indigenous peoples in Alaska as "guinea pigs", in human radiation testing, in tests called "Project Chariot", whereby large quantities of nuclear waste from the Nevada, Shoshone territory, atomic bomb test site were buried near the indigenous Inupiat village of Point Hope, Alaska, in order to test the dispersal of radioactivity in an Arctic climate directly on indigenous peoples. It was only in 1992, after increasing rates of rare cancers were detected among villagers of Point Hope, that the United States Government admitted that the radioactive waste was still buried there.

49. On 8 September 1996, the Indigenous Anti-Nuclear Summit Declaration was adopted at a gathering of indigenous peoples, their representatives and organizations, at Albuquerque, New Mexico, United States of America. In the Nuclear Summit Declaration, indigenous peoples declared their "unanimous and total opposition to the nuclear power and weapons chain and its devastating impacts and deadly effects on our communities". The Declaration also gives examples of the continuous nuclear contamination of indigenous communities, lands and territories, and calls for an end "to these crimes against our peoples, communities and future generations by the nuclear industry, their stockholders, and nuclear Governments, including the United States, Japan, France, Canada and China".

Recommendations

50. For many of the world's indigenous peoples, the issues raised by the Sub-Commission resolution are matters of extreme urgency and survival. They therefore put the following recommendations to the High Commissioner for Human Rights for consideration:

- (a) First and foremost, indigenous lands and territories must be declared nuclear-free zones, in matters not only of the testing of nuclear devices and processes, but in mining and nuclear milling and processing and all other nuclear activity.
- (b) The principle of the polluter pays must be implemented immediately with regard to all contaminated lands and territories, and those responsible must in good faith begin the long and expensive process to restore the Mother Earth.

51. IITC would endorse the recommendations of the United Nations Special Rapporteur, Mrs. Ksentini, generally, and would restate some of her key recommendations for the purpose of this response:

- (a) A coordinating centre should be set up within the Centre for Human Rights with regard to nuclear contamination;
- (b) A special rapporteur of the Commission on Human Rights should be appointed on the issue of nuclear contamination and its effects on human rights, particularly the right to life.

Notes

ANNEX

INFORMATION SHEET PROVIDED BY THE CENTRE FOR DISARMAMENT AFFAIRS

A. Treaties

the Secretary-General on the

of St. Petersburg (banning certain projectiles)

into force: 11 December 1868

Convention (IV,3) concerning Expanding Bullets

Entered into force: 4 September 1900

Protocol for the Prohibition of the Use in War of Asphyxiating,

Poisonous or Other Gases, and of Bacteriological Methods of Warfare

Signed 1925, enters into force for each signatory as from the date of deposit of its ratification; accessions take effect on the date of the notification by the depositary Government

Total number of parties: 132

Treaty on the Non-Proliferation of Nuclear Weapons

Entered into force: 5 March 1970

Total number of parties: 186

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

Entered into force: 26 March 1975

Total number of parties: 140

Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

Entered into force: 2 December 1983 (Protocols I, II and III)

Total number of parties: 66

Protocol I on Non-Detectable Fragments

Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended on 3 May 1996

Protocol III on Prohibitions or Restrictions on the Use of Incendiary Weapons

Protocol IV on Blinding Laser Weapons (concluded 1995)

Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

To enter into force 29 April 1997

Total number of signatories: 163

Total number of ratifications: 74

Comprehensive Nuclear Test-Ban Treaty

Not yet in force

Total number of signatories: 143

Total number of ratifications: 2

B. Advisory Opinion of the International Court of Justice

Excerpt from document A/51/218: Note by the Secretary-General on the advisory opinion of the International Court of Justice on
<http://www.unhchr.ch/huridocda/huridoca.nsf/2848af408d01ec0ac1256609004e770b/cae6bbc3fc..> 28-1-01

the Secretary-General on the

of the threat or use of nuclear weapons.

plies in the following manner to the question put by the General Assembly:

unanimously,

There is in neither customary nor conventional international law any specific authorization of the threat or use of nuclear weapons;

B. By eleven votes to three,

There is in neither customary nor conventional international law any comprehensive and universal prohibition of the threat or use of nuclear weapons as such;

IN FAVOUR: President Bedjaoui; Vice-president Schwebel; Judges Oda, Guillaume, Ranjeva, Herczegh, Shi, Fleischhauer, Vereshchetin, Ferrari Bravo, Higgins;

AGAINST: Judges Shahabuddeen, Weeramantry, Koroma.

C. Unanimously,

A threat or use of force by means of nuclear weapons that is contrary to Article 2, paragraph 4, of the United Nations Charter and that fails to meet all the requirements of Article 51, is unlawful;

D. Unanimously,

A threat or use of nuclear weapons should also be compatible with the requirements of the international law applicable in armed conflict, particularly those of the principles and rules of international humanitarian law, as well as with specific obligations under treaties and other undertakings which expressly deal with nuclear weapons;

E. By seven votes to seven, by the President's casting vote,

It follows from the above-mentioned requirements that the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law;

However, in view of the current state of international law, and of the elements of fact at its disposal, the Court cannot conclude definitively whether the threat or use of nuclear weapons would be lawful or unlawful in an extreme circumstance of self-defence, in which the very survival of a State would be at stake;

IN FAVOUR: President Bedjaoui; Judges Ranjeva, Herczegh, Shi, Fleischhauer, Vereshchetin, Ferrari Bravo;

AGAINST: Vice-President Schwebel; Judges Oda, Guillaume, Shahabuddeen, Weeramantry, Koroma, Higgins.

F. Unanimously,

There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control."

C. Reports

Reports of experts on investigations of cases of alleged use of chemical weapons: A/36/613, A/37/259, A/39/210, S/16433, S/17127, S/17911 and Corr.1 and Add.1-2 and S/18852 and Corr.1 and Add.1.

Guidelines and procedures for investigation of cases of alleged use: A/38/435, A/39/488, A/43/690 and Add.1 and A/44/561 and Add.1-3.

D. Studies

Study on the Climatic and other Global Effects of Nuclear War, A/43/351.

Nuclear Weapons: A Comprehensive Study, A/45/373.

<http://www.unhcr.ch/huridocda/huridoca.nsf/2848af408d01ec0ac1256609004e770b/cae6bbc3fc..> 28-1-01

1. Pictet's explanation that humanitarian law seeks to balance military necessity with the requirements of humanity applies equally to weaponry. See Jean Pictet, The Principles of Humanitarian Law (ICRC, 1966). [[back to the text](#)]
2. See, esp. Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, Adopted 17 June 1935, 94 League of Nations Treaty Series 65, reprinted in International Committee of the Red Cross, International Law Concerning the Conduct of Hostilities 174 (1989); Convention on the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, adopted 1972, in force 26 March 1975, (General Assembly resolution 2826 (XXIX)). The Fourth Review Conference of States Parties (Geneva 1996) reviewed efforts to draft a verification protocol. [[back to the text](#)]
3. See, for example, Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, in force 5 October 1978, United Nations Treaty Series; Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and on their Destruction, in force 26 March 1975, United Nations Treaty Series. [[back to the text](#)]
4. General Assembly resolution 1653 (XVI). [[back to the text](#)]
5. General Assembly resolution 2603 A and B (XXIV). [[back to the text](#)]
6. Legality of the Threat or Use of Nuclear Weapons, 1996 International Court of Justice Reports (8 July 1996). [[back to the text](#)]
7. See, Metal of Dishonor. Depleted Uranium. How the Pentagon Radiates Soldiers and Civilians with DU Weapons. Selections compiled and edited by the Depleted Uranium Education Project. International Action Centre, New York, 1997. [[back to the text](#)]
8. Peterson, W.D., TERA Request for Amendment to License No. NM-INT-DU-07, New Mexico Institute of Mining and Technology, 17 November 1988. [[back to the text](#)]
9. Information obtained from the U.S. Nuclear Weapons Cost Study Project of the Brookings Institute. [[back to the text](#)]
10. The right to peace derives from the United Nations Charter, and is also viewed as an aspect of the right to life. See, e.g. B. Ramcharan, The Concept and Dimensions of the Right to Life in The Right to Life in International Law (B. Ramcharan, ed. 1985). The development of the right to the use of science and technology for the benefit of humankind dates from paragraph 18 of the Proclamation of Tehran (1968). In 1975, the General Assembly promulgated the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, General Assembly resolution 3384 (XXX) of 10 November 1975. [[back to the text](#)]
11. Weaponry containing depleted uranium, developed by the United States is now being developed in the United Kingdom, the Russian Federation, Turkey, Saudi Arabia, Pakistan, Thailand, Israel and France. See, written statement of International Educational Development, Inc. (E/CN.4/1997/NGO/49, para. 8). [[back to the text](#)]
12. Nuclear Tests (Austl. v. Fr.), 1973 International Court of Justice Pleadings (1 Nuclear Tests) 322 (12 July); Nuclear Tests (Austl. v. Fr.; N.Z. v. Fr.), 1974 International Court of Justice Reports 253, 457. [[back to the text](#)]
13. The press communiqué was issued in response to a suspension of political rights arising out of the civil war in Guatemala. [[back to the text](#)]
14. Corfu Channel (U.K. v. Alb., 1949 International Court of Justice Reports 4, 22.) [[back to the text](#)]
15. For a review of the right to compensation in the human rights systems see T. Van Boven, Study concerning the right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms (E/CN.4/Sub.2/1993/8) (final report) and the earlier submissions: Second progress report (E/CN.4/Sub.2/1992/8) Progress report (E/CN.4/Sub.2/1991/7), and Preliminary report (E/CN.4/Sub.2/1990/10). [[back to the text](#)]

[HOME](#) | [SITE MAP](#) | [SEARCH](#) | [INDEX](#) | [DOCUMENTS](#) | [TREATIES](#) | [MEETINGS](#) | [PRESS](#) | [STATEMENTS](#)

© Copyright 1996-2000
Office of the United Nations High Commissioner for Human Rights
Geneva, Switzerland



UNITED NATIONS HIGH COMMISSIONER
FOR HUMAN RIGHTS



COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Fiftieth session
Item 12 (c) (iii) of the provisional agenda

REVIEW OF FURTHER DEVELOPMENTS IN FIELDS WITH WHICH THE SUB-COMMISSION HAS BEEN OR MAY BE CONCERNED:

REVIEW OF ISSUES NOT PREVIOUSLY THE SUBJECT OF STUDIES BUT WHICH THE SUB-COMMISSION HAD DECIDED TO EXAMINE: INTERNATIONAL PEACE AND SECURITY AS AN ESSENTIAL CONDITION FOR THE ENJOYMENT OF HUMAN RIGHTS, ABOVE ALL THE RIGHT TO LIFE

Written statement submitted by International Educational Development, Inc.,
a non-governmental organization on the Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[29 July 1998]

Weapons, human rights and humanitarian law

1. At its forty-eighth session the Sub-Commission began a review of certain weapons, including weapons containing depleted uranium, and in resolution 1996/16 it requested the Secretary-General to submit a report containing information about these weapons. The Secretary-General's report (E/CN.4/Sub.2/1997/27 and Add.1) contained replies from a number of Governments and non-governmental organizations, raising serious questions about these weapons and human rights and humanitarian law norms. International Educational Development submitted our Memorandum on weapons and the laws and customs of war, IED/HLP (1997) to the Secretary-General, which he excerpted in paragraphs 17-41 of his report. [Additional excerpts of the Memorandum are found in document E/CN.4/Sub.2/1997/NGO/19.]
2. The Sub-Commission has been concerned about arms and armaments for some time, [In 1992, for example, the Sub-Commission, in its resolution 1992/39, expressed concern about arms production and trade and human rights.] and as a result of the quantity of material submitted to the Secretary-General, as well as the lack of attention in the United Nations bodies addressing arms control to human rights and humanitarian concerns, the Sub-Commission decided to go forward with a review of weapons, and in its resolution 1997/36 authorized Mrs. Clemencia Forero Ueros to prepare a working paper setting out how further study of this important topic might proceed. We are particularly pleased that the Sub-Commission, in its resolution 1997/37, authorized Mrs. Forero Ueros to include the topic of illicit transfer of arms in her working paper.
3. In our Memorandum we identify the four basic rules for weaponry under existing customary and treaty-based humanitarian law: (i) weapons must be able to be contained to legal military fields of action (the geographical requirement); (ii) weapons must be able to cease harming action when the armed conflict is over (the temporal requirement); (iii) weapons may not cause undue suffering (the humanitarian requirement); and (iv) weapons must not unduly harm the environment (the environmental requirement). We conclude that the use of most of the weapons listed in resolutions 1996/16 and 1997/36, especially weaponry containing depleted uranium, would constitute a per se violation of these requirements. We also conclude that production or threat of production, stockpiling and development of weapons whose use would constitute a per se violation of humanitarian law could be viewed as coercive, torture, a serious threat to peace, a threat to the right to self-determination and a threat to the right to life.
4. There is a compelling need to continue work in this area because certain countries, especially developed countries, continue development and stockpiling of more and more grotesque weaponry that could not legally be used. Additionally, they have huge stockpiles of weapons, including all weapons listed by the Sub-Commission, whose storage and containment are increasingly difficult. Developing countries also have considerable stockpiles of listed weapons, and are committing substantial amounts of their budgets for the development or purchase of such weapons. The arms race has resulted in further impoverishment of many of the world's peoples.

developed countries condemn or applaud the presence of these weapons in the hands of developing countries in a biased way: developed country supports its allies and condemns its enemies for the possession of the same weapons. Yet all development, stockpiling and use of these weapons should be condemned. The developed countries should be especially criticized because they created these weapons and now want to control who has them for political advantage rather than eliminate them.

Reliable information about these and similar weapons is difficult to obtain. Unfortunately, many Governments consider information about their weapons programmes to be classified or off limits to the general public, creating serious tension between rights under humanitarian and human rights law and so-called national security concerns. We believe that no State can use a national security defence to preclude investigation about weapons that are per se illegal. Further study of this issue should include discussion of permissible as well as impermissible national security concerns as they relate to the listed and similar weapons.

7. In resolution 1997/35 the Sub-Commission expressed the belief that efforts must be made to sensitize public opinion about these weapons. Public education about these weapons is vitally important. Further work by the Sub-Commission can only enhance public information and awareness, and so make the world safer for us all. More publicity about the weapons can also help in efforts to seek full disclosure from Governments.

8. International Educational Development/Humanitarian Law Project has maintained contact with many organizations that are involved with weaponry issues. We have collected materials from many groups as well as from individual researchers and medical people and have submitted them to Mrs. Forero Ueros. We have also met with the media and have generated news articles about these weapons and the Sub-Commission's work.

9. In our work publicizing the Sub-Commission's initiative, we have been amazed at how few people are aware of, for example, the use of weapons containing depleted uranium by United States forces in the Gulf war or about the residual effect of these weapons on the Iraqi civilian population. We have supported efforts to investigate this in Iraq, and have met with and collected information from medical doctors, nurses, medical researchers, media investigators and a wide range of equally concerned groups. We are convinced that a special focus needs to be brought to this situation, and are concerned that the continued sanctions against Iraq have played a significant part in suppressing information and enhancing disinformation about this weaponry and its devastating and continued effects. In this light, we applaud the concern of the Sub-Commission about the humanitarian situation in Iraq, which it has expressed in numerous decisions since 1990, the latest being decision 1997/119.

10. We are also concerned that the general public does not evince much understanding of existing humanitarian and human rights norms that relate to the weapons or the United Nations arms control programmes. Especially distressing is that many working on weapons control were unaware of the existence of the Sub-Commission when we first contacted them.

11. We support this initiative as well as other efforts of the United Nations in the field of human rights. We are convinced that full development of this topic in a comprehensive study will not only be regarded as a key turning point in arms control and disarmament work but will ensure the continued participation of a wide range of grass-roots, national and international organizations in the ongoing work of the United Nations human rights bodies. For this reason, we most strongly urge the Sub-Commission to approve the appointment of Mrs. Forero Ueros as Special Rapporteur for a full study of weaponry in the light of humanitarian and human rights law. The study should include the issues of development, production, stockpiling, trafficking and use or threat of use of all the weapons listed in the Sub-Commission's resolutions as well as contemplated weapons and their development as they become known.

[HOME](#) | [SITE MAP](#) | [SEARCH](#) | [INDEX](#) | [DOCUMENTS](#) | [TREATIES](#) | [MEETINGS](#) | [PRESS](#) | [STATEMENTS](#)

© Copyright 1996-2000

Office of the United Nations High Commissioner for Human Rights
Geneva, Switzerland

UNITED
NATIONS

E



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/SUB.2/DEC/1998/111
26 August 1998

Original: ENGLISH

**Working paper on a study of weapons of mass destruction or with
indiscriminate effect, or of a nature to cause superfluous
injury or unnecessary suffering**

Sub-Commission decision 1998/111

At its 35th meeting, on 26 August 1998, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, recalling its resolutions 1997/36 and 1997/37 of 28 August 1997 and taking note of the circumstances surrounding the inability of Ms. Clemencia Forero Ueros to submit her working paper, decided, without a vote, to request her to submit it to the Sub-Commission at its fifty-first session.

[See chap. XIV.]

[HOME](#) | [SITE MAP](#) | [SEARCH](#) | [INDEX](#) | [DOCUMENTS](#) | [TREATIES](#) | [MEETINGS](#) | [PRESS](#) | [STATEMENTS](#)

© Copyright 1996-2000
Office of the United Nations High Commissioner for Human Rights
Geneva, Switzerland


**Economic and Social
Council**

 Distr.
GENERAL

 E/CN.4/Sub.2/1999/1
12 May 1999

Original: ENGLISH

 COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Fifty-first session

PROVISIONAL AGENDA

Note by the Secretary-General
Duration and venue of the session

1. The fifty-first session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities will be held at the United Nations Office at Geneva from 2 to 27 August 1999. The first meeting will be convened at 10.30 a.m. on Monday, 2 August 1999.

Provisional agenda

2. The provisional agenda, [Based on the draft provisional agenda for the fifty-first session of the Sub-Commission as contained in the report of the Sub-Commission on its fiftieth session (E/CN.4/1999/4-E/CN.4/Sub.2/1998/45, para. 288).] prepared in accordance with rule 5 of the rules of procedure of the functional commissions of the Economic and Social Council, is reproduced below.

Inter-sessional and pre-sessional working groups

3. In accordance with previous decisions, the fifty-first session of the Sub-Commission will be preceded by meetings of four working groups as follows:

- (a) Working Group on Minorities, established pursuant to Economic and Social Council resolution 1995/31 of 25 July 1995. This working group of five members of the Sub-Commission will meet for five working days, from 25 to 31 May 1999;
- (b) Working Group on Contemporary Forms of Slavery, established pursuant to Economic and Social Council decision 16 (LVI) of 17 May 1974. In accordance with the arrangements endorsed by the Commission on Human Rights in its resolution 1993/27 of 5 March 1993, this working group of five members of the Sub-Commission will meet for eight working days prior to the fifty-first session of the Sub-Commission, from 23 June to 2 July 1999;
- (c) Working Group on Communications, established pursuant to paragraph 1 of Economic and Social Council resolution 1503 (XLVIII) of 27 May 1970. This working group of five members of the Sub-Commission will meet for two weeks prior to the fifty-first session of the Sub-Commission, from 19 to 30 July 1999;
- (d) Working Group on Indigenous Populations, established pursuant to Economic and Social Council resolution 1982/34 of 7 May 1982. This working group of five members of the Sub-Commission will meet for one week prior to the fifty-first session of the Sub-Commission, from 26 to 30 July 1999.

In-session working groups

4. Since its thirty-fourth session in 1981, the Sub-Commission has established a sessional working group to assist it in relation to its annual review of developments concerning the human rights of persons subjected to any form of detention or imprisonment. At

At its sixtieth session in 1994, the Sub-Commission established a sessional working group on the administration of justice and the question of compensation in place of a sessional working group on detention.

The Sub-Commission may wish to consider establishing such a sessional working group at its fifty-first session.

6. At its fiftieth session, the Sub-Commission, in resolution 1998/8, decided to establish, for a three-year period, a sessional working group of the Sub-Commission, composed of five of its members, to examine the working methods and activities of transnational corporations.

7. The annotations to the items listed in the provisional agenda will be issued as an addendum to the present document.

Provisional agenda

1. Organization of work:

- (a) Election of officers;
- (b) Adoption of the agenda;
- (c) Methods of work of the Sub-Commission.

2. Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation, in all countries, with particular reference to colonial and other dependent countries and territories: report of the Sub-Commission under Commission on Human Rights resolution 8 (XXIII).

3. Comprehensive examination of thematic issues relating to the elimination of racial discrimination:

- (a) Situation of migrant workers and members of their families;
- (b) Xenophobia.

4. The realization of economic, social and cultural rights:

- (a) The international economic order and the promotion of human rights;
- (b) The realization of the right to development;
- (c) The question of transnational corporations;
- (d) The realization of the right to education, including education in human rights.

5. The implementation of human rights with regard to women:

- (a) Traditional practices affecting the health of women and the girl child;
- (b) The role and equal participation of women in development.

6. Contemporary forms of slavery.

7. Human rights of indigenous peoples:

- (a) Indigenous peoples and their relationship to land.

8. Prevention of discrimination against and the protection of minorities.

9. The administration of justice and human rights:

- (a) Question of human rights and states of emergency;
- (b) Application of international standards concerning the human rights of detained juveniles;
- (c) Gross and massive violations of human rights as an international crime;
- (d) Juvenile justice;
- (e) Privatization of prisons;
- (f) Individualization of prosecution and penalties, and repercussions of violations of human rights on families.

10. Freedom of movement:

- (a) The right to leave any country, including one's own, and to return to one's own country, and the right to seek asylum from persecution;
- (b) Human rights and population displacements.

11. Situation regarding the promotion, full realization and protection of the rights of children and youth.

12. Review of further developments in fields with which the Sub-Commission has been or may be concerned:

- (a) Review of developments concerning recommendations and decisions relating, *inter alia*, to:
 - (i) Promotion, protection and restoration of human rights at national, regional and international levels;
 - (ii) Encouragement of universal acceptance of human rights instruments and observance of the human rights and fundamental freedoms contained in the Universal Declaration of Human Rights by States which are not parties to United Nations human rights conventions;
- (b) Review of issues not previously the subject of studies but which the Sub-Commission had decided to examine:
 - (i) Implications of humanitarian activities for the enjoyment of human rights;

... agenda of the 51st session

- ...ism and human rights;
- ...an rights and disability;
- ...ther new developments;
- Adverse consequences of the transfer of arms and illicit trafficking in arms on the enjoyment of human rights;
- Arbitrary deprivation of nationality.

13. Communications concerning human rights: report of the Working Group on Communications established under Sub-Commission resolution 2 (XXIV) in accordance with Economic and Social Council resolution 1503 (XL VIII).

14. Concluding items:

- (a) Consideration of the future work of the Sub-Commission;
- (b) Draft provisional agenda for the fifty-second session of the Sub-Commission;
- (c) Adoption of the report on the fifty-first session.

[HOME](#) | [SITE MAP](#) | [SEARCH](#) | [INDEX](#) | [DOCUMENTS](#) | [TREATIES](#) | [MEETINGS](#) | [PRESS](#) | [STATEMENTS](#)

© Copyright 1996-2000
Office of the United Nations High Commissioner for Human Rights
Geneva, Switzerland

ED
ATIONS

E



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/Sub.2/1999/26
7 June 1999

ENGLISH
Original: SPANISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Fifty-first session
Item 12 of the provisional agenda

REVIEW OF FURTHER DEVELOPMENTS IN FIELDS WITH WHICH
THE SUB-COMMISSION HAS BEEN OR MAY BE CONCERNED

Adverse consequences of the transfer of arms and illicit
trafficking in arms on the enjoyment of human rights

Note by the secretariat

1. In its resolution 1997/36, of 28 August 1997, the Sub-Commission on Prevention of Discrimination and Protection of Minorities authorized Ms. Clemencia Forero Ucros to prepare a working paper, in the context of human rights and humanitarian norms, assessing the utility, scope and structure of a study on weapons of mass destruction or with indiscriminate effect, or of a nature to cause superfluous injury or unnecessary suffering, for submission to the Sub-Commission at its fiftieth session.
2. In its decision 1998/111, of 26 August 1998, the Sub-Commission took note of the circumstances surrounding the inability of Ms. Clemencia Forero Ucros to submit her working paper and decided to request her to submit it to the Sub-Commission at its fifty-first session.
3. In a letter dated 27 May 1999, Ms. Forero informed the secretariat that, owing to other commitments, she would not be able to prepare the working paper for the fifty-first session of the Sub-Commission.

[HOME](#) | [SITE MAP](#) | [SEARCH](#) | [INDEX](#) | [DOCUMENTS](#) | [TREATIES](#) | [MEETINGS](#) | [PRESS](#) | [STATEMENTS](#)

© Copyright 1996-2000
Office of the United Nations High Commissioner for Human Rights
Geneva, Switzerland



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/Sub.2/2000/1/Rev.1
1 August 2000

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion
and Protection of Human Rights
Fifty-second session

AGENDA

The agenda of the fifty-second session, as adopted by the Sub-Commission at its 1st meeting on 31 July 2000, is reproduced below:

1. Organization of work:

- (a) Election of officers;
- (b) Adoption of the agenda;
- (c) Methods of work of the Sub-Commission.

2. Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories: report of the Sub-Commission under Commission on Human Rights resolution 8 (XXII).

3. Comprehensive examination of thematic issues relating to the elimination of racial discrimination:

- (a) Situation of migrant workers and members of their families;
- (b) Xenophobia;
- (c) World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

4. The realization of economic, social and cultural rights:

- (a) The international economic order and the promotion of human rights;
- (b) The realization of the right to development;
- (c) The question of transnational corporations;
- (d) The realization of the right to education, including education in human rights.

5. The implementation of human rights with regard to women:

- (a) Traditional practices affecting the health of women and the girl child;
- (b) The role and equal participation of women in development.

6. Contemporary forms of slavery.

7. Human rights of indigenous peoples:

- (a) Indigenous peoples and their relationship to land.

of the fifty-second session

tion of discrimination against and the protection of minorities.

administration of justice and human rights:

(a) Question of human rights and states of emergency;

(b) Application of international standards concerning the human rights of detained juveniles;

(c) Gross and massive violations of human rights as an international crime;

(d) Juvenile justice;

(e) Privatization of prisons;

(f) Individualization of prosecution and penalties, and repercussions of violations of human rights on families.

10. Freedom of movement:

(a) The right to leave any country, including one's own, and to return to one's own country, and the right to seek asylum from persecution;

(b) Human rights and population displacements.

11. Situation regarding the promotion, full realization and protection of the rights of children and youth.

12. Review of further developments in fields with which the Sub-Commission has been or may be concerned:

(a) Review of developments concerning recommendations and decisions relating, *inter alia*, to:

(i) Promotion, protection and restoration of human rights at national, regional and international levels;

(ii) Elimination of all forms of intolerance and of discrimination based on religion or belief;

(iii) Encouragement of universal acceptance of human rights instruments and observance of the human rights and fundamental freedoms contained in the Universal Declaration of Human Rights by States which are not parties to United Nations human rights conventions;

(b) Review of issues not previously the subject of studies but which the Sub-Commission had decided to examine:

(iv) Implications of humanitarian activities for the enjoyment of human rights;

(v) Terrorism and human rights;

(vi) International peace and security as an essential condition for the enjoyment of human rights, above all the right to life;

(c) Human rights and disability;

(d) Human rights and scientific and technological developments;

(e) Other new developments:

(i) Adverse consequences of the transfer of arms and illicit trafficking in arms on the enjoyment of human rights;

(ii) Arbitrary deprivation of nationality.

13. Concluding items:

(a) Consideration of the future work of the Sub-Commission;

(b) Draft provisional agenda for the fifty-third session of the Sub-Commission;

(c) Adoption of the report on the fifty-second session.

* / Please find hereafter corrigendum to this document:
- E/CN.4/2000/1/Rev.1/Corr.1, issued on 7 August 2000

fifty-second session

of agenda item 2 should read as follows:

of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation in countries, with particular reference to colonial and other dependent countries and territories: report of the Sub-Commission on Human Rights resolution 8 (XXIII).

[HOME](#) | [SITE MAP](#) | [SEARCH](#) | [INDEX](#) | [DOCUMENTS](#) | [TREATIES](#) | [MEETINGS](#) | [PRESS](#) | [STATEMENTS](#)

© Copyright 1996-2000
Office of the United Nations High Commissioner for Human Rights
Geneva, Switzerland

**MEMOIRE ON THE USE OF INHUMANE WEAPONS IN THE AGGRESSION OF THE NORTH ATLANTIC TREATY ORGANIZATION
AGAINST THE FEDERAL REPUBLIC OF YUGOSLAVIA**

Indictment Request, to the Prosecutor of ICTY, the Hague, filed by the Association of Serbs from BiH, concerning the use of depleted uranium by NATO in Republika Srpska in 1995

ASSOCIATION OF SERBS FROM BOSNIA AND HERZEGOVINA
Belgrade, FR of Yugoslavia

**THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA (ICTY)(1)**
Hague

ACTION(2)

**AGAINST PERSONS WHO MADE A DECISION AND CARRIED OUT BOMBING RAIDS IN THE
TERRITORY OF THE FORMER SFRY**

In the second half of 1995, in carrying out military operations in Bosnia and Herzegovina, airplanes bearing signs of various States, bombed military facilities, civilian targets and populated areas in a wide territory of Republika Srpska. At that time, they also used a special type of 30 mm calibre ammunition, launched from cannons mounted on airplanes. It has been established that the missiles(3) weighed 418.80 g and that they were 114 mm long, without protection cap.

The nuclei of these missiles are of high density, hardness and penetration power, and have been made from depleted uranium alloy 238. These nuclei are radioactive, and the radioactivity comes from the fission products of uranium 238 and uranium 235, as well from their "children".

The results of analysis indicated, inter alia, a high-level radiation: uranium activity amounted to 3.4 MBq. Total alfa ray radiation from the surface of a nucleus amounted to 1.1198 alfa rays/sec and beta rays 35.914/sec.

This type of ammunition has been made of nuclear waste and due to its radioactivity is considered to be a radiological weapon.

By checking the USA Ammunition Catalogue (SATORY X. Paris, 1985, Volume 1), it has been established that this is 30 mm calibre ammunition API PGU-14/B. The manufacturer is AEROJET Ordonance Co. USA.(4) It is intended for the destruction of armoured vehicles, cement bunkers and fixed firing points. It is fired from a seven-barrel GAU-8/A Avenger 30 mm calibre Gatling-type cannon, mounted on Fairchild's A-10 A Thunderbolt II (Warthog) airplanes. According to the 1985 catalogue data, over 50 million rounds have been manufactured. NATO force is also in possession of this type of weapons.

The effects of this weapon on military personnel and civilian population are extremely serious: occurrences of tissue degradation and radiological contamination.

Uranium and its salts belong in a group of highly toxic substances. It causes dermatitis, kidney condition, acute necrotic arterial lesions, and even death. Radiation as a result of inhalation of small particles in lungs may cause cancer.

In view of the existing radioactivity, notwithstanding other properties, it may be concluded that the nucleus is made out of a nuclear waste as a by-product in manufacturing nuclear fuel for military or peaceful purposes. Therefore it may be considered that a type of radiological weapon has been used. Its use is inhumane and cannot possibly be justified.

Documents

This ammunition is absolutely inhumane both in terms of poisoning and exposing to radiation humans causing environmental degradation (5).

In accordance with international standards and regulations, uranium is ranked as a toxic element and is in the group of radio nucleates of high radio-toxic properties.

The composition and qualities of the ammunition used have been established by a special expert team which gathered the samples on the ground and performed expert analysis.

Evidence: Expert analysis

Expert conclusions have been confirmed by the after-effects of this inhuman use of this toxic weapon. In a number of places in Republika Srpska which were exposed to bombing raids (Milici, Vlasenica, Han Pijesak, Sokolac, Pale, Vogosca, Rogatica etc), an increasing number of miscarriages, embryonic degradation, premature haemorrhages in initial stages of pregnancy, premature births, still births etc, has been established. The mortality of population in these areas has increased. Cases of deaths of live stocks and defects in their offspring are also on the increase.

In addition, it has been noted that people otherwise in extremely good health increasingly suffered from diseases of unknown causes. A nine-year old girl who came to the crater in the bombed area after some time experienced disorders and loss of fingernails. Skin specialists ruled out fungal diseases.

Tea plants picked on Mt. Romania registered increased radioactivity. In the end of July 1996, expert analysis of 2 samples of teas, a mix of plants, picked on Mt. Romania, was carried out. The samples demonstrated beta rays of 1,130 Bq/kg and 1,118 Bq/kg, which is considerably higher than accepted quantity of 600 Bq/kg. The analysis were carried out by the standard method with Camber alfa equipment beta, flow-through system.

Evidence: Witness accounts

The use of the above ammunition is not only inhumane but contrary to the international law. A number of international conventions prohibit the manufacturing and use of such weapons as well as such handling of nuclear substances (Convention on Physical Protection of Nuclear Materials of 1970; The Treaty on the Prohibition of Nuclear Weapons Tests of 1963, etc). According to Article 55 of the Additional Protocol to the Geneva Convention (Protocol I), it is prohibited to use the methods and means of warfare whose aims is or may be expected to cause such degradation of environment thereby damaging health or survival of the population(6).

In addition to fulfilling the goals of military and political character which represents a gross violation of the international humanitarian law, the countries that produce and use this kind of ammunition thereby dispose of this harmful nuclear waste, which is also the violation of the regulations of the international law.

The responsibility for the use of toxic and radioactive inhuman weapons in bombing the targets of Republika Srpska lies with the persons who made the decision on the bombing and the direct perpetrators, as well as with the States whose signs appeared on the aircraft which took part in this operation. This responsibility is based on Articles 86 and 87 of the said Protocol, whereas Article 91 establishes responsibility for the damage caused.

We request that facts be determined in court procedure and that those responsible be convicted for committed war crimes.

NOTES:

- 1- The International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
- 2- Although sent to the Tribunal as "action", according to the Statute of ICTY this document could only represent a denunciation, appeal, report, letter, sent to the Prosecutor of ICTY.
- 3- i.e. the shells, after firing.
- 4- A complete API (armour-piercing incendiary) round, that is to say, before it has been fired, is 11.4 in (290 mm) long, and weighs 2.05 lb (930g), produced both by Aerojet and Honeywell - note by D. R.
- 5- We believe that at this point it would be appropriate to stress that uranium has a half-life of 4.5 billion years.
- 6- We also believe that the same act - Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I of 1977) - provides other important foundations for the Request:

Paragraph 2 – prohibits employment of "weapons, projectiles and material and methods of warfare of a nature which cause superfluous injury or unnecessary suffering";

Article 35, Paragraph 3 - prohibits employment of "methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment";

The use of DU weapons violates also regulations of the same Protocol, regarding protection of civilian population against effects of hostilities - Article 48; Article 51, paragraphs: 1, 4-c, 5-b; Article 57, paragraph 2-a-ii.

[Back to the top - Povratak na vrh](#)

Haagse politie verbiedt picketline

2003

DEN HAAG, 12 DEC 03 - Opnieuw is er door toedoen van de Haagse politie vroegtijdig een einde gekomen aan een protestactie. Twee personen die voor een filiaal van de ABN-AMRO actie voerden tegen de clusterbom, dienden daar mee op te houden omdat er geen "vergunning" voor was aangevraagd.

De antimilitaristen voeren al langere tijd campagne tegen de ABN AMRO omdat de bank investeert in de productie van militaire clusterbommen. Landmijnen zijn verboden wapens, clusterbommen nog steeds niet, terwijl ze hetzelfde effect hebben.

Ze hielden hun betoging bij de ingang van de vestiging van ABN AMRO aan het Stationsplein. Daarbij werd een spandoek ('Geen cent voor clusterbommen') opgehangen en droegen de twee betogers sandwichborden waarmee opgeroepen wordt voor een boycot van de bank.

Na tien minuten arriveerde de politie die eiste dat men de "demonstratie waar geen vergunning voor was aangevraagd" ogenblikkelijk diende te beëindigen. Naast het feit dat je voor een actie of demonstratie in dit land bij wet geen "vergunning" nodig hebt, hooguit "toestemming", ging het hier toch echt om een picket-line.

Verder dienden de actievoerders zich te identificeren, anders zou men worden gearresteerd... Alsof de identificatieplicht nu al is ingevoerd. Omdat de twee actievoerders geen zin en tijd hadden om gevangen te zitten, heeft men zich na twee vorderingen alsnog geïdentificeerd.

Dat gaat lekker zo in Den Haag. De campagnegroep tegen clusterbommen roept op om 9 januari om 12.45 uur naar het 'meeting point' van Den Haag Centraal te komen voor een nieuwe picketline voor de deur van ABN AMRO. Laat je paspoort gerust thuis, maar neem een advocaat mee...

11.1.11a ZIE OOK artikel 1 van ST, 18277, "Bepaalde wapens, of bepaalde gebiedskennis, of andere bepalingen..."

B

- In een nader rapport (zie ook het VERBODEN WAPENS-VERDRAG) wordt aangegeven dat de regering, in de opmerkingen in de RVST dat soms wel de jure rechtsheid met het volhouden van hun vrede afgeleid dat bepaalde conventionele wapens verboden zijn, ambtening heeft gezien om de MVT over te passen (1983-1984, 18277, A-C)

STRAATRECHTELYKE VERANTWOORDELIJKHEID VOOR HANDELINGEN IN STRYD MET HET VERBODEN WAPENS-VERDRAG: ZIE "B/2 60 BYLAGE 5

TK 1983-84, 18277, nr 3 (zie ook: nader rapport) IN ORDE "VERBODEN WAPENS-VERDRAG"

en: "De bepalingen gelden volgens de Ned. regering med → zie gewijzigde verspreidings Tekst MVT (1983-84, 18277, A-C lth) in de orden ^{lh 2-3} "VERBODEN WAPENS-VERDRAG" (TK 1983-84, 18277, A-C)

- De artikelen 51, 52 en 57 van Protocol II stellen een stille eere en de multilaterale, 20 stelt ook de RVST vast in het verdrag van 11 augustus 1982 lh 6 (TK 1983-1984, 18277, A-C) en lh 10, del 8

C

- dat art 53 Protocol II betrekking heeft op
goederen "en doordurendelijke bezittingen"
moeten leveren aan de "hulpverleners" en
als militair doel te worden beschouwd, wordt
nog eens bevestigd in het advies van de
Prins van Suta bij het Verloren-Wapen-
verdrag. (TK 1983-84, 18277, AC) ll
6, art 9. a ll 10-11 art 9

VERVOLG STRAFRECHT & LYKE
VERANTWOORD & LYKMEKID: zie
de artikelen 85 en 86, 87 blz 91
ARTIKEL 91 bepaalt dat een partij die
de Protocol bepaling schendt SCHADE-
VERGOEDING moet betalen
→ SCHADE Plichtigheid
STRAF VAST!

Zie ook het verslag van 13 juni 1985
(TK 1984-85, 18277, NR5) ll 1
in de onder "Verloren-Wapen-verdrag"

... ..

D - Als Yogyakarta de bevoegdheid
 euhent - als het tenminste onder tekenen
 is van Protocol I en Verdragen Geene
 (dat zou moeten blijve uit T.R.B. 1978, 97)
 of laten getekend moet zijn) dan
 kan het ook een ONDERZOEKSKRACHT
 indienen bij de commissie ex art 90
PROTOCOL I
 → In overweging geven aan de
 Yogyakartaanse regering.

- Bij de parlementaire behandeling van de Protocollen
 is hemelaf een nodere verklaring gegeven van het
 begrip "militair doel" was behandeld in art 52 lid
 2 Protocol I en art 1, lid 3 Protocol III.
 Die over die verklaring ook de notie n.o.v. het
 einde van de Protocollen, art 17, lid 7
 (TK 1985-1986, 162777, nr 6, lid 7)

→ "STEEPS de bepalingen in art 51 en de
 voorwaarden in artikel 57 van Protocol I
 moeten in acht worden genomen!"

- 1.0 inbrengen

F

"In de opbrengst en melktoeslag zal de voorlichting
gegeven worden aan de in de Aankomende Protocolen
opgenomen bepalingen", aldus de Minister van Buitenlandse
Zaken bij brief van 7 maart 1966, TK 1965-66, 18277, nr. 9.
Zie ook de discussie Min. Buitenlandse Zaken - FRANKING HIER-
OVER bij de parlementaire behandeling (mondeling) van
de Aankomende Protocolen van 20 februari 1966, opgenomen in
de orden "Protocolen", bl. 3570

SFGate.com

www.sfgate.com

[Return to regular view](#)

U.S. under fire for use of cluster bombs in Iraq Pentagon plays down dangers to civilians

Jack Epstein, Chronicle Staff Writer

Thursday, May 15, 2003

©2003 San Francisco Chronicle | [Feedback](#)

URL: <http://home.planet.nl/~kempe103/story.html>



Now that the war in Iraq has ended, the U.S. military must quickly remove thousands of unexploded cluster bombs to keep its promise to do everything possible to limit civilian casualties, human rights groups say.

Estimates of casualties caused by the deadly munitions vary. Gen. Richard Myers, chairman of the Joint Chiefs of Staff, said the weapons caused only one civilian death during the three-week war. Other estimates put the number closer to 200.

Human rights groups caution that more will die as unsuspecting civilians -- especially children -- inadvertently detonate unexploded bombs with the slightest touch.

William Hartung, a military expert at the World Policy Institute's Arms Trade Resource Center at the New School in New York, said the Pentagon's use of cluster bombs is "contrary to the rhetoric of how they were going to fight the war -- a clean war with minimal civilian casualties."

Each 1,000-pound cluster bomb contains between 200 and 300 "bomblets" -- canisters that can explode into hundreds of fragments over an area the size of several football fields.

According to Myers, U.S. warplanes dropped 1,500 cluster bombs in Iraq, 26 of them within 1,500 feet of civilian neighborhoods. Britain's Ministry of Defense said the British army fired by artillery or rocket launchers more than 2,000 cluster munitions and dropped 66 cluster bombs around Basra.

U.S. troops have reportedly removed about 600 unexploded bomblets from the Baghdad neighborhood of Doura. But unexploded cluster bombs still litter cities such as Najaf, and their existence has become another source of resentment felt by Iraqis toward the occupying U.S. forces.

Pentagon spokesman Air Force Maj. Jay Steuck says cluster bombs were used because they are especially effective in destroying airfields, tanks and enemy convoys. He added that the bomblets, which fail to explode upon impact between 5 percent and 20 percent of the time, cause less physical destruction than many bombs.

"The (Defense) Department carefully considers the use of any weapon systems," said Steuck. "There is no intent to cause unwanted civilian deaths during or after the fact."

However, the use of cluster bombs in the Iraq war figures in a suit filed Wednesday in a

Belgian court that accuses U.S. commander Gen. Tommy Franks and a Marine officer named Col. Brian P. McCoy of war crimes.

Belgian attorney Jan Fermon says he represents 17 Iraqi and 2 Jordanian civilian victims of U.S. weapons, four of whom were wounded by cluster bombs. His suit is made possible by a unique 1993 Belgian law that claims universal jurisdiction for war crimes, genocide and crimes against humanity, regardless of the nationality of the accused.

In an interview by e-mail, Fermon conceded that there is no law specifically banning cluster weapons, but argued that the "use of ammunition that causes severe suffering and injury in areas with a civilian population is a violation of international humanitarian rights. I hope that this complaint will contribute to a general ban on cluster bombs."

The State Department dismissed the lawsuit as political harassment.

"The Belgian government needs to be diligent in taking steps to prevent abuse of the legal system for political ends," department spokesman Richard Boucher said last month.

But the use of cluster bombs -- a single fragment of which can rupture the spleen or cause intestines to explode upon impact -- has long been controversial.

After the war in Kosovo, during which U.S., British and Dutch aircraft dropped 1,765 cluster bombs, the Red Cross appealed for a new global law outlawing the weapons.

After the first Gulf War in 1991, more than 1,600 Kuwaiti and Iraqi civilians were killed and 2,500 injured by an estimated 1.2 million unexploded cluster bombs, according to Human Rights Watch. The casualties included 80 U.S.

soldiers.

In a survey of NATO's 78-day bombing of Kosovo in 1999, the International Committee of the Red Cross found that cluster bombs killed 50 people and injured 101 the year after the conflict ended. The report also said that children were five times more likely to be killed or injured by a NATO cluster bomb than by a Serbian land mine.

In Afghanistan, Human Rights Watch estimated U.S. cluster bombs killed or injured 127 civilians.

Critics say Myers' estimate of deaths caused by cluster bombs in the Iraq war omitted ground-launched cluster munitions, which were reportedly used more extensively in Iraq than the air-dropped variety. A multiple-rocket launcher can fire 12 cluster bombs at a time, each of which has 644 bomblets.

"On one night, we received 35 dead from cluster bombs," Dr. Safaal-Amaldi, director of Najaf Teaching Hospital, told Reuters last month.

On April 7, Rashid Majid and three of his sons were killed after they picked up an unexploded bomblet in Baghdad, according to Western press accounts.

E-mail Jack Epstein at jepstein@sfgchronicle.com.

©2003 San Francisco Chronicle | [Feedback](#)

8-5-99

NATO BOMBS BRIDGE, RESIDENTIAL AREAS IN NIS

NIS - Commander of the Nis civilian defense headquarters Jovan Zlatic confirmed to Tanjug that NATO had targeted the northwestern section of the city in its attack just after 4 p.m. Saturday.

The attack, which started at 4:05 p.m., targeted the bridge on the Nisava river, in the neighborhood of the Greek consulate, which was damaged.

NATO also targeted the Rudo company which manufactures artificial limbs.

Fuel depots of Energogas and Jugopetrol, a highway overpass and residential buildings in the area were also targeted, Zlatic said.

NATO AGAIN ATTACKS BOGUTOVAC VILLAGE

KRALJEVO - The NATO air force again attacked the village of Bogutovac, 20 km southwest of Kraljevo, central Serbia, at 2:30 p.m. Saturday, the Tanjug correspondent reported.

The railway bridge on the Lopatnica was hit, a target completely destroyed in a NATO attack at 2:30 a.m. today.

A missile also hit the railway station in Bogutovac, which was completely razed. Initial reports indicate that there are no casualties.

NATO AGAIN ATTACKS KRAGUJEVAC

NATO attacked facilities in the old core of the town which are protected by the state. The Joakim Vujic Theater, High School, and Music School are located in this area. The targeted facilities have been attacked earlier by NATO aircraft.

Kragujevac was the capital of the principality of Serbia after its partial liberation from the Ottoman Empire, between 1818 and 1841.

NATO ATTACKS NIS AGAIN SATURDAY

NIS - NATO warplens attacked the northwestern part of the city of Nis, southeastern Serbia, again on Saturday between 4.05 and 4.20 p.m., Tanjug's correspondent reported.

The Yugoslav Army anti-aircraft defense opened fire on the attacking aircraft, the correspondent said.

Nations and involve this highest international forum in the crime against a country which is one of its founding members.

ANNEX

USE OF PROHIBITED WEAPONS

Cluster bombs and bombs with delayed effect are the most frequently used weapons from the NATO arms and ammunition arsenal which are prohibited by international conventions. Their systematic use against civilians and civilian structures has reached such proportions that this raises a great concern. Practically the entire territory of the FR of Yugoslavia is attacked, but the region of Kosovo and Metohija is under the most severe strikes. Over three thousand cluster bombs were dropped on Pristina and other towns in Kosovo and Metohija alone such as Urosevac, Djakovica and Prizren. In addition to the housing complexes and several schools, bombed were also the mines (Stari trg, Trepca), hotels ("Baciste" on the Mt of Kopaonik), places of worship (mosque in Suva Reka), industrial facilities (Agricultural plant in Sjenica).

Since the onset of the NATO aggression (from 24 March to 4 May 1999) prohibited cluster bombs were used in 98 attacks on the facilities whose civilian nature was in no way doubtful or unknown to the aggressor. Over 120 cassette containers were dropped on civilians in Kosovo and Metohija and all across the FR of Yugoslavia. In view of the fact that each container contains 240 cluster bombs it is not difficult to perceive the devastating consequences of the crime committed by the use of prohibited weapons of mass destruction.

The number of civilians who were killed in these attacks has amounted to 47 persons, while over 70 victims were injured, including a great number of children and women. Material damage is still being estimated but there is no doubt that it is very high.

Some most tragic instances of the attacks by cluster bombs against civilians in the FRY

1. Prizren, 4.30 a.m., 28 March 1999: one cluster bomb dropped by a warplane raised to the ground the building of the Prizren League (building of historical importance for the ethnic Albanians).

2. Kosovska Mitrovica, 10.00 a.m., 2 April 1999: in the attack on the area of Stari Trg mines and great number of family houses were damaged.

3. The village of Pirane (Municipality of Prizren), from 1-2 p.m., 6 April 1999, cluster bombs were dropped on the "Ramiz Sadiku" company and 30 meters of the road was damaged.

4. Sjenica, 8.45 p.m., 6 April 1999, a cluster bomb greatly damaged the facility of the Agricultural and Industrial Company "Pester" (dairy store, vehicles, residential complex, water supply system).

5. The village of Velika Hodza (Municipality of Orahovac), 2.30 p.m., 8 April 1999, two cluster bombs dropped were from the plane on this village with Serbian population.

6. The village of Ljubizd (Municipality of Prizren), 11.20 a.m., 8 April 1999, cluster bombs were fired from the plane on the Paint and Varnish factory "Limit duga" (completely destroyed) and on the Agricultural and Industrial Company "Progres" (severely damaged).

7. Suva Reka (Municipality of Prizren), 1.15 p.m., 12 April 1999, two cluster bombs were dropped, the second one hit and completely raised to the ground the local mosque.

8. Tourist centre Kopaonik, around 0.40 a.m., 13 April 1999, before four missiles hit the hotel "Baciste" (the Genex hotel complex) over 100 cluster bombs were dropped on that location.

9. Vranje, 2.25 p.m., 14 April 1999, cluster bombs dropped on the houses in the village of Pavlovac in the vicinity of Vranje killed people and caused the damage on the bridge and Presevo-Vranje road.

10. The village of Doganovici (Municipality of Kacanik), 11.30 a.m., 24 April 1999, a container with cluster bombs dropped on the gypsy settlement "Kodza" and caused a tragedy – five children were killed, the eldest child was only 15 years old boy.

NATO Hits Market In Serbian City, Killing 11

BELGRADE (Reuters) - NATO planes dropped cluster bombs on a crowded outdoor market and a hospital complex in the southern Serbian city of Nis Friday, killing at least 11 people and injuring scores, Yugoslav officials said.

"There is nothing military within a kilometer (half a mile) of it," Mayor Zoran Zivkovic told Reuters by telephone from the industrial city of 250,000 people, 230 km (140 miles) south of Belgrade.

Zivkovic had said earlier that cluster bombs had been dropped on the hospital and the market in the third NATO attack of the day at around 11:25 a.m. (0925 GMT).

about 60 were wounded during today's NATO attack on Nis downtown with cluster bombs (at 11:30am), but the results are not final. There are still lot of nonexploded cluster bombs (few hundreds) in Nis downtown. 20 people of more than 60 wounded in Nis are in critical condition and their lives are in danger.

Aggressor's atrocious crime

Nis, May 7, 1999 (Tanjug) - Aggressor's NATO aviation and its commanders committed today an atrocious crime over the civilian population in Nis, by bombarding it's center with cluster bombs. This weapon has been forbidden by the international conventions. Moreover, in the Nis downtown there are neither military nor police facilities.

According to the information received so far, at least 11 persons were killed and several dozens wounded. It is feared that the casualty toll is not final and that the number of killed persons in this bloody genocide feast of the aggressor in Nis is even higher. The damage is enormous.

The citizens of targeted central Nis are constantly being warned not to leave their shelters and apartments for the danger of small bombs left behind from the cluster bombs. The rough estimations show that there are several hundred of small cluster bombs scattered all over the town.

The part of the town hit most roughly is the part around Velika Pijaca (Big Market) where the density of people is the highest during the day. There is a Vice-chancellor's Office, a Health Care Center "12 Februar" and a Bus Station there.

The news that the enemy used cluster bombs in bombing the health care center, at first shocked the citizens of Nis. Unfortunately, the news was confirmed and the casualty toll is rising every hour.

It was the 14th attack on the town, and the third in the last ten hours and the first one in the broad daylight.

Novi Sad , May 7 - Four strong explosions, from the direction of Mt. Fruska Gora, were heard in the Voivodina capital of Novi Sad at around 2:20 p.m. local time Friday.

Clusterbommen van de NAVO kosten nog steeds kinderlevens

VAN DE REDACTIE

MUNI 2000

Ze vallen op in het hoge gras, de felgele blikjes en de glimmende tennisballen. Spelende kinderen in Joegoslavië rapen ze op. Ook al zijn ze nog zo gewaarschuwd door hun vaders en moeders. Want ze spelen met - vaak nog niet geëxplodeerde - delen van clusterbommen in handen. In de handjes van de kinderen knallen ze alsnog uit elkaar. Het effect is verwoestend. De kinderen verliezen armen, benen en ogen. Vaak zelfs hun leven.

De 'gele blikjes' zijn CBU-87 en RBL755-bommen, de aantrekkelijke 'tennisballen' ATACMS-bommen. De subbommen zitten in een clusterbom die volgens zo effectief zijn omdat ze bij ontploffing in één klap een groot gebied verwoesten.

Duizenden clusterbommen zijn vorig jaar bij de operatie Allied Force afgeworpen. Het meest gedenkwaardige moment was de aanval op de markt en (de parkeerplaats van) het ziekenhuis in Nis waar toevallige voorbijgangers door rondjagende granaatstukken gedood of verminkt werden. De granaten doorboorden zelfs de muur van een ziekenzaal. Volgens berekeningen is 40 procent van de dodelijke slachtoffers van de NAVO-aanvallen geraakt door een scherf of spijker uit een clusterbom.

In hun boek 'De Laatste Oorlog' beschrijven Jan Marijnissen en Karel Glastra van Loon hoe de clusterbommen boven de grond exploderen waardoor tweehonderd granaten vrijkomen. Die granaten versplinteren weer in driehon-

derd stukjes staal die met hoge snelheid alle kanten uitschieten. De splinters doen over lengte van vier voetbalvelden hun verwoestende werk. Wie geraakt wordt door een scherf of spijker overlijdt of raakt zwaar gewond.

Blindgangers

Van alle afgeworpen clusterbommen explodeert 5 procent niet. In sommige gebieden is zelfs 20 procent niet tot ontploffing gekomen. De clusterbommen op of net onder de grond vormen een groot gevaar voor de plaatselijke bevolking; ploegende boeren en spelende kinderen.

Britse Gurkha's 'sneuelden' al snel na hun intrek in Kosovo toen zij een clusterbom wilden opruimen. Maar het gevaar is nog lang niet geweken. Onlangs vond een jongen in Kosovo de dood en raakten twee vriendjes gewond nadat ze een clusterbom hadden opgeraapt. Het afgelopen jaar zijn - alleen al in Kosovo - zeker honderd mensen gedood door ongelukken met mijnen en clusterbommen. Honderden zijn verminkt.

UNMIK - het VN-bestuur van Kosovo - is ontevreden over het gebrek aan medewerking van de NAVO om de blindgangers op te ruimen. De militaire alliantie wil niet zeggen waar precies clusterbommen gegooid zijn. "Het is absoluut frustrerend", zegt John Flanagan, leider van het VN-programma voor het opruimen van mijnen en blindgangers in Kosovo. "Tien maanden na het einde van het conflict krijgen we nog steeds flarden van informatie en dat zou niet zo mogen zijn."

De teams die zijn belast met het markeren van niet-ontploffte wapens, hebben totnogtoe pas 60 tot 70 procent van de locaties gemarkeerd. Flanagan: "Veel meer had kunnen worden bereikt als de NAVO eerder over de brug was gekomen met de noodzakelijke informatie."

Pas nadat Flanagan zich direct tot het leger van de Verenigde Staten richtte, kreeg hij uiteindelijk de informatie, zoals de vliegrichting van de toestellen en de stand van de wind.

Oorlogsrecht

Het gebrek aan informatie over de locatie van de clusterbommen is te vergelijken met de geheimzinnigheid over de inzet van munitie met verarmd uranium. De aanklager van het Joegoslavië Tribunaal, Carla del Ponte, stelt dat de nieuwe clusterbommen en kogels met

verarmd uranium niet expliciet in het oorlogsrecht verboden zijn en de NAVO-leiders daarom niet te verwijten valt dat ze de onstreden wapens hebben ingezet.

Maar mensenrechtenorganisaties wijzen op het Additionele Protocol uit 1979 bij de Geneefse Conventie. Daarin wordt duidelijk bepaald dat de inzet van wapens die tot buiten gewoon ernstige verwonding van burgers leidt, niet zijn toegestaan. Clusterbommen zijn zonder twijfel onder die wet te vangen.

Geschokt

Want de risico's van afgewerkt uranium mogen weliswaar wetenschappelijk omstrede zijn, de gevaren van clusterbommen zijn dat zeker niet. Zowel burgers als leden van de 'vredestroepen' zijn geschokt over de gevolgen van dit wapentuig. "Clusterbommen veroorzaken vrijwel altijd meer dan één slachtoffer en het gaat dan bijna altijd om jonge mensen", zegt Flanagan. "Wij waren niet op de hoogte van het grote aantal afgeworpen clusterbommen en we wisten ook niet dat kinderen er zo door worden aangetrokken."

(Bron: New York Times)

CAMPAGNE TEGEN CLUSTERBOMMEN

1-6-2007

Campagne tegen Clusterbommen:
vraagt jullie aandacht om opnieuw in
actie te komen tegen de investering van
ABN AMRO in clusterbommen. Deze
bank had een tijdje geleden bekend
gemaakt in de toekomst geen contribu-
tie meer aan te gaan met bedrijven die
clusterbommen maken of onderhou-
den. Maar intussen is het wel zo dat
hun contract met Ineys, het bedrijf van
clusterbommen voor de Engelse lucht-
macht onderhouden, nog tot 2006 loopt.

Vraag onze flyer aan en deel die uit bij
ABN AMRO vestigingen. En maak
met stipkaart anti clusterbomletzen
bij ABN AMRO vestigingen. Bijvoor-
beeld:

'geen clusterbommen op hun dak' maar
'vrede voor Irak' of 'geen clusterbom-
men maar vrede' of 'clusterbommen
vallen nu op Irak. Boycot ABN AM-
RO' of doe je eren verzinnen actie.
Wat ons betreft zijn alle vreedzame
acties oké neem contact met ons op als
je samen wilt werken.

campagne tegen clusterbommen
postbus 719
2300 AS Leiden

Rode Kruis: verbied clusterbommen ²⁰⁰⁰

Door een onzer redacteuren

ROTTERDAM, 5 SEPT. Het Internationale Comité van het Rode Kruis (ICRC) heeft naar aanleiding van de oorlog om Kosovo opgeroepen tot een wereldwijd verbod op het gebruik van clusterbommen. Dat meldt de BBC. Het ICRC zegt dat de clusterbommen die veelvuldig werden gebruikt door de NAVO in het Kosovo-conflict een hoge tol onder de burgerbevolking hebben geëist.

Clusterbommen, die bestaan uit anaatscherven en ontvlambaar

materiaal, staan berucht om hun destructieve werking. De bommen, afgevuurd door bommenwerpers van de Verenigde Staten en het Verenigd Koninkrijk, maakten honderden slachtoffers en liggen nog voor een deel onontploft in Kosovo. Het ICRC meldt dat kinderen in Kosovo vijf keer meer kans hebben om gedood te worden door een clusterbom dan door een landmijn. Het voorstel zal op een congres in Genève later deze maand verder worden besproken.

EU-miljoenen voor slachtoffers mijnen

6-6-2003
België De Europese Commissie schenkt 10 miljoen euro voor een campagne in Irak vanwege het gevaar van niet-geëxplodeerde landmijnen en (cluster-)bommen. Het land ligt sinds de oorlog bezaaid met dat soort wapentuig. Volgens experts is ruim driekwart van de verwondingen die kinderen in Noord-Irak oplopen, daaraan te wijten, doordat ze met de explosieven speelden of omdat die afgingen. In april en mei zijn meer dan 340 van dat soort incidenten gemeld. (ANP)

1-9-2003 Clusterbombs

Ook de Amerikanen worden, na de slachting in No, met
clusterbommen oplicht nipt, op levelen led Wille this.
Maar de Conyelsen niet!

: Use of clusterbombs, resulting in deaths of some 90 to 150
civilians and Britain's refusal to discontinue their use
ever after NATO confirmation of responsibility for the
attack on No's airfield in Southern Sabra in May 7, 1998
and subsequent prohibition of cluster bomb use
imposed on the US forces by the White House.

'Clusterbommen moet beter worden'

Door een onzer redacteurs

DEN HAAG, 14 NOV. Een opmerkelijk pleidooi, gisteren in Den Haag, voor perfectionering van wat al de meest vernietigende wapens van de moderne oorlogsvoe-ring zijn: clusterbommen. In een brede straal kunnen deze wapens – containers vol kleinere bommetjes – dood en verderf zaaien zoals is aangetoond in landen als Irak, Afghanistan, Kosovo en Tsjetsjenië.

Maar ze moeten nog beter worden: uit humanitaire overwegingen. „Het mag afschuwelijk klinken”, zei minister De Hoop Scheffer (Buitenlandse Zaken) gisteren op een congres hierover van Pax Christi, „maar de wereld heeft betere clusterbommen nodig.”

De verklaring voor deze paradox is dat, afhankelijk van de ondergrond, 5 tot 30 procent van de binnenbommetjes niet ontploffen. Ook lang nadat de strijd voorbij is, vallen daardoor nog slachtoffers. „We weten dat er zo de laatste maanden enige honderden doden zijn gevallen in Irak”, zei Steve Goose van de mensenrechtenorganisatie *Human Rights Watch*. „Er liggen nog tienduizenden tonnen niet-geëxplodeerde munitie van clusterbommen in Irak.”

Inmiddels wordt er, met name in

de VS, gewerkt aan clusterbommen die in 99 procent van de gevallen daadwerkelijk tot ontploffing komen. Ook Nederland, dat voor het laatst clusterbommen inzette in Kosovo, wil zulke munitie kopen als die op de markt komt.

Nederland is voorzitter van een groep experts op de Conventie voor Conventionele Wapens, die onderhandelen over een protocol voor niet-ontplofte explosieven. Later deze maand hopen de onderhandelaren het protocol gereed te hebben, dat overigens niet juridisch bindend zal zijn. Dat willen de VS en andere grote landen niet.

Niet-gouvernementele organisaties gaat dit niet ver genoeg. Zij bepleiten een verbod op het gebruik, de productie en de handel in clusterbommen tot de humanitaire problemen zijn opgelost. Ook zij beschouwen nauwkeuriger clusterbommen overigens als vooruitgang, omdat door oorlog getroffen landen met een schone lei kunnen verdergaan.

De campagne tegen de clustermunitie spiegelt zich aan de zeer succesvolle campagne van de niet-gouvernementele organisaties in de jaren '90 tegen landmijnen. Die mondde in 1997 in Ottawa uit in een internationaal verdrag.

1-9-2003 Cluster bombs

Het is wenschelijk dat in 1996, het de UN-Sub-
Commission on the Protection and Promotion and Protection of
Human Rights resolutie 96/16 aannam, waarin D wapens
als wapens met een "indiscriminatie effect" werd veroordeeld,
ook clusterbommen als zodanig veroordeelde

As for cluster bombs we note that the Chamber of the ICTY in the
Martić case rule 61 hearing stated "although there was not
formal prohibition of the use of cluster bombs as such, the use
of the Orkan rocket with its cluster bomb warhead in that
case constituted evidence of the accused's intent to deliberately
attack the civilian population". (Kittichaisri, ibid, p. 81)

10-6-99

Biggest one-day slaughter in war

NATO cluster bombs kill hundreds of Serb troops

By Martin McLaughlin
10 June 1999

[Back to screen version](#)

The US-NATO air war against Yugoslavia culminated Monday in the biggest one-day slaughter since the bombing campaign began, with as many as 600 Yugoslav Army soldiers killed when their column was hit by cluster bombs from a single B-52 bomber.

American and NATO officials said two battalions of Yugoslav troops had left their bomb shelters to engage a Kosovo Liberation Army force that had crossed the Kosovo-Albania border near Mt. Pastrik. The soldiers, who numbered between 800 and 1,200, were caught in the open on the mountain hillside.

According to the *Washington Post* account, "Initial aerial assessments showed such massive annihilation that fewer than half the targeted troops are believed to have survived." Cluster bombs scatter hundreds of powerful explosive charges when they detonate, each charge capable of inflicting multiple casualties. The bomb is used as an anti-personnel weapon and is particularly effective against massed ground troops.

The massacre on Mt. Pastrik was the worst of a series of mass killings by NATO warplanes during the eleven-week bombardment of Yugoslavia. NATO officials estimated last week that 5,000 Yugoslav soldiers had been killed and 10,000 wounded, and the death toll has increased significantly this week, with hundreds of casualties each day from intense bombing, especially in Kosovo.

The stepped-up bombing has been closely coordinated with the KLA's activities on the ground, demonstrating the role of the guerrilla force as a direct instrument of US-NATO policy. The KLA launched an offensive in late May, which failed to hold much territory inside Kosovo. Nor was it really intended to. Its purpose was to engage Yugoslav Army forces in combat and have NATO warplanes annihilate them from the air.

According to one summary given out by NATO, bombing this week has destroyed 29 tanks, 93 armored personnel carriers, 209 artillery pieces, 11 air defense artillery positions, 86 mortars and many other military vehicles. Given the manpower required to maintain and operate such weapons, this translates into thousands of casualties.

KLA guerrillas have also carried out an increasingly aggressive series of terrorist attacks on Serb targets in Kosovo, especially on passenger buses traveling between the cities. A Serb bus driver was killed Tuesday when KLA gunmen ambushed a passenger bus bound from Pristina, the Kosovo capital, for Belgrade. Another bus driver and four passengers were wounded in a second attack just

These shootings go beyond retaliation against Serb police and government officials involved in attacks on Kosovar Albanians. The KLA is clearly seeking to intimidate the Serb minority in Kosovo and create the conditions for a full-scale flight of the Serb population once the Yugoslav Army is withdrawn and NATO troops and KLA guerrillas take over the province. As many as 200,000 Serb civilians would become targets for a new round of ethnic cleansing in the former Yugoslavia.

The gruesome death toll on Mt. Pastrok is reminiscent of another military slaughter in the waning days of another US war against a small and completely out-gunned opponent — the Persian Gulf War against Iraq. After a six-week aerial bombardment and a four-day ground war that destroyed much of the Iraqi army, there was a wild flight of thousands of soldiers and civilians from Kuwait back across the border into Iraq. Navy and Air Force jets caught one long column of fleeing Iraqi vehicles on the Kuwait to Basra highway and pounded it mercilessly with bombs and machine-gun fire. As we described it at the time:

“Soldiers seeking to flee north away from the fighting were attacked without mercy. Pilots flying missions against the highway between Kuwait City and Basra, the main evacuation route for Iraqi troops, described the systematic bombing and strafing as ‘shooting in a sheep pen.’ The road, clogged by four lanes of one-way, bumper-to-bumper traffic, was carpet bombed by B-52s dropping 1,000-pound bombs, and repeatedly hit with laser-guided missiles and ‘smart’ bombs” (*Desert Slaughter*, p. 229)

Like the attack on the “Highway of Death,” there was no military necessity for the cluster-bomb attack on Yugoslav conscripts on Mt. Pastrok. The Yugoslav government had already capitulated to the US-NATO air war and committed itself to a complete withdrawal from Kosovo, while discussions were stalled in Macedonia over the exact timetable and modus operandi for implementation. The immensity of the slaughter, however, sheds light on the legitimate concerns of Yugoslav military officials over the terms of the withdrawal and their desire to secure guarantees for the safety of their retreating troops.

This assault was above all staged to demonstrate the ruthlessness of American and European imperialism, and make of the Serbs an object lesson to the other peoples of the region that no resistance to US-NATO dictates will be tolerated.

NAVO beschuldigd van achterhouden van de waarheid over clusterbommen

Schokkend document over clusterbommen

24 AUG 2002

Van de redactie buitenland

Op 12 augustus jl. openbaarden Portugese kranten een rapport van de 'International Association for campaign against contact mines' (WGL), waarin regeringen van NAVO-landen werden beschuldigd van het belemmeren van gedetailleerd onderzoek naar clusterbommen, die slachtoffers maakten na de NAVO-bombardementen op Joegoslavië.

De grootste krant van Lissabon "Publico" maakte duidelijk dat de genoemde regeringen ervan worden beschuldigd dat zij het

onmogelijk maken om nieuwe bewijzen over de inhoud van de clusterbommen te vinden, "ofschoon er steeds meer onschuldige slachtoffers vallen in Kosovo en Metohija". Ook werd de directeur van de WGL, Richard Lloyd, aangehaald, die opmerkte dat "clusterbommen waren geworpen op het Joegoslavisch territorium en dat het NAVO-pact daardoor ernstig het bestaande internationaal recht en het VN-Charter schond".

Grote aantallen burgers in Joegoslavië worden slachtoffer van plotselinge explosies en kleine jongens vormen het grootste aantal slachtoffers.

"Alleen al in juni, stierven meer dan 200 personen door mijnen, waaronder 50 door clusterbommen, die lijken op een blikje bier of coca-cola", meldde "Publico", delen van het rapport aanhalend. WGL eist daadkrachtige maatregelen om de mijnen en bommen in het gebied op te ruimen.

De Portugese kranten vermeldden dat iedere "clusterbom, die tijdens zijn val uiteenvalt, ongeveer 147 kleinere bommen bevat met een groot effect". Deskundigen gaan ervan uit dat de NAVO-landen 1392 'clusterbommen' hebben afgeworpen. Na de explosie van de 'bomdragers' bleven ongeveer 205.000

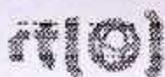


kleine bommen ongeëxplodeerd achter.

"Publico" schreef dat in het rapport ook een interessant detail voorkomt, waaruit blijkt dat genoemde bom, gebruikt door de Britten (RBL 755), onnauwkeurig is bij het treffen van doelen en dat "als de bom het

gestelde doel niet raakt, het dood en verderf zaait op de plek waar hij explodeert". Dit type clusterbommen werd gebruikt in Kosovo en Metohija, waar veel missers werden geregistreerd, vermeldde de Portugese krant.

Bron: www.serbiainfo.com/news



BINNEMLAND

Nederland schaft clustermunitie af

Nederland zal geen clustermunitie meer gebruiken, zegt minister Van Middelkoop.

Jaren overleg

Honderd landen, waaronder Nederland, leggen in Dublin de laatste hand aan een internationaal verdrag over clustermunitie. Al jaren wordt er onderhandeld over dit verdrag.

Kinderen

Clustermunitie zijn explosieven die kleinere bommetjes over een groot gebied verspreiden. Veel van die bommen gaan niet af. Burgers, vaak spelende kinderen, vinden de munitie met alle gevolgen van dien.

© RTLNieuws.nl (<http://www.rtl.nl/actueel/rtlnieuws/home/>)

laatste wijziging: 28 mei 2008 19:58



Zie cassette-
bandje

Clusterbommen Verdrag moet gebruik taboe maken, ook voor landen die niet ondertekenen

Clusterbom is nog lang de wereld niet uit

Nieuwsanalyse

Zolang de grote gebruikers van clusterbommen niet meedoen aan het verbod op de wapens, is het belang ervan beperkt.

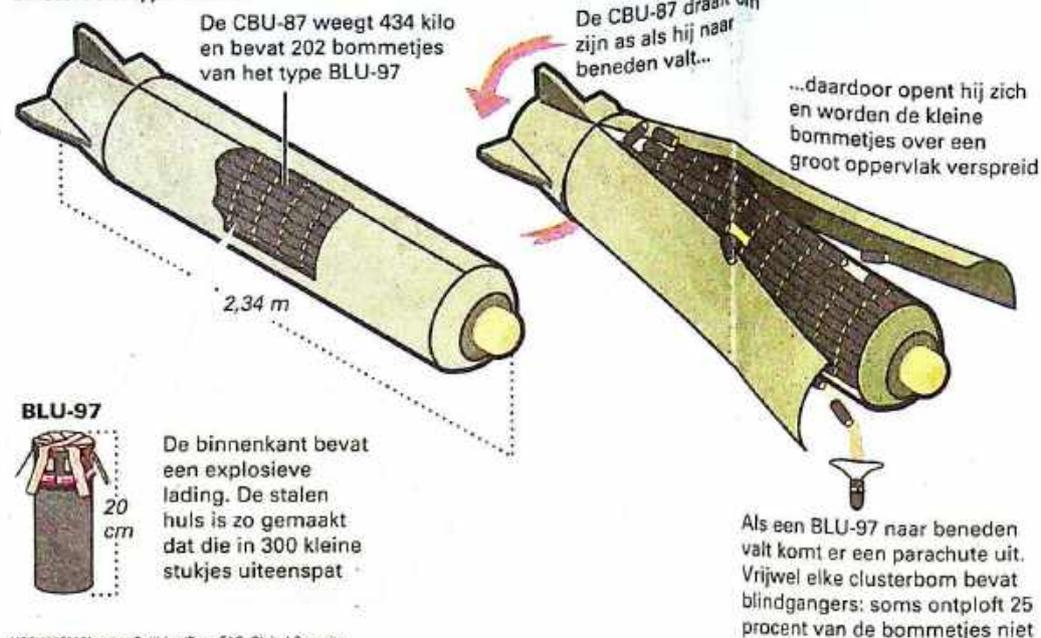
Door een onze redacteurs

ROTTERDAM, 29 MEI. De clusterbommen zijn nog lang de wereld niet uit. Weliswaar zijn meer dan honderd landen het gisteren in Dublin eens geworden over een verbod op productie en gebruik van deze omstreden wapens. Maar de betekenis van dat akkoord, en van het verdrag dat er eind dit jaar op moet volgen, zal afhangen van de politieke en morele druk die ervan zal uitgaan op landen die niet mee doen.

Het verbod bepaalt dat binnen acht jaar alle voorraden clustermunitie (explosieven waarin zich honderden kleine bommetjes bevinden, die zich over een tientallen meters kunnen verspreiden) vernietigd moeten zijn. Maar zonder de Verenigde Staten, Rusland, China, Israël, India, Pakistan en Brazilië heeft zo'n afspraak op zichzelf weinig invloed op de omvang van de grote arsenaal in de wereld.

De clusterbom: 202 bommetjes die elk uiteenspatten in 300 stukjes

Clusterbom type CBU-87



NRC 290508/Yassine Saïhine/Bran/FAS, Global Security

De activisten en diplomaten die voor een verbod ijveren zijn daarvoor doordrongen. Ze hopen echter dat een verdrag ertoe zal leiden dat het gebruik van clusterbommen

taboe wordt, ook voor de landen die nu weigeren zich aan te sluiten bij het verdrag. Het voorbeeld daarbij is het verdrag tegen landmijnen (de Ottawa Conventie) uit

1997. Ook daarbij bleven onder meer de VS, Rusland en China aan de zijlijn. Maar het gebruik van landmijnen zou sindsdien toch sterk zijn afgenomen.

Voor de VS is het een tegenslag dat hun belangrijkste bondgenoot, het Verenigd Koninkrijk, zich na aanvankelijk verzet gisteren toch aansloot bij het verbod op clusterbommen. Washington stelt dat de Amerikaanse strijdkrachten niet buiten de wapens kunnen, onder meer om oprukkende legers tot staan te brengen. Bij de invasie van Irak, in 2003, zouden ze voor het laatst gebruik hebben gemaakt van clusterbommen (die afgeworpen kunnen worden uit vliegtuigen en helikopters, maar ook vanaf de grond kunnen worden afgevuurd). In Afghanistan worden ze niet gebruikt.

Technologische verbeteringen nemen volgens het Pentagon één van de grote bezwaren tegen de wapens weg: namelijk dat de kleine bommetjes die uit de openbarstende bom tevoorschijn komen, vaak niet meteen exploderen als ze op de grond terechtkomen. Nog jaren later vormen de kleine en dus vaak moeilijk te vinden bommetjes daardoor een groot gevaar, onder meer voor kinderen die ze niets vermoedend oppakken.

Bij nieuwe types zou onmiddellijke ontploffing vrijwel gegarandeerd zijn, terwijl niet ontplofte munitie zichzelf snel onschadelijk zou maken.

De Amerikaanse regering hoop-

te haar bondgenoten af te houden van instemming met een verbod, door te wijzen op de moeilijkheden die eruit zouden voortvloeien voor samenwerking bij militaire missies tussen landen die het verdrag ondertekenen en landen die wel clusterbommen gebruiken of in voorraad hebben. Hoe dit probleem wordt opgelost in het verdrag, was vanmorgen nog niet duidelijk.

Nederland wilde aanvankelijk minder ver gaan. Volgens minister Van Middelkoop (Defensie, ChristenUnie) zou een pleidooi voor een algemeen verbod op het gebruik van clustermunitie averechts werken, omdat landen als de Verenigde Staten, Rusland en Israël dan zouden afhaken. De meerderheid van de Tweede Kamer had om een verbod gevraagd. „Ik heb liever een verdrag dat niet helemaal ideaal is, dan helemaal geen verdrag”, aldus Van Middelkoop vorige week nog in de Tweede Kamer. Maar gisteren sloot hij zich toch aan bij de voorstanders van een algemeen verbod. Kamerlid Boekstijn (VVD) spreekt van een „afschuwelijk staaltje politiek correct denken”, omdat er situaties zijn waarin de bommen levens kunnen redden. Nederland heeft clustermunitie voor het laatst gebruikt in 1999 in Kosovo.

Ban de clusterbom

30-5-2008

Nederland heeft als het goed is in 1999 voor het laatst clusterbommen afgeworpen, op Servië. Als het zich houdt aan de afspraken van een vandaag afgesloten conferentie in Dublin, zal dat niet meer gebeuren.

Het is opmerkelijk dat de regering heeft aangekondigd een totaalverbod van clustermunitie te ondersteunen en dat men dit in december in Oslo, net als 110 andere landen, met een handtekening onder een verdrag zal bekrachtigen. Vorige week nog ontraadde minister Van Middelkoop (Defensie, ChristenUnie) in de Tweede Kamer moties die een totaalverbod van clustermunitie suggereerden „ten zeerste”, omdat ze „onvruchtbaar zo niet contraproductief” waren. Clustermunitie is er in gradaties. De minister wilde de lichtere varianten uit oogpunt van onderhandlungsstrategie blijven toestaan. Op voorhand was al duidelijk dat China, Israël, Rusland en de Verenigde Staten, „zeer relevante landen”, zoals Van Middelkoop ze noemde, niet aan een verdrag zouden meedoen. Wil daar in de toekomst wel een kans op zijn, dan is een absoluut verbod van clustermunitie een sta-in-de-weg.

Het is ook om een andere reden verrassend dat de 111 landen nu toch een akkoord hebben bereikt en dat Nederland zich bij dat gezelschap heeft gevoegd. In oktober 2007 liet minister Van Middelkoop in antwoord op Kamervragen namelijk nog weten dat de regering

de inzet van clustermunitie onder bepaalde omstandigheden en na zorgvuldige afweging verantwoord en legitiem vindt. En in 2005 kondigde toenmalig staatssecretaris van Defensie, Van der Knaap (CDA), aanvankelijk ook staatssecretaris in het huidige kabinet, nog aan dat de F-16's zouden

Of verdrag meer is dan een loos gebaar moet nog blijken

worden uitgerust met clusterwapens waarmee een grotere precisie kon worden bereikt.

Uit humanitair oogpunt is een totaalverbod van clusterwapens toe te juichen, ook al kunnen ze in militair-strategisch opzicht effectief zijn. Clusterwapens in hun gevreesde vorm veroorzaken een soort regen aan bommen die soms jaren later nog tot ontploffing komen en waarvan bijvoorbeeld spelende kinderen het slachtoffer kunnen worden.

Nederlandse F-16's wierpen in 1999 173 CBU-87 bommen boven Servië af. Dat gebeurde in het kader van een NAVO-operatie en daarmee wordt het dilemma geschetst dat in de toekomst kan ontstaan. De belangrijkste militaire bondgenoot van Nederland en andere NAVO-partners zijn de Verenigde Staten. Dat land wil niets van een verbod op clusterwapens weten. Straks kan bij gezamenlijke militaire acties het gebruik van clusterbommen aan de orde komen. Doet Nederland dan aan zulke operaties niet mee of houdt het slechts de handen schoon in de wetenschap dat anderen minder scrupules hebben? Het verdrag dat straks in Oslo zal worden getekend, staat samenwerking met landen die wel clusterbommen wensen te gebruiken, toe. Dat is op zichzelf logisch. Een implicatie is dan wel dat de afspraken in Dublin mogelijk een eerste stap op de goede weg zijn, maar in het slechtste geval niet meer dan een loos gebaar blijken te zijn.

Verbod op clusterbom aangenomen

31-5-2008

Buitenlandredactie

DUBLIN - Vertegenwoordigers van 111 landen, waaronder Nederland, hebben gisteren op een conferentie in Ierland een verdrag aangenomen dat clusterbommen verbiedt. De ondertekenaars beloven zulke wapens niet te gebruiken, hun bestaande voorraden binnen acht jaar te vernietigen en geld beschikbaar te stellen voor het opruimen van clusterbommen die over gevechtsterreinen zijn uitgestrooid.

Het verdrag wordt in december in Noorwegen ondertekend en moet in de loop van 2009 in werking treden. Belangrijke producenten van clusterbommen, zoals de Verenigde Staten, Rusland, China, Israël, India en Pakistan, namen niet aan de conferentie deel. Diverse sprekers drongen er bij deze landen, en met name bij de VS, op aan het resultaat van de onderhandelingen, die in 2007 door Noorwegen op gang werden gebracht, te aanvaarden.

Dat de Amerikaanse regering het verdrag niet ondertekent, kan ook betekenen dat bondgenoten van de VS in bijvoorbeeld Afghanistan gedwongen worden clusterbommen te gebruiken, of machteloos toe te zien dat dit gebeurt.

Clusterbom

- Meer dan honderd landen steunen verbod op clusterbom
- Voorraden moeten binnen acht jaar zijn vernietigd.
- Grootgebruikers van clusterbom steunen verbod niet.

De opstellers zijn daarom tegemoetgekomen aan verschillende wensen van de VS en zijn NAVO-bondgenoten. Een van de concessies aan de NAVO-landen is dat het verdrag de ondertekenaars niet verbiedt militair samen te werken met niet-ondertekenaars, zoals aanvankelijk de bedoeling was. Dit zou bijvoorbeeld de Nederlandse samenwerking met de Amerikanen in gevaar kunnen brengen. Dat was de reden waarom het Nederlandse kabinet tot begin deze week niet voor een totaalverbod was. De meeste NAVO-landen zijn nu van plan te tekenen.

De Nederlandse minister van Buitenlandse Zaken, Verhagen, toonde zich verheugd over het akkoord. „Het menselijk leed dat door het gebruik van clustermunitie in het verleden is ontstaan, kan niet meer worden teruggedraaid. Maar met dit verdrag kunnen we er wel alles aan doen om toekomstig leed te voorkomen”, zei Verhagen. Hij zei dat Nederland na de ondertekening van het verdrag de landen die niet in Dublin aanwezig waren zal oproepen zich aan te sluiten.

Clusterbommen worden afgevuurd door vliegtuigen of door kanonnen vanaf de grond. Een bom bevat veel kleinere bommetjes, die exploderen zodra zij de grond raken. Maar niet allemaal: vaak blijven ze liggen zonder te exploderen en ook jaren na een conflict kunnen ze nog slachtoffers maken. In een derde van de gevallen zijn kinderen het slachtoffer.

Deze munitie is gebruikt bij tal van gewapende conflicten, van Vietnam tot Irak.

Kamer wil inzet op verbod clusterbom

²³⁻⁵⁻²⁰⁰⁶
DEN HAAG - De Nederlandse regering moet tijdens internationaal overleg een algemeen verbod op alle soorten clustermunitie nastreven. Pas als blijkt dat hiervoor internationaal onvoldoende draagvlak is, moet Nederland inzetten op strikte criteria voor clusterbommen.

Een voorstel hiertoe van regeringsfractie PvdA werd donderdag gesteund door een krappe meerderheid van de Tweede Kamer. Alleen CDA, VVD, PVV en het lid Verdonk stemden tegen (72 zetels). (ANP)

Woord van de NVMP-voorzitter: Clustermunitie!

Zomer 2008



Herman Spanjaard

Amper een jaar geleden schreef de heer Balkenende als reactie op een brief van uw voorzitter dat de Nederlandse regering niet geïnteresseerd was deel te nemen aan een initiatief van enkele landen om een verdrag te maken aangaande cluster-munitie. Wat een eclatant succes voor preventief werkzame groepen is het huidige verdrag! Waar de heer Middelkoop (minister van Defensie) nog naar Dublin afreisde met de toezegging de 'grootste' clustermunitie onder dit verdrag te willen laten vallen, gaf hij ook aan de 'kleine' (met tot maximaal 10 kleine bommen erin) "voor militaire doeleinden (het beschermen van onze troepen) te willen handhaven in het arsenaal van Defensie". Uiteindelijk tekende Nederland om een einde te maken aan het gebruik van clustermunitie. Een belangrijk succes voor het beperken van letsel bij burgerbevolking. Minder inzet nodig van artsen die dus ander zinvol medisch werk kunnen doen.

van Celine (v.d. Hoek-deVries)

Minister van Defensie (Oorlog?) van Middelkoop (Ch.U.) is geen tegenstander van het gebruik van clusterbommen.

Dat vertelde hij tijdens een NOVA-uitzending aan de interviewende journalist. Diens antwoord loog er niet om: "Weet u wel wat de gevolgen zijn van deze bom, vooral voor kinderen die dit als speelgoed zien? Bij het spelen hiermee ontploffen deze bommetjes heel vaak met alle gevolgen van dien".

Het antwoord van deze christelijke minister was: "Het kan toch ook een kleinere bom zijn met minder spreidbommetjes". De

journalist was het daar absoluut niet mee eens. De minister dacht blijkbaar aan een bekend spreekwoord dat zegt "beloven doet men in de kerk".

Velen zullen zich nog de vreselijke clusterbombardementen op de Joegoslavische stad Nis herinneren, waaraan talrijke Nederlandse F16's als bommenwerpers meewerkten.

De teleurstelling van de heer van Middelkoop was dan ook groot toen op vrijdag 30 mei jl. delegaties uit 111 landen in Dublin aan het einde van de conferentie instemden met een verbod van het gebruik van de clusterbom.

Hier moest de minister (wellicht met pijn in het hart) wel mee instemmen. Wat niet wil zeggen dat Nederland nu het gebruik van clusterbommen heeft afgezworen.

De betreffende uitzending van NOVA-Den Haag Vandaag is te bekijken op Internet via [Novatv](#)



Wim Kok, minister-president tijdens de NAVO-oorlog Joegoslavië, voor de rechtbank gedaagd om te getu betrokkenheid bij oorlogsmisdaden (o.a. Clusterbom NIS). Foto Jan Beentjes

Zie ook: [AF2004-2pag5](#) en [AF2004-3pag4](#)

Sagittarius

Van: "Sagittarius" <sagitar@hetnet.nl>
Aan: <srebrenica.historical.project@gmail.com>
CC: <despot@tiscali.nl>
Verzonden: dinsdag 10 juni 2008 23:20
Onderwerp: further action

Dear Stefan,

I was also glad with our meeting.

Thanks for your efforts to send me the summons in the Srebrenica muslim lawsuit, but unfortunately I was so stupid to delete it immediately. So I hope that you are able - and willing - to send me the text again, I am ashamed about this !

About the contacts with officials and relatives of the Nis clusterbomb attacks, I have been in touch (by e-mail) with prof.dr. Milorad Mitkovic, then Head of or employed at the Ortopedsko-Traumatoloska Klinika, Brace Taskovic 48, at Nis. He reported me by mail on 21 april 2001 that has cured more than 30 very severely wounded victims of the clusterbomb attacks on may 7 1999 on Nis, has documented also by photo's the slaughter and suffering, and promised me, at the end of his mail : "Ovih dana cemo obavestiti prezivele ranjeniko, o vasim naporima, i ukoliko budu saglasni, poslacermo vam njihove adrese i fotografij". But to my regret I never got any further message and by lack of time I also never insisted, the more I had no email address of him, since our conversation was going through an intermediaire.

As a result of some inquiries I have learnt that also the following then officials have played an important role in the publicity and contacts with victims: the then mayor of Nis mr. Zoran Zivkovic and Dr. Petar Bosnjakovic, then deputy director of the clinical centre of the Nis Hospital. Maybe they are prepared to bring me in touch with surviving relatives or then wounded persons.

I further found out that in the following families there were deadly victims of the May 7 clusterbomb-attacks:

- Family Deljanin - victim: Aleksandar Deljanin (1949)
- Family Veljkovic - victim: Bozidar Veljkovic (1961)
- Family Stancic - victim: Ljubisa Stancic (1941)
- Family Dordevic - victim: Bozidar Dordevic (1941)
- Family Sekulic - victim: Gordana Suelic (1970)
- Family Vuckovic - victim: Trifun Vuckovic (1913)
- family Stojiljkovic - victim: Slobodan Stojiljkovic (about 60 yers old)
- Family Vucic - victim: Dragisa Vucic
- Family Ilic - victim: Vera Ilic (1934)
- Family Miljkovic - victim: Sasa Miljkovic (1966)
- Family Spasic - victim: Ljiljana Spasic (1973 and seven months pregnant)
- Family Jovanovski - victim: Gerasim Jovanovski (1915)

(Source : NATO Crimes in Yugoslavia - Documentary Evidence 25 April - 10 June 1999 Part II - Belgrade July 1999)

Also a certain person, namend mrs. Slavica Dinic suffered victims in her family and played a role in then international publicity.

So I really hope that you might be able to make contact with some persons there in order to get their authorisation to start court proceedings in the Netherlands for condemnation of this horrendous crime against international law. All legal work will be done pro aequo and bono, so completely without any costs, further obligations or involvement of the victims, except for their authorisation to file a lawsuit on their behalf in the Netherlands, demanding an official condemnation of this brutal war crime.

As far as the lead counsel is concerned on behalf of the State in the muslim suit, the name of the State of the Netherland's counsel and probable lead counsel in this case is: Mr. G.J.H. Houtzagers, Law Firm Pels Rijcken and Droogleeveer Fortuijn, Postbus 11756, 2502 AT Den Haag, tel. 070-5153793, gjh.houtzagers@pelsrijcken.nl . To my opinion it will be advisable to reveal yourself as a counsel at the ICTY immediate at the first contact, as a good introduction, since the tribunal is the sweet thing of all official persons in the Netherlands. Otherwise scepsis and reservation might be predominant.

As far as the Spanish prosecutor is concerned with respect to the question of universal jurisdiction, actually he is not the a prosecutor, but a judge of inquiry. His name is Andreu Merelles and he is a colleague of Garzon. If you are not able to find his address, please contact mrs. Nelly Koetsier or mr. Nico Dekker (020-6718773) who are in touch with a lawyer who works closely together with Mr. Andreu Merelles in the Rwandan case, named mr. Palu. He was the guy who actually visited the Netherlands last week. For the modalities with respect to the implementation of the obligation to perform universal jurisdiction in the successive western coutries, maybe I have analysed this matter somewhere in my paper "How to bring to justice western war criminals..." on our site www.natosued.org, I would ask you to check it yourself, since I can't remember exactly. I surely has seen a thoroughly analysis of how the various countries deal with this issue, but I can't remember where I have this report.

Did I make other promises to you ? If I did, so please help me to remember !

Kind regards,

Nico Steijnen

Sagittarius

Van: "Sagittarius" <sagitar@hetnet.nl>
Aan: <srebrenica.historical.prject@gmail.com>
Verzonden: dinsdag 10 juni 2008 23:29
Onderwerp: further action

I forgot to mention two possible contact in the Nis clusterbomb affaire: Mr. Igor Mijovic, then surgeon at the Nis Hospital and very concerned at the issue and Mr. Jovan Zlatic, then District Administrator.

Nico

8-6-2008

1 HET VERBOD VAN CLUSTERBOMMEN: HOE MOET HET NU VERDER IN AFGHANISTAN EN HOE ZAT HET JOEGOSLAVIE?

Elders in Procesnieuws treft u al nader commentaar aan op het niet langer gebruiken van clusterbommen, waartoe een groot aantal landen, waaronder Nederland, zich inmiddels in Dublin hebben verplicht.

Blijdschap, ondanks de kritiekpunten

Iedereen kan over deze ontwikkeling alleen maar zeer verheugd zijn, ondanks de kritiekpunten die hier bijven. Zeker in deze tijd, waarin fundamentele mensenrechten en beginselen van internationaal humanitair recht steeds meer onder druk komen te staan - denk maar eens aan het officiëel introduceren van marteling door de Verenigde Staten (waterboarding) en de voortdurend door mensenrechtenorganisaties zwaar bekritiseerde wijze waarop wij hier in Nederland met vreemdelingen omgaan - is dit, vanuit humanitair oogpunt, eindelijk weer eens een belangrijke positieve ontwikkeling. Waar overigens hard voor is gestreden, want niets gaat vanzelf.

Specifieke rechtsvragen

Behalve het meer algemene kader, zoals elders in deze Procesnieuws belicht, roept dit besluit tot het uitbannen van het gebruik van clusterbommen, specifiek voor Nederland, nog een paar belangrijke rechtsvragen op.

Volkenrechtelijke mede-aansprakelijkheid van Nederland voor voortgezet Amerikaans clusterbom-gebruik

De eerste is: hoe moet het nu met de verdere samenwerking met de Verenigde Staten voor wat betreft de oorlog in Afghanistan? Amerika gaat door met het gebruik van clusterbommen, ook in Afghanistan. Naar internationaalrechtelijke maatstaven is Nederland volkenrechtelijk mede-aansprakelijk voor alle misdaden die door Amerika in de oorlog in Afghanistan worden begaan bij een oorlog als deze, die in bondgenootschappelijk verband wordt gevoerd. Dit tenzij terzake van bepaald wapengeweld een duidelijk voorbehoud wordt gemaakt of als Nederland zich van een bepaald wapengeweld achteraf uitdrukkelijk distantiëert.

Van een dergelijk officiëel voorbehoud ten aanzien van een voortgezet gebruik van clusterbommen door Amerika in Afghanistan is vooralsnog van Nederlandse zijde geen sprake. Ook van enig voornemen om zich achteraf steeds opnieuw van Amerikaans voortgezet gebruik te gaan distantiëren, is niets bekend. Daaraan zouden de Nederlandse ministers van Defensie en Buitenlandse Zaken dan trouwens zo ongeveer een dagtaak krijgen.

Nu de Nederlandse regering omtrent dit onderwerp zwijgt, stopt ons land weliswaar met het zelf gebruiken van dit vreselijke wapen, maar blijft ons land voor het voortgezette gebruik van clusterbommen door de Amerikanen in Afghanistan zonder meer volkenrechtelijk medeplichtig.

Was de misdadigheid van clusterbommen al eerder een, voor het

rechtsbewustzijn van de volkerengemeenschap, uitgemaakte zaak of niet?

Het tweede punt is dan dit.

De vraag dringt zich op of dit ontwerp-verdrag nu een nieuw element van internationaal humanitair recht tot onderwerp heeft of niet. Als de notie die aan dit ontwerpverdrag ten grondslag ligt, namelijk dat hier sprake is van een wreed en onmenselijk wapen, een stap verder gaat dan wat er op dit punt reeds langer aan opvattingen leefde in het rechtsbewustzijn van de volkerengemeenschap, dan geldt dat het gebruik van clusterbommen vanaf het moment van ratificatie (ondertekening) van dit verdrag voor Nederland en de andere ondertekenende verboden en misdadig zal zijn. En dat bijvoorbeeld de Verenigde Staten, die dit Verdrag tegen clusterbommen niet zullen tekenen, vanuit rechtsoogpunt volledig gerechtigd blijven om dit mensonterende wapen te blijven gebruiken.

Maar als de te tekenen verdragstekst in feite inhoudt dat hier een als zodanig reeds langer in het rechtsbewustzijn van de volkerengemeenschap levende opvatting wordt gecodificeerd, dan ligt dit laatste volstrekt anders. Dan betekent dit dat het gebruik van clusterbommen al veel eerder als verboden en misdadig wapengebruik moest worden aangemerkt. En dat ook de landen die het komende verdrag weigeren te ondertekenen, zoals de Verenigde Staten, niettemin te maken hebben met een absoluut geldend verbod om deze wapens (nog verder) te gebruiken.

Het vormt immers een volkenrechtelijk basisbeginsel dat wat aan wapengeweld al dan niet toelaatbaar moet worden geacht primair wordt bepaald door wat er op dit punt aan opvattingen leeft in het rechtsbewustzijn van de volkerengemeenschap.

Praktische consequenties voor ons land

Om dit dilemma maar eens, ook voor ons land, te vertalen naar praktische consequenties, het volgende. In de oorlog die de NAVO-landen in 1999 voerden tegen de toenmalige Federale Republiek Joegoslavië, is ook door Nederland kwistig gebruik gemaakt van clusterbommen. Als er vanuit moet worden gegaan dat het gebruik van clusterbommen ook toen al in feite door de in het rechtsbewustzijn van de volkerengemeenschap levende opvattingen werd veroordeeld, was dit een oorlogsmisdrijf.

Als er echter vanuit wordt gegaan dat dit komende verdrag een stapje voorop loopt op de op dit punt in het rechtsbewustzijn levende opvattingen, dan was er toen van oorlogsmisdrijven geen sprake. Maar zal gebruik van clusterbommen voor Nederland pas een oorlogsmisdrijf worden op het moment dat het ontwerp-verdrag door ons land wordt getekend.

In de komende tijd staan, voor de Nederlandse rechter, nog rechtsprocedures op stapel van slachtoffers van de NAVO-oorlog tegen het toenamlige Joegoslavië, waaronder ook nabestaanden van clusterbom-slachtoffers. Daarbij zal deze belangrijke rechtsvraag nadrukkelijk aan de orde zijn.

Sagittarius

Van: "Sagittarius" <sagitar@hetnet.nl>
Aan: "Ruza" <despot@telfort.nl>
Verzonden: dinsdag 28 oktober 2008 12:08
Onderwerp: Re: Tweede Kamer der Staten-
 Hallo Roza,

Ik zit nog steeds een beetje in de zorgen om jou ?
 Gaat het weer een beetje ? En let je nu wat beter op je zelf ?
 Helaas heeft het contact met Stefan nog steeds niets opgeleverd als het gaat
 om mensen in Nis die het slachtoffer zijn van de clusterbommen daar, endie
 zouden willen meedoen met ons komend proces rond de RTS en Nis. Ik was er al
 bang voor !

Wat jij hier nu schrijft over de Nederlandse clusterbommen van 28 april 1999
 op het vliegveld van Pogorica, kan je voor me nagaan waar je dat bericht
 precies vandaan hebt. Ik kan me ook herinneren daar iets over gelezen te
 hebben, maar ik weet niet meer waar. Is van dat bericht ook een bevestiging?

hartelijke groeten,

Nico

----- Original Message -----

From: "Ruza" <despot@telfort.nl>
To: "Nico Steijnen" <sagitar@hetnet.nl>; "Jenny Ligtenberg"
 <jenny1@scarlet.nl>
Sent: Thursday, October 23, 2008 8:26 PM
Subject: Fw: Tweede Kamer der Staten-Generaal

> Ter info...

>
 > ----- Original Message -----
 > **From:** "Tweede Kamer" <contact@tweedekamer.nl>
 > **To:** <despot@telfort.nl>
 > **Sent:** Thursday, October 23, 2008 4:54 PM
 > **Subject:** Re: Tweede Kamer der Staten-Generaal

>
 >
 >>
 >>
 >> Den Haag, 23 oktober 2008
 >> Betreft: uw e-mailbericht van 23 oktober 2008 jl.
 >> Kenmerk: 108611

>>
 >> Geachte mevrouw Despotovic,
 >>
 >> Gelet op de inhoud van uw schrijven verwijs ik u, voor de beantwoording
 >> van uw e-mail, naar de fracties van de Tweede Kamer. Om in contact te
 >> komen met de fracties kunt u gebruik maken van de volgende gegevens:

>> cda.publieksvoorlichting@tweedekamer.nl
 >> pvda_voorlichting@tweedekamer.nl
 >> vvdvoorlichting@tweedekamer.nl

>> kamer@sp.nl
 >> GroenLinks@tweedekamer.nl
 >> D66@tweedekamer.nl
 >> christenunie@tweedekamer.nl
 >> sgp@tweedekamer.nl
 >> pvv@tweedekamer.nl
 >> fractie@partijvoordedieren.nl
 >> r.verdonk@tweedekamer.nl

>>

>> Met vriendelijke groet,

>>

>>

>> Barbara Goossen

>> Dienst Communicatie Tweede Kamer der Staten-Generaal

>> t +31 (70) 318 3040

>> @ publieksvoorlichting@tweedekamer.nl

>> i www.tweedekamer.nl

>>

>>

>>

>>

>>

>> -----

>> Oorspronkelijk e-mailadres:

>> despot@telfort.nl

>>

>> Oorspronkelijk e-mailbericht: -----

>>

>>

>> Contact Formulier

>> tekst:

>> Geachte heer Verhagen, Clusterbommen zijn omstrepen, omdat zij
 >> uiteenspatten in honderden kleinere bommen. Die kunnen nauwelijks worden
 >> gericht, waardoor er veel burgerslachtoffers vallen. Ook blijven de
 >> kleinere bommen vaak onontploft liggen, met alle gevaren van dien. Denk
 >> aan Nis en Kosovo in 1999, waar de Clusterbom van Nederlands trots
 >> werden gebruikt! Op 28 april 1999 wierpen twee Nederlandse F-16's
 >> clusterbommen af boven het vliegveld van Podgorica, Montenegro. Het
 >> Nederlandse leger heeft in 1999 tijdens de Kosovo-oorlog in totaal 173
 >> clusterbommen afgeworpen boven het toenmalige Joegoslavië. Het ging om
 >> bommen van het type CBU-87. Oud-premier Wim Kok en Tweede-Kamerleden
 >> Jozias van Aartsen, Frank de Grave en Jeltje van Nieuwenhoven moesten
 >> voor de rechter verschijnen voor ondervraging over de aanval op het
 >> RTS-televisiestation in Belgrado en aanvallen met clusterbommen op het
 >> centrum van Nis tijdens de Joegoslavië-oorlog in 1999. Oorlogen worden
 >> gevoerd om economische belangen veilig te stellen. Dat is zeker waar
 >> voor de agressieve westerse kapitalistische politiek van de
 >> imperialistische groepen. Het is niet of minder waar voor het merendeel
 >> van de bevolking van de aanvallende landen. Om de bevolking
 >> 'oorlogsrijp' te maken, zijn andere argumenten nodig. Angst, primitieve,
 >> chauvinistische gevoelens, gebaseerd op ras, godsdienst, volk, moeten
 >> worden versterkt en misbruikt en ook menselijke gevoelens van medelijden
 >> en verontwaardiging worden misbruikt om het doel: winst maken,
 >> uitbuiten, mogelijk te maken. De NAVO-oorlog in Kosovo, met de
 >> Nederlandse bijdrage door onder andere het bombardement met
 >> clusterbommen op Nis, begint dus wel zijn vruchten af te werpen.
 >> Vruchten betaald met bloed van onschuldige burgers, dat wel!!! R.