

ANNEX C

CURRENT POLICIES AND ACTIVITIES RELATING TO CLEARANCE OF UNEXPLODED ORDNANCE (UXO) AND DEPLETED URANIUM (DU) IN IRAQ

Introduction

1. The overarching policy for tackling UXO and DU is no different from the policy for tackling any potential threat to the Iraqi population. Since the Coalition is *de facto* governing Iraq for an interim period, the UK and US authorities, acting in place of the civil government, have legal responsibilities, arising from Geneva Convention IV, to ensure the safety of the local civilian population. In discharging this duty, the authorities in the UK's Area of Operations (AO) are prioritising and addressing immediate threats to the safety of the civilian population, from whatever source. The basis of this prioritisation is the scale of risk posed by particular threats.

Clearance of UXO - policy

2. The priority, therefore, is to make safe abandoned munitions, UXO, in particular unexploded cluster munitions, and mines, regardless of origin, in areas where they are a danger to the civilian population. UK Explosive Ordnance Disposal (EOD) assets cannot undertake extensive humanitarian demining, as their primary role is force protection. Nevertheless, EOD teams are available if there is an immediate threat to life, and have already been tasked to some incidents. Aside from this, the policy has therefore been concentrated upon collecting, recording and sharing information on UXO with international organisations, demining non-government organisations (NGOs) and commercial demining companies. Funding is being provided through DFID for humanitarian mine action (HMA) in Iraq: £4 million to the United Nations Mine Action Service (UNMAS), around £860,000 to the UK NGO, the Mines Advisory Group, and £280,000 to the United Nations Children's Fund (UNICEF). The practices on information collection, recording and provision have been developed beyond measures taken after previous conflicts. This is in line with negotiations on a new protocol on Explosive Remnants of War, which may lead to a new legal instrument, including measures on provision of information and warnings and risk education to civilians. Our policy towards the new protocol has previously been agreed by MOD and FCO Ministers.

Clearance of UXO – practical efforts underway

3. In theatre, the UK has in the region of 200 personnel involved in the clearance of UXO, approximately 1% of the total in-theatre force. In addition, a significant number of Royal Engineer assets are involved in Op NUTSHELL, the marking and fencing of bomblet strike and mined

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areas. During the post-conflict phase, around 800 EOD tasks have been carried out. During these, over 100,000 items of UXO and munitions have been destroyed. Bulk demolitions, where individual items are not counted, raise this figure to an estimated 250,000 items.

4. Abandoned ordnance sites are proving to be a significant problem, which can absorb significant EOD resources. There are around 200 sites in the UK Area of Operations, and it is impossible to secure all of these. Some measures, such as burying ordnance, have been taken to prevent public access. Despite these preventive measures, elements of the civilian population, fully aware of the dangers, are determined to gain access. Op ALADDIN is being conducted by EOD teams throughout the Area of Operations in an attempt to dispose of and reduce the amount of ammunition in ammunition compounds.
5. The UK Joint Force EOD Cell (JFEODC) holds weekly meetings in the Basra Civil Military Operations Centre (CMOC) with UNICEF, UNMAS (United Nations Office for Project Services - UNOPS), and commercial demining organisations. This provides a regular forum for the sharing of information, the co-ordination of clearance work, and the solution of various related issues, such as the movement of explosives. These meetings have been extremely well received by the relevant international organisations, NGOs and commercial demining organisations.
6. The UK has also made a significant effort to educate the local population of the dangers of mines and UXO. The Theatre Mine Risk Education (MRE) plan has been developed with the support of UNICEF and the International Committee of the Red Cross (ICRC). A poster and leaflet campaign has been carried out, head teachers in Basra have been briefed, and military teams are delivering Mine/UXO awareness training to primary and secondary schools on a daily basis, using material approved by the ICRC.

Threat posed by DU

7. DU strike sites do not pose the same immediate threat to health or safety as UXO. Most DU particulate remains highly localised to the points of impact where DU munitions have struck hard targets: only in these small areas would DU levels be significant enough to necessitate precautions to prevent or reduce possible intakes. Increasing amounts of independent research by eminent scientists within groups such as the Royal Society DU Working Group and the United Nations Environment Programme (UNEP) support this view. With regard to civilians, the Royal Society reports on "The Health Hazards of Depleted Uranium Munitions" state that "*For those returning to live in areas where DU munitions were deployed, including peace-keepers, the inhalation intakes from resuspended DU are considered to be unlikely to cause any substantial increase in lung cancer or any other cancers*".
8. DU munitions pose no significant health risk if they are intact: ie, if they are unfired or undamaged, or if they are buried in the ground in any

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form. However, in the latter case, UNEP and the Royal Society have recommended long-term monitoring of the water supply.

Clearance of DU – policy

9. Up until the new situation in post-conflict Iraq, the UK has followed the legal position on clean-up of DU: a nation which has fired DU in conflict is under no legal obligation *per se* to return to the region post-conflict to clear up any DU that remains. The legality of this issue has developed through custom: there are no special policies or conventions which address clearance of DU residue.
10. However, the MOD is carrying out certain activities to reassure civilians that the risk posed to them by DU is as minimal as practically possible.
11. Whilst MOD has no long-term legal responsibility to clean up DU from Iraq, it will do so on an opportunity basis, ie, obvious surface-lying DU fragments will be removed from the battlefield as they are discovered.
12. The MOD will not be undertaking any recovery of DU buried in the ground, except where required in small quantities for scientific purposes to support the MOD corporate DU research programme.

Clearance of DU – practical efforts underway

13. MOD is providing details of UK DU firing locations to UNEP via DFID and DEFRA in support of UNEP's post-conflict environmental assessment, and directly to recognised NGOs in response to *ad hoc* enquiries.
14. Surface-lying DU ammunition is being cleared from the battlefield, along with dangerous remnants of war, under Op ALADDIN.
15. Tanks suspected of having been struck by DU are being clearly marked up pending examination by an MOD-led scientific team for research purposes. Following risk assessment on a case by case basis, clean-up and disposal may be carried out or the vehicles may be collected together and fenced off. Decontamination may be carried out where appropriate. (MOD scientists are currently in Iraq conducting a preliminary assessment).
16. Iraqi locals have been warned through Information Operation messages that they should not go near or touch any debris they find on the battlefield.
17. MOD is able to provide advice by its civilian specialists on carrying out risk assessments on DU within urban areas. This would be subject to provision of protection and logistic support by troops within theatre. MOD is also able to assist in the provision of advice on long-term monitoring of DU in the environment, including water.

Practicalities of recovering DU

18. There may be increased pressure from politicians, the media and NGOs to clear all DU from Iraq. However, the resources required to do so must be weighed up against the threat posed to civilians and practicalities of the task. The recovery of spent DU penetrators from Iraq poses significant problems; at present the only data to hand is the locations from which UK DU tank ammunition was fired. Assuming a range of 10 km (although the maximum practical range is 20km) the area to be searched is ~314 km² and on the basis of 51 locations the search area is potentially as large as 16,014 km². In this area there are 370 DU penetrators to find or be accounted for; the DU penetrators are about 50cm long and about 4cm in diameter, they may well be buried in the ground. The MOD is making strenuous efforts to obtain more information to narrow down the search area. If more specific information is obtained, then it will be provided to UNEP.
19. MOD has no information relating to locations of DU firings which took place during the 1990-91 Gulf Conflict.

MOD, 2 July 2003