



## Statement protesting the decision of the UK government to supply harmful depleted uranium munitions to the government of Ukraine

Human Rights Now (HRN) protests the decision of the UK government to supply harmful munitions made from depleted uranium (DU) to the government of Ukraine.

On 20 March 2023, a UK government representative acknowledged in an official forum that the government “will be providing ammunition including armour piercing rounds which contain depleted uranium” to the Ukraine government.<sup>1</sup> HRN expresses grave concern with this decision because DU munitions emit alpha particle radiation and have a high level of chemical toxicity as a heavy metal, meaning DU remnants have extremely harmful effects on the human body and the environment even long after their original use.<sup>2</sup>

Toxic remnants of war (TRW) are serious problems in all conflicts. TRW include any toxic or radiological materials used in conflict that remain in the environment and continue to endanger the environment and human life.<sup>3</sup> Populations such as pregnant women and children and sensitive environments are particularly vulnerable to their harmful effects. The relevant customary obligations of states regarding TRW are captured by the International Law Commission’s “Draft principles on protection of the environment in relation to armed conflicts 2022”, which finds that “the use of methods and means of warfare that are intended, or may be expected, to cause widespread, long-term and severe damage to the environment is prohibited.”<sup>4</sup> While measures should be made to prevent, clean up, and compensate for the harms of all TRW consistent with the ILC draft principles, DU munitions should be prohibited from the battlefield altogether due to their long-term and severely harmful effects.

In 2013, HRN released a report outlining the grave and harmful effects of DU munitions use by the US and UK militaries during the 2003 Iraq War, including information from medical professionals in 2013 on the great rise in congenital birth defects and other toxicity related illnesses in Fallujah, Iraq since the war.<sup>5</sup> However, following the Iraq conflict, the US and UK militaries were negligent in meeting their obligations to clean up DU and other TRW and provide compensation for their harms, and in the US case to even provide information on areas where DU munitions were used. Under such

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<sup>1</sup> UK Parliament, “Ukraine: Ammunition, Questions for Ministry of Defence”, UIN HL6144, 6 March 2023 <https://questions-statements.parliament.uk/written-questions/detail/2023-03-06/hl6144>.

<sup>2</sup> As a byproduct of the process of creating nuclear fuel and weapons, DU is used in various forms of munitions, specifically against armour-heavy objects such as tanks. Radiation measurements of DU munitions and fragments have been shown to be significant—with fragments from tank shells registered as emitting radiation more than 1300 times the background level, and a depleted uranium tank was found to be emitting 260-270 millirads of radiation an hour—significantly over established safety limits of 100 millirads per year. United Kingdom Parliamentary Office of Science and Technology, “Depleted Uranium”, Postnote, March 2001 <https://www.parliament.uk/globalassets/documents/post/pn154.pdf>; Hindin, R. et al. (2005) ‘Teratogenicity of depleted uranium aerosols: A review from an epidemiological perspective’ 4 Environmental Health: A Global Access Science Source 17; United Nations Environment Programme, “Depleted Uranium” UNEP, <https://www.unep.org/explore-topics/disasters-conflicts/what-we-do/preparedness-and-response/post-crisis-environmental-0>.

<sup>3</sup> See <https://www.weaponslaw.org/glossary/toxic-remnants-of-war>.

<sup>4</sup> ILC, “Draft principles on protection of the environment in relation to armed conflicts 2022”, [https://legal.un.org/ilc/texts/instruments/english/draft\\_articles/8\\_7\\_2022.pdf](https://legal.un.org/ilc/texts/instruments/english/draft_articles/8_7_2022.pdf), Principle 13(2)(b). See also ILC, “Analytical Guide to the Work of the International Law Commission: Protection of the environment in relation to armed conflicts”, [https://legal.un.org/ilc/guide/8\\_7.shtml](https://legal.un.org/ilc/guide/8_7.shtml).

<sup>5</sup> Human Rights Now, “10 years after the Iraq war Innocent New Lives are Still Dying and Suffering: Report of a Fact Finding Mission on congenital birth defects in Fallujah, Iraq in 2013”, April 2013, <https://hrn.or.jp/eng/news/2013/04/18/iraq-congenital-birth-defects-press-release/>.

circumstances, we are deeply concerned about the supply of DU munitions to Ukraine and its likelihood to cause further tragedy there without any investigation into the damage or reparations to victims as was the case in Iraq.

In addition, since 2007, the UN General Assembly has repeatedly passed resolutions on the health and environmental effects of DU munitions, and in a 2010 summary of several assessments of DU use, UNEP commented that “major scientific uncertainties persisted regarding the long-term environmental impacts of depleted uranium”, due to which “UNEP called for a precautionary approach to the use of depleted uranium.”<sup>6</sup> Also in May 2008 the European Parliament adopted a resolution on DU weapons and their effects on human health and the environment aimed towards a global ban on the use of such weapons.<sup>7</sup> Furthermore, from an environmental law and human rights perspective, the right to a clean, healthy and sustainable environment has recently been recognized by UNGA resolutions and other authoritative international bodies as a vital standard of state conduct.<sup>8</sup>

Given this negative experience from the Iraq war and other recent conflicts, as well as the above resolutions and standards, it is clear that DU munitions should never be used in conflicts to avoid their grave effects. HRN thus calls upon the UK not to supply Ukraine with any materials containing DU and on the international community to cooperate in action preventing its use.

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<sup>6</sup> UN General Assembly Resolutions A/RES/77/49 (2022), A/RES/75/42 (2020), A/RES/73/38 (2018), A/RES/71/70 (2016), A/RES/69/57 (2014), citing UNGA, "Effects of the use of armaments and ammunitions containing depleted uranium: Report of the Secretary-General: Addendum", A/65/129/Add.1, 17 Sept. 2010, <https://undocs.org/Home/Mobile?FinalSymbol=A%2F65%2F129%2FAdd.1>, sect. III.

<sup>7</sup> European Parliament, “Resolution on (depleted) uranium weapons and their effect on human health and the environment – towards a global ban on the use of such weapons”, 22 May 2008, [https://www.europarl.europa.eu/doceo/document/TA-6-2008-0233\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-6-2008-0233_EN.html).

<sup>8</sup> UN General Assembly Resolution A/76/L.75, <https://digitallibrary.un.org/record/3982508?ln=en>.