

12 June 2007

HRC5: Statement on Human Rights Issues Connected to the Toxic Legacy of Armed Conflict

Thank you Mr President,

The Women's International League for Peace and Freedom would like to thank the Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products for his report. It documents the detrimental environmental and health impacts of armed conflict itself, and makes the links with the right to life, the right to food and the right to work.

We consider it important to recognise that the illicit dumping of toxic materials in the context of armed conflict nearly always begins in what is regarded as legitimate business and practice. We also consider it important to recognise that the preparations for armed conflict, that is, the cycle of military production itself, creates a toxic legacy from the initial production of weapons, through their testing phases and their storage each leaves an ecological footprint that prevents the enjoyment of the right to health and causes significant impacts on agricultural efforts, thereby affecting the right to food.

We would also like to emphasise that the waste resulting from the nuclear cycle has no known safe solution, and the current practices of dumping will have effects on the future generations for the next 250,000 years. In fact, the production assaults the environment, and human rights of all those in proximity of these facilities, and specifically on the rights of indigenous peoples, on whose land these activities largely take place.

While noting the importance of informing communities around toxic sites (in paragraphs 27, 37), the Special Rapporteur fails to note the significant disruption of the right to health at all times- not only during conflict- that these facilities pose. Those who reside near weapons production facilities and other toxic facilities have a right to know to what they are being exposed, and about contingency planning in case of an accident.

As a final point, we note the Special Rapporteur's recognition that the long term effects of depleted uranium munitions are unknown (paragraph 18). What we do know is that depleted uranium is a radiological and chemically toxic weapon, primarily an alpha emitter with beta and gamma decay products with a half life of 4.5 billion years. We note that the use of these weapons is illegal under existing standards because they fail the four main tests of weapons under international humanitarian law: temporal (continues after war), environmental (soil and water contamination), humaneness (unnecessary suffering beyond that required for military purposes) and affecting non-combatants under the Martens Clause. Because

depleted uranium weapons are also chemically toxic, they are illegal under existing treaties against poisonous weapons. States should immediately stop developing, trading, deploying and using these weapons, and communities around which they have been used have a right to be provided with information in their own language on prevention of inhalation and ingestion of re-suspended radioactive insoluble particles.

We very much hope that the Special Rapporteur will continue to investigate and report on the toxic legacy of conflict. A deeper focus on particular conflicts currently underpays would provide timely information and opportunities for prevention and action on human rights abuses occurring from use of dumping of toxic and dangerous products.

Thank you, Mr President