The unleashing of cluster bombs by the US-British forces upon the Iraqi population, massacring and terrorizing the very people whom they purport to liberate.

Islamic Human Rights Commission

07 April 2003

BRIEFING: Cluster Bombs: The Indiscriminate Killer

i. Introduction

The war on Iraq has indeed seen the use of weapons of mass destruction: the unleashing of cluster bombs by the US-British forces upon the Iraqi population, massacring and terrorizing the very people whom they purport to liberate.

The American and British government leaders and military commanders finally admitted that they are using cluster bombs dropped by high-flying bomber squadrons, although there is ample evidence they have also been fired from jet fighters, tanks, artillery and off-shore missile launchers.

The use of cluster bombs have been reported in Basra, Najaf, Karbala, Hilla and Baghdad itself. The worst incident to date has been the attack last week on Hilla, a region 80 kilometers south of Baghdad. It left at least 61 Iraqi civilians dead and more than 450 seriously injured, mainly children.

Extensively used by US forces in Vietnam, the 1991 Gulf War, Kosovo and Afghanistan, and by Israel in the 1982 siege of West Beirut, cluster bombs have received severe condemnation from human rights and humanitarian organisations. There is consensus in the international community that these weapons are unacceptable and in breach of international humanitarian law, with many calling for a moratorium on their use. The effects of cluster bombs are comparable to those of anti-personnel mines, which are outlawed by the 1999 Ottawa Treaty. Despite this they remain a firm favourite in the US weapons arsenal and Britain engages in its use in defiance of the resolution of December 13, 2001 by the European Parliament calling for an immediate global moratorium on their use to be followed by an outright ban.

ii. What are cluster bombs?

Cluster bombs may be delivered by aircraft, rocket, or by artillery projectiles. Each cluster bomb is composed of 200 to 700 of submunitions called bomblets or grenades, depending on the method of delivery. They are carried in a large cannister that break open in mid-air, dispersing
the submunitions over a large area. The higher the altitude at which the bomblets are released, the wider the target zone. Each exploding bomblet fragments into about hundreds of pieces of jagged steel, in effect creating a blizzard of shrapnel.

iii. Different Types of cluster bombs and their Effects

The high speed at which the fragments travel means that when they impact humans, they have devastating consequences. Even a single fragment can cause heavy damage to soft tissues and organs. These are not merely unintended side effects but rather intentionally designed to do this. The effects of cluster bombs are deadly, regardless of which type is used.

The CBU (Cluster Bomb Unit) 41 carries napalm filled bomblets and the Honest John carries 368 sarin nerve gas filled bomblets, both having lethal effects. In Indochina the use of the WDU-4 cluster bomb, meant that the overhead release of 6,000 barbed metal darts, literally had the effect of nailing people to the ground.

The CBU-87, one of the US favourites and widely used by them in the first Gulf War, Kosovo and Afghanistan, consists of a triple action killing device: anti-personnel (for people), anti-armour (for tanks), and incendiary (setting the target area on fire).

The CBU 26, widely used in Laos between 1964 to 1973, is an anti-personnel fragmentation bomb that consists of a large bombshell holding 670 tennis ball-sized bomblets, each of which contain 300 metal fragments. The detonations of all the bomblets creates a deadly killing zone, propelling 200,000 steel fragments over an area the size of several football fields. It is estimated that some 90 million CBU-26 bomblets were dropped on Laos (and the CBU-26 is just one of 12 different kinds of cluster bombs that have been recovered there to date).

Reports indicate that the cluster bombs used in Hilla were a type known as BLU97 A/B. Each canister contains 202 small bomblets-BLU97-the size of a soft drink can. These cluster bomblets scatter over a large area approximately the size of two football fields.

iv. Failure rates and their long-term effects

The bomblets or grenades are intended to explode on impact, just before impact or shortly afterwards. However, they have a high failure rate, estimated to be 10 to 30 percent. Over time cluster bomblets become less stable and explode more easily.

The failure to detonate essentially renders them as super antipersonnel mines that can explode at the slightest touch. Thus the use of cluster bombs pose on-going danger whereby the toll in civilian casualties continues long after the conflict has ended. In particular, they pose a grave danger to children the largest portion of the victims, who are attracted by the bright colours and shapes of the bomblets.

They also pose serious danger to soldiers, peacekeepers and deminers, returning refugees and displaced persons and further obstruct the delivery of humanitarian aid.
v. The Use of Cluster Bombs in Past Conflicts

Unexploded cluster bombs have had lethal consequences as witnessed in places such as Laos, Vietnam, Cambodia, Sudan, Lebanon, Iraq, Kuwait, Yugoslavia, Kosovo, Ethiopia, Chechnya (Republic of Chechnya of the Russian Federation), and Afghanistan, where they have been used in past conflicts.

In Laos, the effects of cluster bombs are still felt from cluster bombs that were used 30 years ago. People are killed and maimed every day and this is likely to continue indefinitely with an estimated 10 million still remaining unexploded.

The first Gulf War saw the dropping of a staggering 30 million cluster bomblets on Kuwait and Iraq. In months following the end of the conflict, 1,600 civilians were killed and another 2,500 injured as a result.

In Kosovo, it is estimated that that 60% of RAF cluster bombs in the Kosovo conflict missed their targets. The United Nations' Mine Action Co-ordination Centre (MACC) estimates that 7-11% of bomblets -- about 20,000 -- failed to blow up during NATO's air campaign in Kosovo.

According to the Red Cross, children in Kosovo are five times more likely to be killed or injured by a NATO-dropped unexploded cluster bomb than by a Serbian landmine.

According to Human Rights Watch, the US dropped around 1230 cluster bombs containing around 248,056 deadly bomblets on Afghanistan between October 2001 and March 2002. They estimate that when taking a conservative estimate of a 5% failure rate, it is likely that there are 12,400 explosive duds that threaten civilians and require clearance.

vii. Conclusion: Are they permitted under international law?

The wide dispersal of cluster bombs and their failure to target precisely means that they have particularly lethal results when used in or near civilian areas. Although not specifically prohibited under international law, the Geneva Conventions prohibit indiscriminate strikes whereby civilian and military targets are attacked without distinction. They, like antipersonnel landmines are by their nature indiscriminate weapons which do not draw a distinction between combatants and non-combatants.

IHRC calls for a moratorium on the use of cluster bombs and points out that the use of such indiscriminate weapons are wholly counter-productive in a campaign that aims to win the hearts and minds of the Iraqi people.

Islamic Human Rights Commission
PO Box 598
Wembley
HA9 7XH
United Kingdom