



Sanctions: U.S. Violations of the Geneva Convention

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Before telling you about Sanctions, I have a brief story. It happened when I was your age. It started before I was your age.

When I went to Junior High and High School, my mother, brothers, sister and I were on welfare. I was one of those acting out teenage rebels, who was often tossed in jail for drinking and fighting. One time I gave the judge the one-finger peace sign in open court. He locked me up and threw away the key. So I spent my 19th birthday, Christmas and New Years in the Spokane, Washington city jail. After 30 days, my dad, knowing the sheriff, got an agreement to have me shipped from Washington to his home with his new wife in New York. All I had to do was agree, that for the rest of my life, I would never ever return to the State of Washington. I agreed, and was taken in handcuffs to get my things from my apartment, then to my Mother's to say good bye to her and my brothers and sister. Then, still in cuffs, I was driven to the runway, where I was uncuffed, signed the paper, and was escorted up the ramp by the Sheriff's deputies.

While living in Staten Island, New York, my dad put my draft notice under my pillow, so I would awaken to it. Uncle Sam wants you to report to Whitehall Street. Dad, a veteran of the Korean War, laughed as I asked, "how did this get under my pillow?" I went for induction, and during my examination, I was told to sit on the bench with the other criminals. We were called, one-by-one, to see this woman, who reviewed our crimes and misdemeanors. She said, "David Boje, I am going to offer you the opportunity of a lifetime. You see this rap sheet [it went on for several pages] I am going to tear it up, if you agree to be drafted. Otherwise, I am going to declare you ineligible and you can add that to your record. You must decide now." My mind raced like a Harley with a broken throttle cable. I took the deal. I found out later, that, I was one of thousands, who were given the chance to erase their jail record if we agreed to be drafted.

Next I went to the eye examination, the one where you see numbers in the dots in the microscope. The doc kept switching slides and asking me, what I saw, "I kept saying, I see dots." "Not the dots," he yelled, "I want to know about the letters and numbers!" "I do not see any," I replied. After a dozen more slides, and the same answer, he lost his cool, "no body is that color blind. You are faking it. You pass! Get on to the next station." Believe me I was not faking, I can not tell one color from another. Just ask my wife

Like thousands of others, such medical reasons did not keep me from going to the Republic of Vietnam. Like 76% of the men going to Nam, I was from a low to middle class working family. Like too many in Nam, I was one of those cleared out of the courts, given the choice of Army or jail. I served in the U.S. Army in Saigon (now Ho Chi Minh City) in USAHAC (United States Headquarters Area Command) in MACV (Military Assistance Command Vietnam) from April 1969 to April 1970. I arrived shortly after the Tet offensive. My job was like that of Radar in the movie M*A*S*H. I was a company clerk, a Sergeant in this man's Army. From my barracks I watched the helicopters land with body bags strapped to their pontoons. The bodies of 58,156 U.S. service men and women were stacked on Tan Son Nhut Air Base ([map](#)).

3,403,100 GIs including offshore support are counted as Vietnam Vets. There were 6,484 women of which 6,250 were nurses who are Vietnam Vets. In all 58,156 young Americans died (47,359 Hostile deaths and 10,797 non-hostile deaths; 8 nurses died with one listed as KIA).

I was 21 years old. 61% of the men killed in Vietnam were 21 or younger. I got a young New York woman pregnant before going to Vietnam. My daughter Renee was born while I was in Vietnam Did you know 17,539

married men were killed in Vietnam (See more [Vietnam War Stats](#))?

Not many Vietnam War veterans took advantage of the nation's guilt complex and grabbed the extended educational benefits. Did you know one third of the homeless are veterans, and almost half, in turn, served in Vietnam? Did you know women account for 24 percent of the homeless (up five points from 1995)? ([Charisma News, 2000](#)). I was the lucky Vietnam vet. Congress extended benefits, so I received free tuition, and a \$400 a month living allowance all through my undergraduate, masters, and Ph.D. After my Ph.D. the U.S. government stopped funding Vietnam vets for Ph.D. and Masters degrees. Today's veterans no longer get full undergraduate tuition payment or living allowance. Investing education dollars in America's veterans is what this country needs. I hope educational benefits are given to our Gulf War vets. Why? Because people who have seen the reality of war, do not send America's sons and daughter to war.

There were war crimes committed during the Vietnam War. There were criminal special ops such as Mi Lai, and unconventional weapons of mass destruction such as Agents Orange, White and Blue - used against civilian populations.

An article by Fred Kaplan in the May 30th Boston Globe, "Bombs Killing More Civilians Than Expected", details how, in terms of casualties per tonnage of bombs dropped from the air, the kill ratio from NATO bombs dropped in Yugoslavia is equivalent to the kill ratio of America's aerial bombing of Vietnam. The ratio in both Vietnam and Yugoslavia is one civilian killed for every 10 tons of bombs dropped. In the Gulf War, the ratio was half, or one civilian for every 20 tons" ([June 3-17, 1999](#)). The Gulf War statistic is misleading. It is only one civilian for every 20 tons if you look at civilian casualties between 1990-1991. If you add in the 1.2 million casualties from the 12 years of sanctions, then the kill ratio of U.S. bombs dropped in Iraq is a much more alarming violation of the Geneva Convention.

As in Vietnam, there are U.S. war crimes being committed in Iraq. For example, "In a letter to Secretary Rumsfeld, Human Rights Watch said recent disclosures by former Senator Bob Kerrey concerning his service as a junior officer in a Navy SEAL team in 1969 suggested that certain military units then operated under standing orders or employed methods that directly violated the Fourth Geneva Convention, resulting in "grave breaches" of that Convention, or war crimes" ([May 8, 2001](#)). The disclosures are about killings in Thanh Phong village Feb 25 1969.

Geneva Convention relative to the Protection of Civilian Persons in Time of War

It was adopted on 12 August 1949 by the Diplomatic Conference for the Establishment of International Conventions for the Protection of Victims of War, and was held in Geneva from 21 April to 12 August, 1949 - entry into force 21 October 1950. Several articles apply.

Article 56

To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring and maintaining, with the cooperation of national and local authorities, the medical and hospital establishments and services, public health and hygiene in the occupied territory, with particular reference to the adoption and application of the prophylactic and preventive measures necessary to combat the spread of contagious diseases and epidemics. Medical personnel of all categories shall be allowed to carry out their duties ([Geneva convention](#)).

I believe that the Geneva Convention relative to the Protection of Civilian Persons in Time of War is operative international law for the previous and the pending Iraq War. The Geneva Convention, Article 50, for example, says all protected persons are to be "humanely treated" and "protected especially against all acts of violence." In addition, I contend our U.S. government intentionally used sanctions against Iraq to degrade the country's water supply after the Gulf War. At every opportunity 1991-1992, 1998, and in recent 2002-2003 bomb runs, the U.S. government our military destroy civilian water treatment facilities. This includes the long-term act of violence brought about by 12 years of sanctions, and by the use of so-called "*depleted*" uranium weaponry.

Welcome to Nuclear War

'Depleted' Uranium weaponry is illegal under the terms and conditions of the Geneva Convention. Under

the Geneva Convention, it is illegal to leave harmful materials on a battlefield after the conflict has ceased. They call it "Depleted" uranium. That is Orwellian double-speak. You see the term "Depleted" refers to the removal of uranium-235, but the process for its removal is called "Enrichment." It is Enrichment because what remains is uranium-238, a highly potent radioactive carcinogen that emits alpha particles. Once in our body, either inhaled, or in a flesh wound, or even ingested in contaminated food or water --- you get cancer in your lungs bones, blood or kidneys (Caldicott, 2002). There is one more way, the Uranium is Enriched. Uranium-236 and Uranium-238, otherwise know as Plutonium is laced into the so-called "Depleted" uranium weaponry. So let us be real. Stop saying "Depleted Uranium, and call it what it is, "Enriched Uranium." One third of U.S. tanks in Desert Storm were armed with Enriched Uranium-238. Because this Orwellian double-speak has a purpose, to make it hard for the public to discern that this is a Nuclear War, not a Depleted Uranium War, it is an Enriched Uranium Nuclear War. And it is a Nuclear War that is in violation of the Geneva Convention. It causes congenital malformations, babies born with one eyes, no arms, or no brain. And it not also affects Iraqi civilians, it affects American veterans who excrete it in their urine and semen a decade later (Caldicott, 2002). For more on [Enriched Uranium studies see Boje, 2003 c](#)).

The aggression against Iraq during the Gulf War with Enriched Uranium weapons and debris strewn along the infamous "Highway of Death" did exactly this, making that weapon deployment illegal under international law (Boje, 2003 a, b, c). The toxic effects last 4.5 billion years. The material used in Depleted Uranium weaponry is created inside nuclear reactors with uranium-238 laced into Depleted Uranium munitions. "Three hundred and twenty tons of DU were shot into Iraq and Kuwait in the 1991 bombardment; three tons into Bosnia in 1995; and 10 tons into Kosovo in 1999" (LaForge, 2003). U-238 emits alpha radiation, that affects critical organs (kidneys, lung, & liver); it is only created in nuclear reactors, and is found in great quantity along the Highway of Death in Iraq. It is found in the bodies of children of veterans of the Gulf War. It is to be found in the bodies of many of the 10,324 deployed Gulf War vets who have died since 1991 (See [Gulf War DU Statistics from PeaceAware.com](#)). Of the 696,778 U.S. troops who served in Gulf War I (1990-1991), 436,000 were exposed for months to areas of DU contamination. As mentioned after 12 years of U.S. sanctions, 1.2 million Iraqi civilians died; 500,000 are children under 12.

Chapter IX, Article 50 of the Geneva Convention stipulates clearly that "wilful killing, torture or inhuman treatment, including biological experiments, willfully causing great suffering or serious injury to body or health, and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly" are prohibited and violate the Convention. The death of 1.2 million civilians in 12 years of sanctions, with many of those deaths caused by the long-term effects of U.S. weapons of mass destruction is a clear and unambiguous violation of the Geneva Convention.

Protocol 1, an additional to the Geneva Convention, 1977, Part IV, Section I, Chapter III, Article 54 states that "Starvation of civilians as a method of warfare is prohibited." It further states:

It is prohibited to attack, destroy, remove, or render useless objects indispensable to the agricultural area for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works, for the specific purpose of denying them for the sustenance value to the civilian population or to the adverse Party, whatever the motive, whether in order to starve out civilians, to cause them to move away, or for any other motive ([WPSR](#)).

In a relatively unknown December 18th draft recommendation, the Environment Committee of the Council of Europe found that during the Kosovo war, NATO countries violated specific provisions of the Geneva Conventions intended to limit environmental damage.

Among other things, the committee cited "the use of depleted uranium in warheads" as a violation that had "dramatically worsened" Yugoslavia's environment "with long-lasting effects on the health and quality of life for future generations." The committee further found that this damage "can be presumed to have been deliberate." ([Source 1](#)).

January 10, 2001 Concern has been mounting rapidly throughout Europe over the effects of depleted uranium (DU) munitions used by NATO in Bosnia and Yugoslavia during the 1994-95 and 1999 wars. At least 12 soldiers-- six Italian, five Belgian and one Portuguese-- who served in the Balkans have died of leukemia or other forms of cancer; several Italian, Spanish, French and Dutch soldiers are being treated for cancer; and several other European countries are currently testing their soldiers for signs of illness. Other soldiers and aid workers have experienced symptoms including "chronic fatigue, hair loss and various types of cancer" (**New York Times**, 1/7/01), ailments which have collectively come to be known as "Balkans War Syndrome," much like Gulf War Syndrome.

Italy, Belgium, France, Portugal and Germany have all demanded that NATO conduct a thorough investigation into the health and environmental impacts of DU, and have expressed distrust of Pentagon and NATO reassurances (**Agence France Presse**, 1/8/01) [[Source 1](#)].

In the Gulf War:

Figures comparing 1999 with 1990 show a 100% increase in leukemia in children under 15 years of age, up from 1997 when the incidence was 60% higher. Not only were civilian areas contaminated, but this contamination has had a lasting and increasingly harmful effect. Overall malignancies in children under 15 during the 1990s was 242% more at the end of the decade compared with before the Gulf War, an incidence of 10.1 per 100,000 compared with 3.98 per 100,000 in 1990 and 7.22 in 1997. (Timothy Bancroft-Hinchey, [Basra University Study](#)).

Regarding the soil contamination, readings from the Basra municipal authorities show very high concentrations of Th-234, Pa-234 and Ra-226, Thorium being the first decay product in the Uranium-238 series. These findings show that the population in southern Iraq was exposed to unacceptably high levels of radiation by the US Armed Forces during the Gulf War (Bancroft-Hinchey, [Basra University Study](#)).

DU dust remains radioactive. "Battlefields littered with the residue of spent DU bullets remain radioactive almost indefinitely." Christian Science Monitor, 4/30/99 It is next to impossible to clean up DU dust.. "The cost of cleaning DU residue in the Gulf would be prohibitive. The price tag for removing 152,000 pounds of DU in the now-closed 500 acre Jefferson Proving Ground in Indiana has been estimated to have been \$4 billion to \$5 billion" (Christian Science Monitor 4/30/99).

Besides the Geneva Convention, the sanctions program is against the U.S. Legal Code (Title 18-2331) that says terrorism is defined as:

1. involving violent acts or acts dangerous to human life that are a violation of the criminal laws of the US or of any State, or that would be a criminal violation if committed within the jurisdiction of the US or of any State;
2. appear to be intended:
 - a) to intimidate or coerce a civilian population;
 - b) to influence the policy of a government by intimidation or coercion; or
3. Occur primarily outside the territorial jurisdiction of the US, or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum

Here is the bottom line - War is Increasingly About Civilian Dead.

- In WWI, the total number of Civilian Casualties was **10.74%** of the total casualties (106,000 GIs died; 8 million civilians died).
- In WWII the civilian casualties were approximately 410,000, or **50.62%** of the total (400,000 GIs died; add to the civilian total the 8 million Holocaust; and add 17 to 60 million civilian casualty estimates worldwide).
- In the Vietnam War, civilian casualty estimate is 340,000, or **85.74%** of total casualties (56,000 GIs died; 200,000 South Vietnamese soldiers died; 1,000,000 North Vietnamese soldiers died, [Vietnam War Facts](#)).
- In the narrow window of the Gulf War (1990-1991) 5,000 civilian casualties, or **92.89%** dead and 383 GIs dead from accident or friendly fire during 1991-1992;
- But Since 1992 more than 1.2 million civilians, or **99.15%** (estimates range as high as 1.7 million dead) and 10,324 U.S. GIs dead since the war ([WPSR](#), & [America's War Fact Sheet](#); [More War Stats](#); And [PeaceAware Vets Factsheet](#)). Of the 1.2 million civilian casualties, 500,000 are children under five.

The number of civilian deaths is why the Gulf War is a particularly egregious violation of the Geneva Convention and the U.S. Legal Code. 1.2 million Iraqi civilians



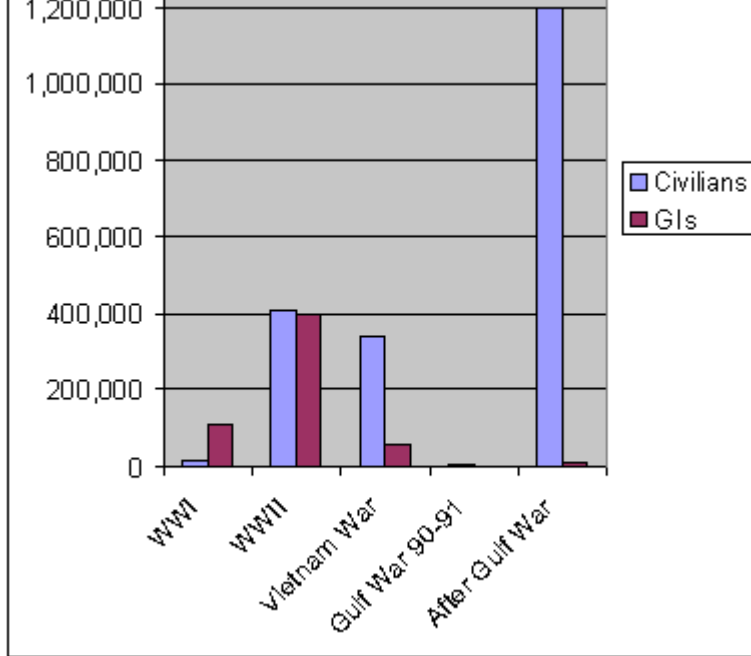


Figure 1 - Civilian and GI Dead from Wars

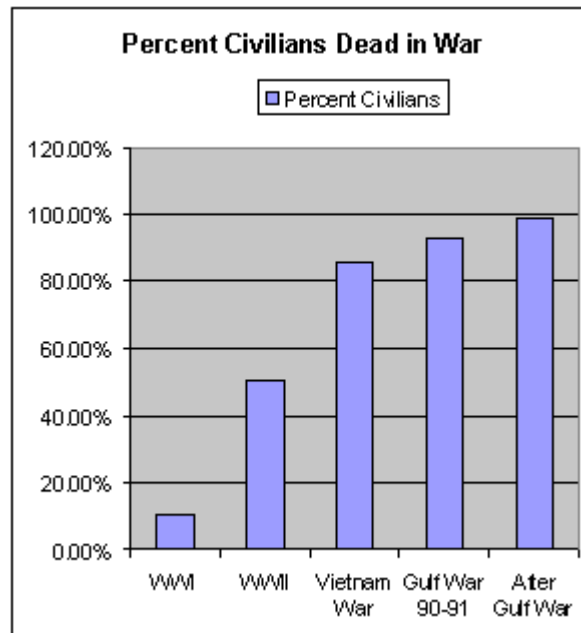


Figure 2 - Percentage of Civilians as Casualty of War

Figure 1 suggests that the number of civilian dead is a greater percentage of the total dead in successive wars.

Table 1 - Statistics used to compile Figures 1 and 2

	Civilians Dead	GIs Dead	Total Dead	Percent Civilians Dead
WWI	12,755	106,000	118,755	10.74%
WWII	410,000	400,000	810,000	50.62%
Vietnam War	340,000	56,555	396,555	85.74%
Gulf War 90-91	5,000	383	5,383	92.89%
After Gulf War	1,200,000	10,324	1,210,324	99.15%

Collateral damage, the number of civilians dying in war, is increasing each time, until 99.15% of the casualties are civilians, not military. It is for this reason, that war is no longer heroic or noble. When the majority of casualties are civilians, this is war crime, not heroics. The Gulf Wars are Nuclear Wars, wars that the media

portrays as bloodless, surgical strikes. This is the age of video battles, digital displays of war. The state-controlled media knows that if the American public sees the civilian and GI war-dead body bags, then opposition will grow. In Gulf War I, video footage was carefully aimed so that no blood was shown. With massive bulldozers, the corpses of Iraqi soldiers were plowed into seventy miles of defensive trenches. This way there were no war bodies for journalist to report. The success of the war business depends upon keeping the American public ignorant of the war dead (See "The Iraq War They Won't Let You See" articles in March 20, 2003 issue of *Rolling Stone*, pp. 44-52).

PeaceAware is about recovery of narratives. It is time for oppressors and oppressed to develop a common language, a common story by which they can speak together about the violence of war. In the March 2003 Gulf War II, terms like "Shock and Awe" are Orwellian double-speak, a euphemism to talk about the indiscriminate killing of Iraqi civilians. We need to recover language, and recover narrative. We need to tell it like it is: The War on Terror, the Shock and Awe is a War of Terror. What is "Shock and Awe," if not dropping more tonnage of bombs laced with U238 in the first two days of Gulf War II than in the entire Gulf War I. Terms like "Shock and Awe" are used by the media to make it difficult for people to think clearly about violations of the Geneva Convention.

There are different histories being taught about the reasons for this war. Right now the man with the Sword is George W. Bush, and he is writing the history of war. President Bush, for example, claims a war in Iraq will set stage for peace in the Middle East. The corporate-dominated media is the cheerleader for the U.S. government's war policy. Let us be real. The U.S. government is preparing a Moab (Massive Ordnance Airburst Bomb) a 12,000 lb Daisy Cutter bomb (with power of small nuclear weapon) to drop on Baghdad. The U.S. government has given President Bush permission to drop mini-Nukes on Baghdad. A Mini-Nuke has a kill radius of only one mile, whereas the Hiroshima Nuke had a kill radius of 1.5 miles.

Celebrating heroics of war is necrophilia. We have lost touch with the horror and atrocity of war. Look at this comparison of Nuclear War.

August 6, 1945	Atom bomb dropped on Hiroshima	200,000 dead, 90% civilians.
August 9, 1945	Atom bomb dropped on Nagasaki	110,000 dead, only 150 of which were military personnel (source)
1990-1991	320 tons of Enriched Uranium dropped on Iraq	1.2 million dead in 12 years of sanctions.
March 2003	Gulf War II Enriched Uranium and Mini-Nukes	How many more million will die?

Industrial-scale killing of 21st century using Enriched Uranium radiation, such as the Highway of Death and the 12 years of sanctions is not just civilian causality, it qualifies as genocide of a Third World nation, by a First World Superpower. **No more Nuclear War!**

President Bush says he "will deliver medicine to the sick." Let us be real. If President Bush was serious about delivering medicine to the sick, he would lift the sanctions. This would be laughable were it not so tragic and hypocritical.

War is a done deal says President Bush. The protestations of 11 million people around the world on February 15th do not matter to him. Yet, there is not yet a case for attacking Iraq. There is no evidence Iraq is accumulating weapons of mass destruction. On the other hand, the U.S. government intends to drop more weapons of mass destruction than has ever occurred in the history of war.

In Las Cruces, the press coverage of the Peace Movement is restricted so as to impede our ability to get the PeaceAware message out to the citizens of New Mexico. Lie after lie is published in the Sun-News. KRWG-FM, even after 400 signatures, refuses to broadcast the Democracy Now radio program. Disseminating lies is easy since most southern New Mexico reporters are prohibited from publishing anything but stereotype stories on the Southern New Mexico Peace Movement.

Peace and Civil Liberties - Just yesterday, the Albuquerque Journal carried a front page story of PeaceAware delivering a [Peace and Civil Liberties resolution](#) to City Council. Our Peace and Civil Liberties Resolution opens up important dialog about the Iraq War and the violations of the Geneva Convention and the Constitution of the

United States. Because such dialog is prohibitively divisive, the Mayor pro-tem of Las Cruces decided not to allow our City Council to discuss the Resolution. I received this email from the City Manager:

As a follow up to the meeting and to restate my comments from our telephone conversation earlier today, towards the end of the meeting, I asked the Council if they wanted a Resolution brought back on the Agenda for March 17. They stated that they did not.

If you have questions, please advise.

Jim Ericson, City Manager (March 4, 2003)

I believe that opening up a dialog about Peace and the protection of our Civil Liberties is a way for our City Council to meet its responsibility to citizens of Las Cruces. 106 citizens signed that Resolution, should their voices be heard by the City Council? I believe the Las Cruces City Council has a clear legal obligation to discuss and debate the [Peace and Civil Liberties resolution](#). It has a responsibility to set City policies that protect our civil rights, free speech, and freedom of assembly rights that before the **U.S.A. PATRIOT Act** (*Acronym: "Uniting & Strengthening America Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act"*) were guaranteed by our constitution.

The press coverage of the Peace Movement and the coverage of the Iraq War is being totally stage-managed. The message the U.S. government is giving out is not whether war will happen, "it will," it is whether or not other countries will participate. A post-war Iraq is already being divvied up in billion dollar contracts awarded to a subsidiary of Halliburton; is that not a White House conflict of interest?

Conclusions

I went to war in Vietnam thinking I was defending my country against the Red menace, communism. I never met one communist. All I met were people in an agricultural country. I found out that the U.S. government had committed war crimes against the Republic of Vietnam. I found out the Vietnam War violated the Geneva convention. Agent Orange is a weapon of mass destruction. As a Vietnam veteran, I am opposed to the War on Iraq. Desert Storm, Desert Fox, and this new War to Free the Muslim World is a violation of the Geneva Convention. When we do not stand up and protest the erosion of our democracy, then we have no more democracy. When we sit silently and do not demand a free press, then we have no more free press. When we do not speak out against war crimes, then we have no more Geneva convention. When we sit and watch the U.S.A. PATRIOT Act remove one civil liberty after another, and our City Council refuses to even to discuss our Peace and Civil Liberties resolution, then we have no City Council. All we have is the war machine.

On March 17, I ask that you join me at 1PM and 4:30 PM to one-by-one voice our commitment to the Peace and Civil Liberties resolution in Public Participation time we still have available to us in the Las Cruces New Mexico City Council. I believe that there are City Councilors who are for Peace, Not War. I believe there are City Councilors who are in favor of protecting the remaining civil liberties of the citizens of Las Cruces. I call for your support. I ask that you show up, stand up, and speak out for Peace and Civil Liberties. If 100 people of Las Cruces, stand in line and speak out at the March 17th City Council meeting, then I believe the City Council will find four votes needed to put us on the agenda.

- I believe we will find one Councilperson who will say, "I support the Constitution of the United States of America and I will sign the Peace and Civil Liberties Petition."
- I believe we will find a second Councilperson who will say, "I support the Bill of Rights of the United States of America and I will sign the Peace and Civil Liberties Petition."
- I believe we will find a third Councilperson who will say, "I support the Right of Privacy of citizens the United States of America and I will sign the Peace and Civil Liberties Petition."
- I believe we will find a fourth Councilperson who will say, "I support the Ban of 'Enriched' Uranium and I will sign the Peace and Civil Liberties Petition."

On March the 18th vote for a new mayor for Las Cruces. The new mayor, will be someone, I believe will put the Peace and Civil Liberties resolution on the business agenda of the City Council meeting. Please ask anyone running for Mayor, what their stand is on cities and counties across America, opposing the encroachment of our civil liberties by the federal government and its "U.S.A. PATRIOT Act?" We have the right to be heard. We pay for the right to be heard. We pay each councilor an annual salary of \$22,358 (and a mayor who we will pay \$55,895). We will be heard. When our voices are no longer heard, then democracy is dead in Las Cruces. Please join me there. Please speak-out for Peace and Civil Liberties. Please **'Ban Enriched Uranium Weapons!'** Please **Stop the Sanctions!** Thank you.

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Las Cruces New Mexico [Peace and Civil Liberties resolution](#)

[New Mexico Depleted Uranium Study Team](#)

www.PeaceAware.com for more info on the Peace Movement in New Mexico.