The United Nations Office for Disarmament Affairs (UNODA) which is an integral part of the United Nations Secretariat has a Branch in Geneva. This Branch deals with the following disarmament elements: the Conference on Disarmament (CD), the Biological Weapons Convention Implementation Support Unit; the Convention on Certain Conventional Weapons (CCW), the Anti-Personnel Mine Ban Convention (APLC) and the Convention on Cluster Munitions (CCM). In a nutshell, the nature of the work of UNODA Geneva is to support Member States in negotiating (through the CD or other disarmament fora) and in implementing disarmament and non-proliferation instruments.

I. THE CONFERENCE ON DISARMAMENT

The Conference on Disarmament (CD) was set up in accordance with paragraph 120 of the Final Document of the Tenth Special Session of the General Assembly as the single multilateral disarmament negotiating forum of the international community.

The terms of reference of the CD include almost all multilateral arms control and disarmament issues. Its agenda includes: cessation of the nuclear arms race and nuclear disarmament; prevention of nuclear war, including all related matters: prevention of an arms race in outer space; effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons; new types of weapons of mass destruction and new systems of such weapons including radiological weapons; comprehensive programme of disarmament and transparency in armaments.

The Conference on Disarmament divides its 24-week annual session into three parts and, if necessary, continues negotiations on priority issues between sessions. Meetings may take place during six to nine months each year. The CD has its own rules of procedure and conducts its work by consensus.

Following membership expansions in 1996 and 1999, the Conference is now comprised of the five nuclear-weapon States and 60 other States, including States of key military significance. In addition, every year some 40 non-member States participate, upon their request, in its work.

The presidency of the CD rotates every four weeks in English alphabetical order. When the General Assembly established the Conference in 1978, it requested the United Nations Secretary-General to appoint his Personal Representative who would assist the rotating presidency. The Personal Representative serves as the Secretary-General of the Conference. Currently, that role is assumed by Mr. Kassym-Jomart Tokayev who is also the Director-General of the United Nations Office at Geneva.

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Accomplishments of the Conference on Disarmament


- Before the CD acquired its current format (prior to 1978) the Eighteen-Nation Committee on Disarmament concluded negotiations on the Treaty on the Non-Proliferation of Nuclear Weapons (1968), and the Conference of the Committee on Disarmament successfully negotiated the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (1972).

- In spite of the many multilateral treaties successfully negotiated by the CD and its predecessors, the sixty-five member body has been stalemated for more than a decade with no new agreements negotiated since the Comprehensive Nuclear-Test-Ban Treaty.

Conference on Disarmament and the Issue of Banning Production of Fissile Materials

The issue of banning production of fissile materials is one of the outstanding matters in the CD agenda. In December 1993, the General Assembly (GA) passed resolution 48/75 L entitled “Prohibition of the Production of Fissile Material for Nuclear Weapons or Other Nuclear Explosive Devices”. In this resolution the GA recommended to negotiate in the most appropriate international forum of “a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.”

On 22 March 1995, Ambassador E. Shannon of Canada issued report (CD/1299) on his consultations with members States to the CD, conducted upon the request of the CD, on the most appropriate arrangement to negotiate a treaty banning the production of fissile materials for nuclear weapons or other nuclear explosive devices. The report presented the agreed mandate to establish an Ad Hoc Committee on the above-mentioned issue. The report was then titled as “Shannon mandate”.

Following the Shannon report, discussions on forming the proposed Ad Hoc Committee stalled. States of the Non-Aligned Group, composed primarily of Non-Nuclear-Weapons States, insisted that progress toward the negotiation of a treaty be linked to real progress toward the elimination of nuclear weapons, a position that is still widely held. On 11 August 1998, following the India’s and Pakistan’s nuclear test, the CD established the Ad Hoc Committee to negotiate a fissile materials cut-off treaty (FMCT) in accordance with the Shannon mandate. Having met in 1998 to negotiate an FMCT, the Committee was reestablished the following year.
In May 2009, the CD agreed by consensus on a proposal (CD/1864) that would allow for the establishment of a working group to “negotiate” an FMCT while also establishing “deliberative” working groups for the other core issues on the CD’s agenda - nuclear disarmament, prevention of an arms race in outer space, negative security assurances. However, differences of view among the members of the CD about the schedule of activities, the appointment of the chairs of the working groups, and the need for equal treatment for all core issues prevented the CD from implementing that proposal.

The negotiation of a fissile material treaty in the Conference remains a priority for a majority of its members, but regrettably, the necessary political will and flexibility to overcome the more than 15 year-long impasse is still lacking.

**Conference on Disarmament and Negative Security Assurances**

Starting in 1979, the CD included in its annual agenda the issue of negative security assurances (NSAs). These would be guarantees by the five nuclear-weapon States recognized by Treaty on the Non-Proliferation of Nuclear Weapons (NPT) not to use or threaten to use nuclear weapons against states that have formally renounced them.

In April 1995, the five NPT nuclear-weapon states provided pledges on NSAs to non-nuclear-weapon States parties of the NPT. These unilateral declarations were reflected in Security Council resolution 984 (1995), which also welcomed the intention of certain States that they would support and provide assistance to any non-nuclear-weapon State that became a victim or was threatened by acts of aggression in which nuclear weapons were used, so-called “positive security assurances.” These unilateral commitments were a part of efforts to obtain the indefinite extension of the NPT and were reconfirmed by Decision 2 adopted at the 1995 NPT Review and Extension Conference.

In 1998 the CD re-established an Ad Hoc Committee on the topic. Its mandate was to negotiate “effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons”. While addressing this issue, the Committee took into consideration the nature and scope of existing NSAs, September 1995 UN Security Council resolution 984, and declarations of nuclear-weapon States concerning protocols to nuclear-weapon-free zone treaties and their interpretative statements.

Each nuclear-weapon-free zone treaty includes protocols for the five nuclear-weapon States to sign and ratify. These protocols, which are legally binding, call upon the nuclear-weapon States to respect the status of the given zone and not to use or threaten to use nuclear weapons against States parties to that treaty. The protocols, therefore, constitute a form of NSAs.

Despite the nuclear-weapon States’ support for these treaties and their stated recognition of the importance of nuclear-weapon-free zones as the most appropriate way of providing NSAs, the Treaty of Tlatelolco is the only one which has had its protocols ratified by all five nuclear-weapon States.
Since 2005, the CD has engaged in thematic debates on this topic as well as the other core issues (fissile materials, nuclear disarmament and the prevention of an arms race in outer space). These discussions have not shown any change in national positions on NSAs since 1978. Non-nuclear-weapon States do not believe that existing assurances are adequate. They continue to call for an international legally binding agreement while the nuclear-weapon States insist on the continued relevance of their declarations of 1995 and the value of the nuclear-weapon-free zone treaties.

Conference on Disarmament and Outer Space Security

Since the early 1980s, the CD has considered proposals under the agenda item “prevention of an arms race in outer space”, including draft treaties aimed at, inter alia, preventing the placement of weapons in outer space and prohibiting the use of anti-satellite weapons. In 2006, China and the Russian Federation introduced the draft text of such a treaty to the CD.

The UN GA has also remained seized of the matter and in 1990 requested the Secretary-General, with the assistance of a group of governmental experts (GGE), to carry out a study on the specific aspects related to the application of different confidence-building measures in outer space. That Group delivered its report in 1993. Another GGE was established pursuant to GA resolution 65/68 and held its first session from 23 to 27 July 2012. It deals with transparency and confidence-building measures in outer space activities.

The next session of the Group will take place from 1 to 5 April 2013 in Geneva. The final session of the GGE will take place from 8 to 12 July 2013 in New York.

II. THE BIOLOGICAL WEAPONS CONVENTION

The 1972 Biological Weapons Convention (BWC) prohibits the development, production, acquisition, transfer, retention, stockpiling and use of biological and toxin weapons. It was the first international treaty to ban the production of an entire category of weapons. The BWC, along with the Nuclear Non-proliferation Treaty and the Chemical Weapons Convention, is one of the key components of the international community’s effort to address the proliferation of weapons of mass destruction. The BWC currently has 165 States Parties and 12 signatories.

The BWC was negotiated in Geneva, and all its official meetings are held here - including the review conferences which are held every five years (most recently, the Seventh Review Conference held in December 2011) and the meetings of the intersessional work programme: the annual Meeting of States Parties to the BWC (in December), and the Meeting of Experts (in July or August).

The Geneva Branch of UNODA hosts the BWC Implementation Support Unit (ISU). The ISU was created in 2006 and its mandate was renewed for a further five years in 2011. The ISU acts as the secretariat for the annual Meeting of States Parties and Meeting of Experts, and supports the Chair and Vice-chairs. The ISU also administers the BWC’s system of Confidence-building Measures (CBMs), and provides a range of services and support to BWC States Parties, including on national implementation, capacity building, and facilitation of communication with relevant international
organizations, the scientific community, industry and NGOs. The ISU maintains the BWC section of the UNOG disarmament website, www.unog.ch/bwc, which contains all official BWC documents, meeting details, information on the CBMs, and useful background material.

III. CONVENTION ON CERTAIN CONVENTIONAL WEAPONS (CCW)

The 1980 “Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects” prohibits or restricts the use of certain conventional weapons which are considered excessively injurious or whose effects are indiscriminate.

This treaty forms the cornerstone of international efforts to protect civilians from conventional weapons and its membership comprises all the world’s major military powers. The Convention provides a framework, while its Protocols set out the specific prohibitions, restrictions and other provisions.

Protocol I prohibits the use of non-detectable fragments; Amended Protocol II prohibits the use of non-detectable anti-personnel mines and their transfer; Protocol III prohibits the use of weapons which are designed to set fire to objects or cause burn injuries against civilians; Protocol IV prohibits the use and transfer of laser weapons designed to cause permanent blindness; and Protocol V addresses the hazards posed by explosive remnants of war (ERW). The amended Article 1 extends the scope of application of the treaty and protocols to non-international armed conflict.

Protocol V establishes a clear rule that ERW must be cleared once the fighting has ended. Clearance operations are expedited by requiring States to record, retain and post-conflict to share information on the use of explosive ordnance. It has comprehensive provisions on international cooperation for providing personnel and equipment for clearance and resources for assistance to victims of ERW.

This year the CCW is focusing on the implementation of existing international humanitarian law concerning Mines Other Than Anti-Personnel Mines (more commonly referred to as Anti-Vehicle Mines). States are expected to explore ways to ensure that these weapons do not harm civilians, do not impede the delivery of humanitarian aid and hinder the social and economic development of communities.

The humanitarian impact of Improvised Explosive Devices (IEDs) is also the centre of discussion. IEDs are by their nature versatile due to the multiple methods available for their construction, delivery, and initiation. States share experience on the threat of IED use to find a common understanding of the scale of the problem and the difficulties in fighting the chain of supply and to prevent their manufacture and use.

The CCW is a dynamic instrument, which can respond to the advances in weapons technology and developments in the conduct of armed conflicts. It seeks to lessen humanitarian suffering and at the same time takes into account the national security concerns of States.

The 6th Conference of States Parties to Protocol V will take place from 12 to 13 November
in Geneva, followed by the 14th Annual Conference of States Parties to Amended Protocol II on 14 November and the Meeting of the States Parties to the Convention from 15 to 16 November.

IV. ANTI-PERSONNEL MINE BAN CONVENTION (APLC)

Another important treaty of international humanitarian law is the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (commonly known as the Mine Ban Convention or “the Ottawa Convention”). The Convention was negotiated by a group of like-minded States, the United Nations, ICRC and the International Campaign to Ban Landmines (ICBL) – a broad-based coalition of non-governmental organisations which was awarded the Nobel Peace Prize for its role in the establishment of the Convention.

160 States have ratified or otherwise acceded to the Convention which prohibits the use, development, production, acquirement, stockpiling and transfer of anti-personnel mines - weapons which do not discriminate between civilians and combatants and cause unnecessary suffering or superfluous injury.. The States parties to the Convention must destroy all their stocks of existing anti-personnel mines and all existing anti-personnel mines laid in the ground, as well. The Ottawa Convention contains a set of compliance and confidence building measures. The Convention, in particular, promotes cooperation and assistance among its States parties in fulfilling their obligations, including for the care and rehabilitation, social and economic reintegration, of mine victims, for mine awareness programmes, mine destruction and clearance, etc. At the treaty’s 2009 Second Review Conference, or Cartagena Summit on a Mine-Free World, the States parties agreed to further address the needs and guarantee the rights of landmine survivors in the context of broader disability efforts. Nearly three-quarters of the States parties to the Mine Ban Convention are parties to the Convention on the Rights of Persons with Disabilities.

An Implementation Support Unit (ISU) for the Convention accountable directly to the States parties was established in 2001. The ISU supports the Convention’s implementation machinery and office holders, provides advice and technical support on implementation and universalization to individual States parties, provide information and communications towards States not parties and general public, keeps records of the meetings of the Convention and liaises and cooperates with international organisations and partners involved in mine action.

In close cooperation with the Conventions’ Implementation Support Unit, the United Nations Office for Disarmament Affairs (UNODA) provides support and facilitates the implementation of the Mine Ban Convention at the international level. The Office is involved in the organisation of the annual Meetings of the States parties to the Convention, assisting national implementation efforts and raising awareness and promoting the universalization of the Convention.

V. CONVENTION ON CLUSTER MUNITIONS (CCM)

Another key humanitarian treaty is the 2008 Convention on Cluster Munitions (commonly known as the “Oslo Convention”), which outlaws the use, stockpiling, production and transfer of nearly all cluster bombs that exist in the world today. Seventy-seven States have already joined this treaty which will prevent a new humanitarian disaster caused by cluster munitions and will save thousands innocent lives.
The Convention on Cluster Munitions is the culmination of an international effort to develop a legally binding international instrument to prohibit cluster munitions that cause “unacceptable harm to civilians” and provide adequate resources to assist survivors and clear contaminated areas. The Convention was negotiated through a process of like-minded States looking for a total ban on cluster munitions (also known as the “Oslo process”) and was concluded at the Dublin Diplomatic Conference on Cluster Munitions. It opened for signature at Oslo, Norway, from 3 December 2008 and until its entry into force on 1 August 2010.

A cluster munition is a weapon consisting of a container or dispenser from which many sub-munitions are scattered over a wide area and explode on impact. In most cases a percentage of the sub-munitions fail to detonate on impact. The unexploded sub-munitions remain volatile, capable of detonating when handled or disturbed by a person or a vehicle.

The Oslo Convention prohibits under any circumstances the use, development, production, acquirement, stockpiling and transfer of cluster munitions, as well as the assistance or encouragement of anyone to engage in prohibited activities; sets clear deadlines for the destructions of all stocks of cluster munitions and for clearance and destruction of all cluster munitions remnants located in contaminated areas; and provides for cooperation and assistance among its States parties, including legal obligations for assistance to cluster munition victims.

Each year Meetings of States parties consider the general status and operation of the Convention, take stock of the progress in the CCM implementation and challenges, take decisions on the requests for extension of the deadlines for stocks destruction or clearance of cluster munitions, as well as on compliance, promote cooperation and assistance and the convention’s universalization. Informal intersessional meetings of experts are also held annually in Geneva to assist the implementation of key issues to the Convention, such as its operation, victim assistance, clearance, stockpile destruction, and cooperation and assistance.

Conclusion:

In addition to to its work in support of the negotiations and implementations of disarmament instruments, UNODA Geneva works collaboratively with other Geneva-based United Nations agencies and civil society organizations (CSOs) working in the field of disarmament and non-proliferation. It also serves as a clearinghouse for Geneva-based Permanent Missions through the provision of information and related outreach services on disarmament matters.