Highlights of the eighth Joint NGO Briefing Series: A focus on key issues in the current disarmament debate

On 13 November, the United Nations Information Service in Geneva (UNIS), the NGO Liaison Unit of the United Nations Office at Geneva (UNOG) and the United Nations Non-Governmental Liaison Service (NGLS) jointly organized an NGO briefing on the overall theme of disarmament. The briefing, the eighth in its series, gathered three high-level speakers from the UN disarmament community and covered issues ranging from the institutional set-up of the Conference on Disarmament (CD), the UN’s de-mining efforts, to the management of biological weapons and risks. Following welcoming and introductory remarks by Corinne Momal-Vanian, Director of UNIS, the briefing featured Agnes Marcaillou, Director of the United Nations Mine Action Service (UNMAS); Ivor Fung, Senior Political Affairs Officer at the Conference on Disarmament; and Dr. Piers Millett, Deputy Head of the Biological Weapons Convention Implementation Support Unit of the Conference on Disarmament.

Key issues discussed during the meeting

- Geneva is at the heart of the disarmament debate.
- Recent and upcoming meetings:
  - 2012 meeting of the States Parties to the CCW (14-15 November)
  - 12th meeting of States Parties to the APLC (3-7 December)
  - 2012 meeting of States Parties to the BWC (10-12 December)
- Ms. Marcaillou, Director of UNMAS
  - Civil society plays crucial role in the comprehensive effort against mines.
  - Combating mines is a crosscutting issue.
  - UNMAS deals with everything that explodes, as well as the human consequences (injuries, deaths, family & community impact).
  - Its activities include: mine clearance, the destruction of mine stocks, the marking of mine polluted terrains, cleaning up of explosive remnants, information sharing, training, teaching and awareness raising, as well as emergency assistance, advocacy around prevention, and assisting victims and their families (reintegration).
- Mr. Fung, Senior Political Affairs Officer, Conference on Disarmament (CD)
  - Branch in Geneva is a part of UNODA. It informs Member States on disarmament issues, assists them in negotiating and implementing disarmament treaties and other legal instruments, and hosts the Secretariat of the CD.
  - The Branch deals with various disarmament elements: the CD, the BWC Implementation Support Unit, the CCW, the APLC, and the CCM, which Mr. Fung explained in more detail.
  - CD marked by an impasse that continues for over 15 years: no new agreements have been negotiated since the adoption of the Comprehensive Nuclear-Test-Ban Treaty.
To overcome impasse: First Committee adopted a draft decision to set up an open-ended working group (2013). Also a Group of Intergovernmental Experts should be established in 2014 (outside the CD).

- **Dr. Millett, Deputy Head of Biological Weapons Convention Implementation Support Unit**
  - Need to strike a balance within the spectrum of biological threats.
  - Biosafety can be improved by building more robust health infrastructure, or by enhancing security capacity. Collaboration, coordination between the health and security sector is therefore crucial.
  - BWC evolved over time: from banning biological weapons to ensuring biology is done safely, securely and solely for people’s benefit. More focus on what stakeholders should do, rather than on what they should not do.
  - The BWC has a collaborative nature, is based on a network approach and decentralized model, and brings a broad range of stakeholders together.
  - The Implementation Support Unit’s work evolves around (1) assistance and cooperation; (2) science and technology; and (3) national implementation.

**Full report of the meeting**

Opening the meeting, **Ms. Momal-Vanian** explained why disarmament was on the agenda. She informed the audience that Geneva is at the heart of the disarmament debate, as it is home to the Conference on Disarmament and to a large number of disarmament-related conferences. Moreover, a series of important meetings related to the overall theme of disarmament would take place in Geneva in November and December 2012, such as the 2012 Meeting of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons (CCW) on 15-16 November, the 2012 Meeting of the States Parties to the Biological Weapons Convention on 10-14 December, and the twelfth meeting of the States Parties to the Anti-Personnel Landmine Convention (APLC) on 3-7 December.

The first speaker, **Ms. Marcaillou, Director of UNMAS**, highlighted the crucial role that civil society plays in the fight against mines and in the work of the Service. She explained that UNMAS serves as UN focal point for all mine-related issues and activities and is part of the UN Department of Peacekeeping Operations (DPKO).

Ms. Marcaillou underlined that combating the use of mines is a crosscutting issue that cannot be addressed in an isolated way. There was no humanitarian situation without mine pollution, and no peace building without combating the use of mines, she emphasized. She also explained that UNMAS was founded in 1997, following the adoption of APLC, also known as the Ottawa Convention or the Mine Ban Treaty.

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1 The **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** as amended on 21 December 2001 seeks to prohibit or restrict the use of certain conventional weapons which are considered excessively injurious or whose effects are indiscriminate.

2 The **Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction** effectively prohibits the development, production, acquisition, transfer, retention, stockpiling and use of biological and toxin weapons and is a key element in the international community’s efforts to address the proliferation of weapons of mass destruction.

3 The **Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction** is the cornerstone of the international effort to end the suffering and casualties caused by anti-personnel (AP) mines.
Ms. Marcaillou defined UNMAS’ mandate as dealing with everything that explodes, or “goes bang” – in short, anything that can harm and kill civilians – and the consequences (the victims). The Service cleans up everything that did not explode and recuperates these explosive remnants of war in order to avoid that they can be re-engineered into so-called improvised explosive devices (IEDs), e.g. roadside bombs. Other crucial activities in the field include: mine clearance, the physical destruction of mine stocks (weapons depots), the marking of mine polluted terrains, informing local authorities, the training of teachers and awareness raising in schools on risks, advocating the role of women, providing emergency assistance, and assisting victims and their families until reintegration into society.

The latter is particularly important, as it is never only the victim that is affected, but rather the whole community, Ms. Marcaillou continued. Each injured or handicapped person sends shockwaves into the group of people closely surrounding him/her. For instance, if a father, who is often providing income to the family, is hurt and unable to work, the woman is perhaps not sufficiently educated to take on similar work and financially provide for the family.

Ms. Marcaillou also spoke on UNMAS’ efforts to destroy stockpiles of mines and explosives and to reconstruct storage facilities. She highlighted the danger that weapons depots can constitute for people living in close proximity, illustrating her point with an example of Brazzaville (Republic of Congo) where in March 2012 a big blast in a weapons depot killed over 200 people and injured many more. To prevent such catastrophic accidents in the future, the Service is trying to convince countries to take the necessary measures to avoid such dangerous situations. To this end, the Service builds national partnerships and trains local munitions specialists. In total, UNMAS has currently 16 programmes up and running in various countries, and new programmes are under construction, e.g. in Mali.

For more information on UNMAS’ concrete activities, Ms. Marcaillou referred to Youtube, where several videos explaining the work of the agency can be accessed.

The next presentation by Mr. Fung, Senior Political Affairs Officer, Conference on Disarmament (CD), provided an overview of the work and structure of the United Nations in terms of disarmament affairs. Mr. Fung explained that the Branch in Geneva is a part of the United Nations Office for Disarmament Affairs (UNODA), and deals with various disarmament elements: the Conference on Disarmament, the Biological Weapons Convention Implementation Support Unit, the Conference on Conventional Weapons (CCW), the Anti-Personnel Landmines Convention (APLC), and the Convention on Cluster Munitions (CCM). The Branch informs Member States on disarmament issues, assists them in negotiating and implementing disarmament treaties and other legal instruments, and hosts the Secretariat of the CD.

Referring to the 2012 Meeting of the States Parties on the CCW, Mr. Fung explained that the Protocols of the CCW set out specific prohibitions around the use of certain conventional weapons: 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 later weapons designed to cause blindness; Protocol V addresses the hazards posed by explosive remnants of war, and the Amended Article I extends the scope of application of the treaty and protocols to non-international armed conflict.
Mr. Fung continued by explaining the history of the APLC, which had been negotiated by a group of like-minded States, the International Committee of the Red Cross (ICRC), the United Nations and the International Campaign to Ban Landmines (ICBL). An Implementation Support Unit (ISU) for the Convention was established in 2001. The Unit supports the implementation machinery of the ALPC; provides advice and technical support to States Parties; as well as information to countries that are not Parties to the Convention and to the general public. It keeps records of meetings and liaises with international organizations and other partners in mine action. The ISU is supported by the UNODA Geneva Branch in terms of implementation, awareness raising and the organization of annual meetings.

Another key humanitarian treaty is the CCM, which was adopted in 2008 and entered into force on 1 August 2010. The CCM, also known as the Oslo Convention outlaws the use, stockpiling, production and transfer of nearly all cluster bombs that exist in the world today. Mr. Fung highlighted that 77 States have joined this treaty, and are therefore contributing to saving thousands of innocent lives, considering that cluster munitions cause “unacceptable harm to civilians.” Each year, regular Meetings of States Parties consider the general status and operation of the CCM, take stock of progress in its implementation, take decisions on the extension of deadlines for stocks destruction or clearance of cluster munitions, as well as on compliance, cooperation and assistance. Informal intersessional expert meetings are also held in Geneva to assist in the implementation of key issues of the CCM, such as victim assistance, stockpile destruction, and clearance.

In continuation, Mr. Fung referred to the history and workings of the Conference on Disarmament (CD), which addresses almost all multilateral arms control and disarmament issues, and highlighted some important treaties that were adopted within its framework, including the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (1992), and the Comprehensive Nuclear-Test-Ban Treaty (1996). Mr. Fung also mentioned that the CD is comprised of 65 Member States; conducts its work by consensus; allows for the participation of approximately 40 observers (non-member States); has a presidency that rotates every four weeks; and meets every year for its annual session, which totals 24 weeks divided over three periods. The CD’s agenda includes issues, such as the cessation of the nuclear arms race and nuclear disarmament; the prevention of nuclear war; the 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.

In spite of the many multilateral treaties successfully negotiated by the CD and its predecessors, the Conference is marked by an impasse that continues for over 15 years, meaning that no new agreements have been negotiated since the adoption of the Comprehensive Nuclear-Test-Ban Treaty. The main reason is that Member States cannot agree on the Programme of Work around negotiating a fissile materials cut-off treaty (FMCT),

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4 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).
negative security assurances (NSAs), and the prevention of an arms race in outer space. This impasse automatically stalls the negotiation of other issues on the Conference’s agenda.

However, as Mr. Fong explained, the First Committee of the UN General Assembly, which deals with Disarmament and International Security issues, recently adopted a draft decision to set up an open-ended working group that would develop proposals to take forward multilateral nuclear disarmament negotiations and to overcome the enduring impasse. The group would convene in Geneva in 2013. Mr. Fung further spoke about the establishment of a Group of Intergovernmental Experts in 2014 (outside the CD) that would also contribute to overcoming the impasse in disarmament negotiations.

For a more detailed overview of the role of and relationship between the different offices working on disarmament issues, download Mr. Fung’s background paper (available here).

Dr. Millett, Deputy Head of Biological Weapons Convention Implementation Support Unit, provided the Briefing’s final presentation, which he titled: “Dealing with a deliberate disease” in order to refer the health security risks underlying biological weapons. He spoke about health security, the Biological Weapons Convention (BWC) and the work programme of his Unit.

Dr. Millett started by explaining the spectrum of biological risks and threats, and highlighted that it is important to strike a balance between them. He said that biological weapons can pose the same risks as natural disease outbreaks, and referred to existing measures and responses to deal with the full spectrum of biological threats, e.g. as developed by WHO. However, specific responses are necessary too, for example a standing capacity to work with the accidental release of hazardous biological material. At the international level, that is what the BWC does, Dr. Millett emphasized.

By building more robust health infrastructure, or by enhancing security capacity (including by improving the detection of diseases and laboratory capacity), one can improve biosafety, he explained. Health security requires a full range of responses – from agricultural to environmental, he continued. In his presentation, Dr. Millett referred to a statement by UN Secretary-General Ban Ki-moon, who said that “to manage the full spectrum of biological risks… you need a cohesive, coordinated network of activities and resources. Such a network will help to ensure that biological science and technology can be safely and securely developed for the benefit of all.” Considering that communities and other stakeholders have different vocabularies and cultures, developing such a network would not only require multi-stakeholder engagement, but the creation of a framework for shared action and collaboration through which they can make a common effort, Dr. Millett told the audience. Another requirement is that every stakeholder, whether from the security or health sector, has clearly defined roles to deal with biological threats and that one sector takes the lead in the case of an event (to avoid overlap of efforts). The danger is that the deliberate use of biological weapons could occur without people knowing it, he added.

Continuing his presentation, Dr. Millett focussed on the BWC, which has evolved over time from banning biological weapons to ensuring biology is done safely, securely and solely for people’s benefit. So, it focuses more on what stakeholders should do, rather than on what they should not do. This shift has helped to overcome some of the traditional status quo and zero sum game in which some development objectives of developing countries would be at right angles to the security objectives of developed countries. It has also brought a positive
reinforcement cycle for collaboration: by increasing collaboration between the health and security sector, risks are reduced and further collaboration encouraged, Dr. Millett highlighted.

The BWC contains ten Articles stretching over a four page document, but according to Dr. Millett its main message can be summarized in four sentences:
1. Do not acquire biological weapons;
2. Do not help or allow others to get them;
3. Take national measure to ensure that they are not produced within national borders;
4. Do this in a way that ensures and encourage the peaceful use of biotechnology.

Furthermore, he explained that the default way for the international community to respond to a threat is to identify it, make a treaty and then establish an international organization that monitors the implementation of the treaty (examples are the Nuclear Non-proliferation Treaty and the Chemical Weapons Convention). However, this did not happen for the BWC. The BWC has a much more collaborative nature, based on a network approach and decentralized model. It brings a broad range of stakeholders together, including the United Nations, Member States, intergovernmental and non-governmental organizations, the private sector, and professional bodies. Together they discuss the treaty, and work towards a dedicated global and multi-sectoral response, based on a human-centric approach, global capacity and the leveraging of States’ power. It is about influencing behaviour rather than finding technical solutions. According to Dr. Millett, it is also about supporting and stimulating States to join and implement the Treaty.

Finally, Dr. Millett discussed the role of his Unit, which has a mandate that is reviewed every five years (the last review took place in 2011). The Unit’s work evolves around (1) assistance and cooperation (e.g. through capacity building, the provision of an assistance and cooperation database, and the development of a sponsorship programme to help the participation of developing countries); (2) science and technology (e.g. through education and awareness raising, the development of measures for strengthening biorisk management and measures to encourage responsible conduct) ; and (3) national implementation (e.g. through regional and subregional cooperation, and providing advice on measures for full and comprehensive implementation). Dr. Millett also addressed the importance of building bridges with the scientific community on the issue of biological threats and concluded by noting that there are strong international platforms that support the work of the Unit and the implementation of the BWC at national level. However, there is no consensus on the approach to move this process forward and there is no standing international organization and responsive mechanism that can help in this regard. Therefore, a roadmap needs to be development, along with enhanced cooperation opportunities.

To download Dr. Millett’s presentation, click here.

Questions and Answers

Steven Oaks from Lawyers Without Borders asked for a more extensive elaboration on the gender dimension of UNMAS’ work in collaboration with other UN organizations, as well as on concrete activities in terms of the rehabilitation and empowerment of mine victims and their families.

Ms. Marcaillou answered that all programmes within mine action take the gender dimension into account, especially as boys/men and girls/women often perceive and experience things
differently, e.g. based on the form and colour of explosives. In terms of risk education, for example, this requires talking differently to boys and girls on the dangers behind certain objects. Moreover, all mine action programmes should make sense at individual level and be culturally sensitive (adapted to the local culture).

She also explained that past experiences show that training and educating women to work in non-traditional areas of work, such as de-mining, has considerably improved the way these women were perceived within their community. Moreover, these women considerable contribute to the safety of their communities and are respected for that. In South Sudan, for example, one woman has been trained to operate a three million euro de-mining machine called a Mine Wolf. Two other women are currently in training. These three women initially wanted to make some money by cooking meals for the de-mining crew, but after showing interest in doing more, they received training to become professional de-miners themselves, she explained.

On rehabilitation of victims, Ms. Marcaillou said that UNMAS is making an effort to ensure that survivors are deployed as advocacy people in a local context (as de-miners, teachers, etc.). However, she could not provide more specific information. She did emphasize that they work closely with the International Labour Organization (ILO), the International Committee of the Red Cross (ICRC), and the World Health Organization (WHO) in this regard.

Lastly she mentioned that UNMAS will lead the review and revision process of the UN policy on victim assistance next year. The revision will look at all treaties mentioned here today, she said, referring to the fact that all of these treaties deal with victims. The previous revision took place in 2003. Considering that it is now ten years later, a revision is urgently needed, she concluded.

A representative of the Movement international de la réconciliation asked Dr. Millett if there are any measures for those failing to comply with the BWC.

Dr. Millet explained that there are several mechanisms in different layers. First, there can be negotiations between States. Article V of the BWC dictates that States Parties to the Convention should consult bilaterally and multilaterally to solve any problems with the implementation of the BWC. In case this will not solve the problem, there is the option to request the UN Security Council to investigate alleged breaches of the BWC and to comply with its subsequent decisions/sanctions (in line with chapter seven of the UN Charter).

Steven Oaks, Lawyers Without Borders, raised questions around the legal framework and what he termed a relatively weak emphasis on practical implication. How to strengthen States to implement their legal obligations? And what is the role of NGOs and civil society in this regard?

Dr. Millett replied by noting that the BWC puts indeed less emphasis on inspections, verification and monitoring in terms of countries’ everyday compliance with the Convention. The main reason is that the scale/magnitude of the production of biological weapons is hard to monitor as they can be produced in over 100,000 facilities worldwide. According to the US General Accounting Office there are about 20,000 high containment facilities in the US alone. Besides the three-person Biological Weapons Convention Implementation Support Unit has far less staff capacity for monitoring implementation. For other weapons the number of production facilities is generally lower and more staff is deployed for monitoring activities.
For example, Dr. Millett noticed that there were about 10,000 facilities worldwide for the production of chemical weapons and the Organization for the Prohibition of Chemical Weapons in The Hague has about 500 staff members to verify implementation efforts.

Dr. Millett further explained that the dispute/complaint mechanism had only been called into play once when the US was accused to have dropped insects on Cuba that had destroyed crops in the countries. Both States presented cases for and against, but in the end, nobody was sure about what really happened, so no conclusion was drawn on the accusation.

On the second question from Steven Oaks, Lawyers without Borders, on the role of NGOs and civil society, Dr. Millett replied that all meetings are public (except those discussing the final report). Moreover, they try to involve civil society through the organization of speed networking events, and by holding NGO sessions in an informal setting. Dr. Millett underscored that they are trying to open their doors for civil society input as much as possible, while respecting their capacity.

**Flash update on any other business relevant to NGOs**

Jolanda Groen, Programme Officer at NGLS, informed the audience on several upcoming events and deadlines:

- **On the UN Post-2015 Development Agenda**: Thematic and national consultations are underway and can be accessed through the [The World We Want platform](http://www.worldwewant2015.org/). At the time of the briefing, thematic consultations were taking place on: Inequalities and LGBTI; Health; Population dynamics; Water; and Environmental Security. Other themes for the consultations include: Food Security and Nutrition; Energy, Conflict and Fragility; Education; Governance; and Growth and Employment. NGOs and civil society organizations are advised to keep an eye on this website and contribute to the discussions.

- **NGLS online consultation to inform the Secretary-General’s High-level Panel of Eminent Persons on the Post-2015 Development Agenda**: Through the above-mentioned platform, NGLS carried out an [online consultation](http://www.worldwewant2015.org/Post2015HLP) for the Panel from 19 October to 7 November, in two phases. An initial two-page report was presented to the Panel on 30 October, ahead of their London meeting; a detailed final report of this consultation was delivered to the Panel on 26 November. Both reports are available online at: [www.worldwewant2015.org/Post2015HLP](http://www.worldwewant2015.org/Post2015HLP).

- **57th Session of the Commission on the Status of Women (CSW57)**: The 57th session of the [Commission on the Status of Women](http://www.un.org/womenwatch/daw/csw/CSW57) (CSW57) will take place at UN Headquarters in New York from 4 to 15 March 2013. For the 2013 session, the priority theme will focus on the elimination and prevention of all forms of violence against women and girls. The second theme, the review theme, will review the agreed conclusions of the 53rd session of the Commission and thus focus on the equal sharing of responsibilities between women and men, including caregiving in the context of HIV/AIDS. The emerging issue is still to be determined. NGOs could send in written contribution until 15 November 2012. Pre-registration remains open until 23 January 2013. For other important deadlines regarding CSW57, click [here](http://www.un.org/womenwatch/daw/csw/CSW57) for visit: [www.un.org/womenwatch/daw/csw/NGO.html](http://www.un.org/womenwatch/daw/csw/NGO.html).

- **WSIS Forum 2013**: the World Summit on the Information Society Forum 2013 (WSIS Forum 2013), co-convened by ITU, UNESCO, UNCTAD and UNDP, will be held on 13-
17 May 2013 in Geneva and will provide structured opportunities to network, learn and participate in multi-stakeholder discussions and consultations on WSIS implementation. Remote participation will be an integral part of the Forum.

- **WSIS Project Prizes**: WSIS Project Prizes is an annual contest which recognizes excellence in the implementation of projects and initiatives which further the WSIS goals of improving connectivity to information and communication technologies (ICTs) in line with the 11 Action Lines laid out in the WSIS outcome documents. The contest is open to all stakeholders. Interested parties are invited to nominate a project by completing the online form at [www.wsis.org/prizes](http://www.wsis.org/prizes). The deadline for submission of project descriptions is **16 December 2012**. The winners will be announced during the WSIS Forum 2013.