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United Nations Disarmament Yearbook

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The United Nations DISARMAMENT YEARBOOK

The United Nations DISARMAMENT YEARBOOK



Volume 33 (Part II): 2008

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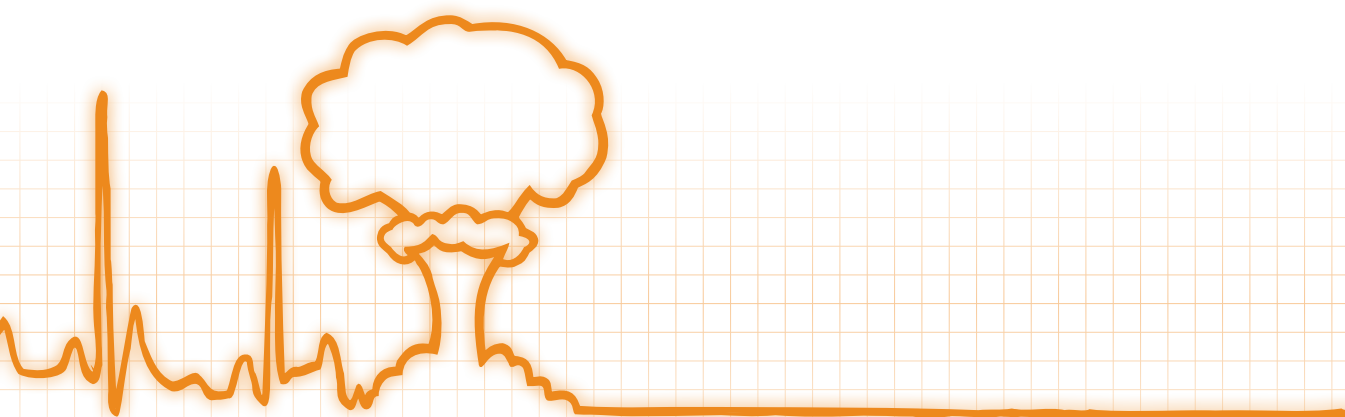


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WMD-We Must Disarm

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Office for Disarmament Affairs
New York, 2009

The United Nations
**DISARMAMENT
YEARBOOK**



Volume 33 (Part II): 2008

Guide to the user

The *United Nations Disarmament Yearbook*, in print and electronic format, is designed to be a concise reference tool for diplomats, researchers, students and the general public on disarmament, non-proliferation and arms control issues under consideration by the international community.

Part I of the 2008 *Yearbook* was published in April this year. It contains all the resolutions and decisions of the previous General Assembly.

Part II is divided among the main multilateral issues under consideration throughout the year. It presents developments and trends on the issues; a convenient issue-oriented timeline; short summaries of First Committee and General Assembly actions taken on resolutions and decisions; the full texts of principal multilateral agreements reached during the year and declarations adopted by treaty review conferences.

As much of the background information is condensed, it is helpful to consult previous editions for expanded historical knowledge. Factual information, presented where possible in tabular form, is provided in the appendices. Websites of United Nations departments and specialized agencies, intergovernmental organizations, research institutes and non-governmental organizations appear as footnotes.

Symbols of United Nations documents are composed of capital letters combined with figures. These documents are available in the official languages of the United Nations at <http://ods.un.org>. Specific disarmament-related documents can also be accessed through the disarmament reference collection at <http://disarmament.un.org/library.nsf>.

See the UNODA website where free access is available to Parts I and II of the electronic version of the 2008 *Yearbook*, as well as archival editions from 2002 to 2007 in the official languages of the United Nations:

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Foreword

The world has changed a lot since the publication of the first edition of the *United Nations Disarmament Yearbook* in 1976. There were only a few multilateral treaties on disarmament issues relating to weapons of mass destruction (WMD), including the Biological Weapons Convention, the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and other treaties establishing nuclear-weapons-free or demilitarized zones in Antarctica, Latin America and the Caribbean, outer space, and the seabed. Nuclear tests had been outlawed in the atmosphere, the oceans and outer space. And there was very limited progress on the regulation of conventional arms.

By 2008, however, the international “rule of law” for disarmament, arms control and non-proliferation had expanded significantly, in terms of the number of multilateral treaties, their progress towards universal membership, their geographic scope and the variety of weapons covered. How is the world to keep track of all these developments and other disarmament-related events?

The answers are found in the *United Nations Disarmament Yearbook*—an annual chronicle of developments in the United Nations “disarmament machinery”—especially the Disarmament Commission, the First Committee of the General Assembly and the Conference on Disarmament—as well as in other multilateral arenas. The *Yearbook* covers WMD and conventional arms issues, and several related subjects, including terrorism, information security, human rights and human security, disarmament and development, gender and disarmament, and disarmament education, training and studies.

With respect to WMD, there were regrettably few noteworthy steps forward in 2008, at least inside the United Nations disarmament machinery. Both the Conference on Disarmament and the United Nations Disarmament Commission remained in deadlock. The former was unable to reach a consensus on a substantive programme of work and the latter concluded its three-year cycle without any consensus on recommendations concerning its agenda items relating to nuclear disarmament and non-proliferation, and to practical confidence-building measures in the field of conventional weapons. Meanwhile, the chronic pattern of deeply divided voting on nuclear resolutions in the First Committee of the General Assembly continued in 2008.

In other WMD developments, the second session of the Preparatory Committee for the 2010 NPT Review Conference concluded on a positive note, though it was unable to agree to attach the Chairman’s factual summary to its report. While the United Nations Panel of Governmental Experts on the Issue of Missiles in All Its Aspects was unable to reach a consensus on measures to deal with this issue, it concluded that it was important to have continued international efforts to address this challenge and emphasized the important role of the United Nations in providing a more structured

and effective mechanism to build such a consensus. Several States ratified and signed the Comprehensive Nuclear-Test-Ban Treaty and a fourth Joint Ministerial Meeting was held in September, which produced a Joint Ministerial Statement urging the Treaty's early entry into force. There was little progress on safeguards issues in the Islamic Republic of Iran and the Syrian Arab Republic, nor on proliferation concerns in the Democratic People's Republic of Korea, as the International Atomic Energy Agency and concerned States worked to resolve remaining issues.

On a more positive note, the Russian Federation and the United States issued a Strategic Framework Declaration covering several areas of cooperation, including an intention to pursue a legally binding arrangement to replace the expiring START Treaty. Meanwhile, voices from civil society—including from former senior statesmen—continued to be heard calling for fresh progress in nuclear disarmament. Australia and Japan established the International Commission on Nuclear Non-Proliferation and Disarmament. Additional nuclear disarmament proposals were made by the European Union and the United Kingdom. In October, Secretary-General Ban Ki-moon launched his five-point proposal for a world free of nuclear weapons. And in December, 100 former leaders, statesmen and eminent personalities from around the world joined in the launching of Global Zero, a civil society initiative for nuclear disarmament.

The *Yearbook* also covers United Nations activities relating to the implementation of United Nations Security Council resolution 1540, which seek to prevent non-State actors from acquiring WMD and to prevent the proliferation of such weapons. In addition, the Office updated the Secretary-General's mechanism to investigate alleged uses of chemical and biological weapons, pursuant to the Global Counter-Terrorism Strategy and with secretariat assistance from the United Nations Office for Disarmament Affairs' (UNODA) Geneva Branch.

A major highlight for 2008 in the field of conventional arms was the adoption of the Convention on Cluster Munitions, which was a milestone in global efforts to ban such weapons. In a parallel effort, member States of the Convention on Certain Conventional Weapons were unable to reach a consensus in addressing issues relating to the humanitarian impact of such munitions. Parties to that Convention also held their ninth annual meeting last November, with secretariat assistance from UNODA's Geneva Branch.

Also last November, the Ninth Meeting of the States Parties to the Anti-Personnel Mine Ban Treaty took place in Geneva, which, inter alia, resulted in the approval of requests of 15 States to extend the 10-year deadline for clearance and destruction of such mines.

Progress towards establishing an "arms trade treaty" gained momentum in 2008, with the convening of a Group of Governmental Experts to examine

the feasibility, scope and draft parameters for a comprehensive, legally binding instrument establishing common international standards for the import, export and transfer of conventional arms. The Group recommended further consideration of efforts within the United Nations to address this issue on a step-by-step basis and in an open and transparent manner. The General Assembly later established an open-ended working group to implement this recommendation in 2009.

With respect to transparency measures, the number of States using the Standardized Instrument for Reporting Military Expenditures remained stable in 2008, while the number of States reporting data to the United Nations Register of Conventional Arms has dropped sharply in recent years, though there was an increase in the number of States reporting on transfers of small arms and light weapons.

In April, the Security Council held an open debate on these weapons and in July the General Assembly convened its third Biennial Meeting of States on the implementation of the programme of action to combat the illicit trade in such weapons. This was the first time such a biennial meeting was able to adopt a substantive outcome document, one that identified a “way forward” for international cooperation, assistance and capacity-building, illicit brokering, stockpile management and surplus disposal, and marking and tracing. The meeting also encouraged a focus on regional implementation and welcomed UNODA’s website on small arms issues (www.poa-iss.org). The General Assembly later agreed to convene another conference to review the implementation of the Programme of Action in 2012.

Another issue of long-standing interest at the United Nations has been the relationship between disarmament and development—the *Yearbook* summarizes the Security Council’s high-level debate on this issue last November, chaired by President Oscar Arias of Costa Rica.

The *Yearbook* also provides an update on activities of the United Nations regional centres for peace and disarmament in Latin America and the Caribbean, Africa, and in Asia and the Pacific, as well as ongoing activities of UNODA in disseminating information and in working with groups in civil society to advance a wide range of disarmament and non-proliferation issues.

I commend this volume to all who are interested in obtaining a readily accessible factual description of multilateral efforts in the field of disarmament in 2008 and hope it will in some way assist the efforts of States and civil society to advance the global disarmament agenda.



Sergio **Duarte**

High Representative for Disarmament Affairs
August 2009

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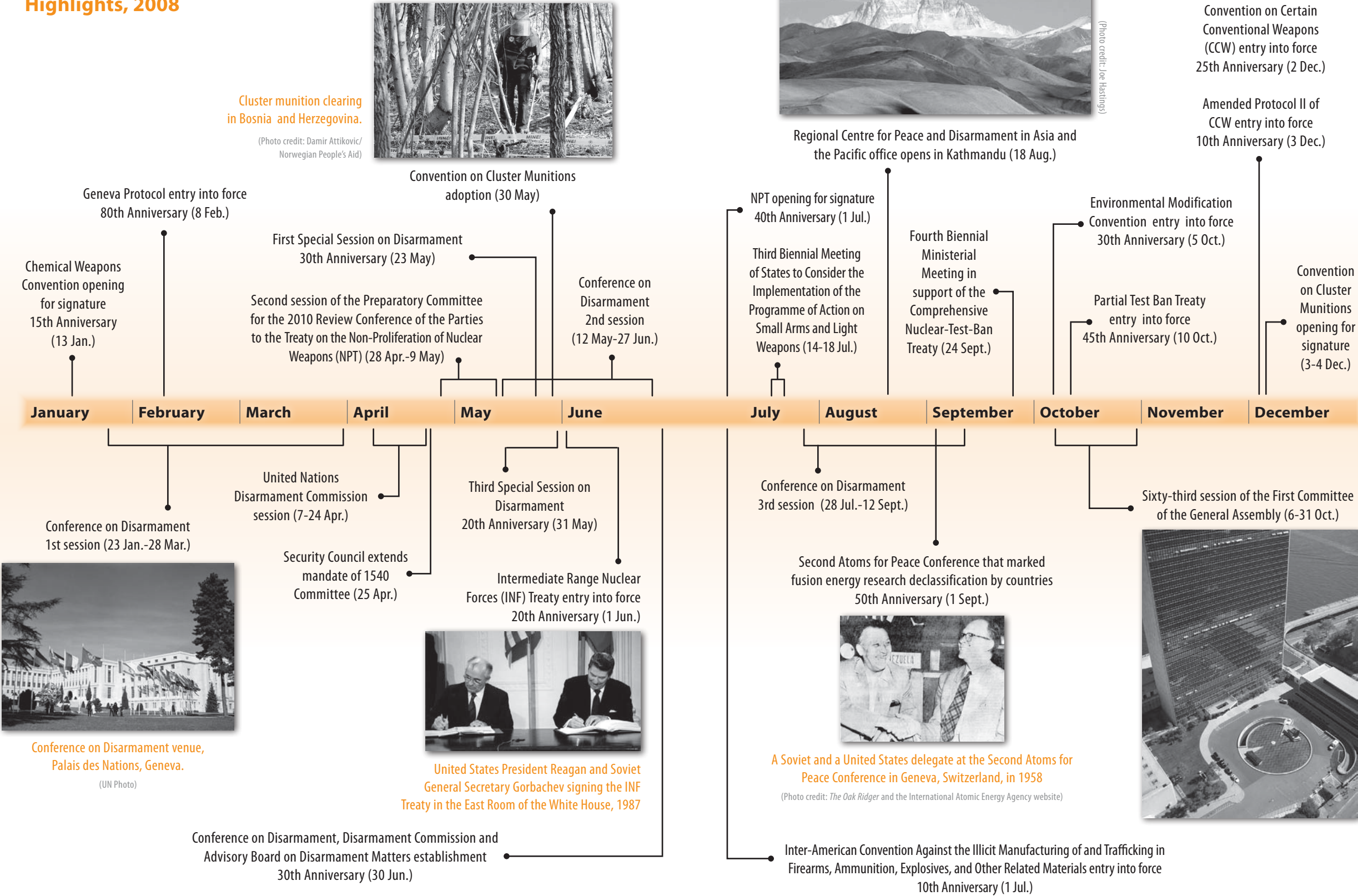
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Tam **Chung**
Editor/Coordinator
New York, August 2009

Multilateral disarmament timeline
Highlights, 2008



Cluster munition clearing in Bosnia and Herzegovina.

(Photo credit: Damir Attikovic/ Norwegian People's Aid)



Conference on Disarmament venue, Palais des Nations, Geneva.

(UN Photo)



United States President Reagan and Soviet General Secretary Gorbachev signing the INF Treaty in the East Room of the White House, 1987



(Photo credit: Joe Hastings)



A Soviet and a United States delegate at the Second Atoms for Peace Conference in Geneva, Switzerland, in 1958

(Photo credit: The Oak Ridger and the International Atomic Energy Agency website)



(Photo credit: Foreign and Commonwealth Office)

chapter I

Nuclear disarmament and non-proliferation

CHAPTER I

Nuclear disarmament and non-proliferation

“Nuclear weapons produce horrific, indiscriminate effects. Even when not used, they pose great risks. Accidents could happen any time. The manufacture of nuclear weapons can harm public health and the environment. And of course, terrorists could acquire nuclear weapons or nuclear material.”¹

BAN KI-MOON, UNITED NATIONS SECRETARY-GENERAL

Developments and trends, 2008

NUCLEAR DISARMAMENT AND NON-PROLIFERATION ISSUES returned to the foreground of the international agenda with the objective of moving towards a world without nuclear weapons. Advances towards that goal, however, remained modest. Nuclear-weapon States (NWS) were still perceived by some non-nuclear weapons States (NNWS) as not making sufficient progress towards nuclear disarmament. Furthermore, the Conference on Disarmament (CD) as well as the United Nations Disarmament Commission (UNDC) also failed to advance from the stalemate that has been symptomatic of what some saw as a crisis of the nuclear non-proliferation and disarmament regime. At the same time, concerns continued over the potential proliferation of nuclear weapons.

On 23 January, the Secretary-General, in his opening statement to the CD, expressed concern that in spite of widespread agreement on the gravity of threats to international peace and security, the CD had still been unable to find common ground to address them, and warned that the body was in danger of losing its way.² Despite the statements made by an unprecedented number of dignitaries throughout the year and the considerable efforts of the six Presidents³ of the CD to agree on a programme of work to build on the 2007 progress, the CD remained deadlocked. Nevertheless, new initiatives were presented for consideration.

¹ Secretary-General's address to the East-West Institute in New York entitled “The United Nations and security in a nuclear-weapon-free world” of 24 October 2008 is available on the website of the United Nations Office for Disarmament Affairs (UNODA) at <http://www.un.org/disarmament/HomePage/SG/sgstatements.shtml>.

² The Secretary-General's statement to the Conference on Disarmament in Geneva of 23 January 2008 is available on the UNODA website at <http://www.un.org/disarmament/HomePage/SG/sgstatements.shtml>.

³ The 2008 Presidents were: Samir Labidi (Tunisia), Ahmet Üzümcü (Turkey), Yevhen Bersheda (Ukraine), John Duncan (United Kingdom), Christina Rocca (United States) and Germán Mundaraín Hernández (Venezuela (Bolivarian Republic of)).

On 12 February, China and the Russian Federation officially submitted to the CD for consideration a draft treaty entitled the “Treaty on Prevention of the Placement of Weapons in Outer Space and of the Threat or Use of Force Against Outer Space Objects”⁴ (for further information, see chapter V of this volume). Additionally, the Russian Federation, supported by the United States, repeated the 2007 call that a new multilateral agreement, based on the relevant provisions of the existing Intermediate Range Nuclear Forces Treaty, be elaborated and concluded.

From 7 to 24 April, UNDC concluded its three-year cycle without reaching a consensus on recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons.⁵

The Preparatory Committee (PrepCom) for the 2010 Review Conference (RevCon) of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)⁶ held its second session in Geneva from 28 April to 9 May. The Committee took several decisions and discussed three main clusters⁷ and three specific blocs of issues.⁸ However, as it could not agree to attach the Chairman’s factual summary to its report, the summary was issued as a Chairman’s Working Paper.⁹

On 6 June, the United Nations Panel of Governmental Experts on the Issue of Missiles in all its Aspects successfully concluded its third meeting with the adoption of a consensus report.¹⁰ The Panel stated that it was difficult to identify areas where consensus could be reached and that continued international efforts were needed to deal with this complex issue. It also emphasized the important role of the United Nations in building a consensus.

A number of additional States ratified and signed the Comprehensive Nuclear-Test-Ban Treaty (CTBT),¹¹ bringing it closer to entering into force.

⁴ The draft was transmitted in the letter dated 12 February 2008 from the Russian Federation and China to the Secretary-General of the CD of 29 February 2008, CD/1839, available at <http://www.unog.ch/> > disarmament > Conference on Disarmament.

⁵ See the report of the Disarmament Commission for 2008, Supplement No. 42, A/63/42, available on the UNODA website at <http://www.un.org/disarmament/HomePage/DisarmamentCommission/Sessions.shtml>.

⁶ The Treaty text and status of adherence are available on the UNODA website at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

⁷ Cluster one dealt with nuclear non-proliferation, disarmament and international peace and security; two with nuclear non-proliferation, safeguards and nuclear-weapon-free zones; and with the inalienable right of all Treaty parties to develop research, production and use of nuclear energy for peaceful purposes.

⁸ The first block addressed nuclear disarmament and security assurances, the second, regional issues and the third, other Treaty provisions.

⁹ See NPT/CONF.2010/PC.II/WP.43. This and all subsequent United Nations documents are available in the six official languages at <http://ods.un.org>.

¹⁰ See the Secretary-General’s report entitled “The issue of missiles in all its aspects” of 28 July 2008, A/63/176.

¹¹ The Treaty text and status of adherence are available on the UNODA website at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

In particular, the CTBT was ratified by Colombia (one of the Annex 2 States whose ratifications are necessary for the Treaty's entry into force, nine of which are remaining).¹² Barbados, Burundi, Lebanon, Malaysia, Malawi and Mozambique also ratified the Treaty, while Iraq and Timor-Leste signed, yielding a total of 179 States signatories and 148 parties.

The Fourth Joint Ministerial Meeting in support of the CTBT was held in New York on 24 September. In a Joint Ministerial Statement, endorsed by 96 States, the Foreign Ministers called upon all States that had not yet done so to sign and ratify the Treaty without delay, particularly those Annex 2 States whose ratification was necessary for its entry into force.¹³ In this connection, the Secretary-General wrote to the nine Annex 2 States, urging them to ratify the CTBT as soon as possible.

While progress was made in resolving outstanding questions about the nature of the Islamic Republic of Iran's nuclear programme, some issues remained inconclusive. In his final report of 2008 to the Board of Governors, the Director General of the International Atomic Energy Agency (IAEA) regretted that the Agency had been unable to make substantive progress on outstanding issues. He emphasized the need for the Islamic Republic of Iran to provide transparency and to implement the Additional Protocol for credible assurances on the absence of undeclared nuclear material as well as on its activities. On 3 March, the Council adopted United Nations Security Council resolution (UNSCR) 1803 (2008) (see appendix IV for resolution text), thereby tightening sanctions further. On 27 September, it adopted UNSCR 1835 (2008) (see appendix IV for resolution text) to reaffirm all previous Council resolutions on the issue. As a result of the Islamic Republic of Iran's lack of cooperation, in its final report,¹⁴ the Board of Governors regretted its inability to make substantial progress on the issues.

Further progress was made at the Six-Party Talks¹⁵ with regard to implementing the 19 September 2005 Joint Statement towards the goal of verifiably denuclearizing the Korean Peninsula.¹⁶ By August, the Democratic People's Republic of Korea (DPRK) completed eight of the eleven agreed

¹² China, Democratic People's Republic of Korea, Egypt, India, Indonesia, Iran (Islamic Republic of), Israel, Pakistan and the United States.

¹³ The Ministerial Statement was transmitted in the letter dated 19 December 2008 from Australia, Austria, Canada, Costa Rica, Finland, Japan and the Netherlands to the United Nations addressed to the Secretary-General of 29 December 2008, A/63/634. See appendix III for the text of the Statement.

¹⁴ See the Director General's report on implementing NPT safeguard agreements and Security Council resolutions on the Islamic Republic of Iran of 19 November 2008, GOV/2008/59, available at <http://www.iaea.org/Publications/Documents/Board/2008/gov2008-59.pdf> (accessed 9 June 2009).

¹⁵ China, Democratic People's Republic of Korea, Japan, Republic of Korea, Russian Federation and United States.

¹⁶ The Statement is available on the website of the China's Ministry of Foreign Affairs at <http://www.fmprc.gov.cn/eng/zxxx/t212707.htm> (accessed 11 June 2009).

disablement tasks at its Yongbyon declared nuclear facilities. However, by the end of that month, the DPRK informed the IAEA that it would suspend the disabling activities, citing that the United States had postponed its removal from the list of State sponsors of terrorism. Disabling activities were later resumed, following intense negotiations between the two countries. Nonetheless, disagreement over the details of verification measures remained unresolved at year's end.

In April, the IAEA received information alleging that a Syrian installation, destroyed by Israel in September 2007, was a nuclear reactor. In his report to the Board of Governors in November,¹⁷ the IAEA Director General stated, inter alia, that analysis of the environmental samples taken by the IAEA during its visit in June revealed a significant number of natural uranium particles. The Agency indicated that it would continue to report on the issue and called for the Syrian Arab Republic's full cooperation in the investigation.

On 25 April, through UNSCR 1810 (2008) (see appendix IV for resolution text), the Security Council decided to extend the mandate of the 1540 Committee for a period of three years along with the continued assistance of experts until 25 April 2011. On 8 July, the 1540 Committee submitted its status of implementation report covering the period from 2006 to mid-2008.¹⁸

The long-debated United States–India Agreement for Peaceful Nuclear Cooperation, or the “123 Agreement”, was approved by the United States Congress on 1 October, following the IAEA approval of the India Safeguards Agreement in August, and the exception granted by the Nuclear Suppliers Group to its full-scope safeguards requirement in September.¹⁹

On 6 April, the Russian Federation and the United States issued a Strategic Framework Declaration²⁰ outlining areas of cooperation, including: (a) a legally binding post-Strategic Arms Reduction Treaty (START) arrangement; and (b) dialogue on the Intermediate Range Nuclear Forces Treaty and on preventing the spread of weapons of mass destruction (WMD).

A number of projects on nuclear disarmament, non-proliferation and nuclear safety and security were initiated by Governments and civil society alike, including newspaper articles. Former high-ranking United States officials George P. Shultz, William J. Perry, Henry A. Kissinger and Sam

¹⁷ See the Director General's report on implementing the NPT Safeguards Agreement in the Syrian Arab Republic of 19 November 2008, GOV/2008/60, available at http://www.globalsecurity.org/wmd/library/report/2008/syria-iaea_gov-2008-60_081119.htm (accessed 10 June 2009).

¹⁸ The report was transmitted in the letter dated 8 July 2008 from the Security Council Committee Chairman to the President of the Council of 30 July 2008, S/2008/493.

¹⁹ For background discussion on the issue, see the *United Nations Disarmament Yearbook*, vol. 32 (2007), pp. 22-23, available online at <http://www.un.org/disarmament>.

²⁰ The Declaration is available at <http://merln.ndu.edu/archivepdf/russia/WH/20080406-4.pdf> (accessed 11 June 2009).

Nunn, published a second article in the *Wall Street Journal* entitled “Toward a nuclear-free world”.²¹ Several European statesmen followed suit with similar calls. On 30 June, Lord Douglas Hurd, Sir Malcom Rifkind, Lord David Owen and Lord George Robertson published an op-ed in *The Times* (of London) supporting the campaign for a non-nuclear weapons world²² and on 24 July, the Italian newspaper *Corriere della Sera* published an open letter sent by Massimo D’Alema, Gianfranco Fini, Giorgio La Malfa, Arturo Parisi and Francesco Calogero that called for the total elimination of nuclear arms (see also pp. 44 to 46 of this chapter).²³

Other initiatives included the covering of an international conference on nuclear disarmament entitled “Achieving the vision of a world free of nuclear weapons”, which was held in Oslo from 26 to 27 February.²⁴ In July, the Governments of Australia and Japan established the International Commission on Nuclear Non-Proliferation and Disarmament (ICNND) to reinvigorate international efforts on nuclear non-proliferation and disarmament, in the context of the 2010 NPT RevCon and beyond.²⁵ United Nations Secretary-General Ban Ki-moon presented a five-point proposal²⁶ to revitalize the disarmament agenda. Also, President Nicolas Sarkozy (initially on behalf of France alone and later the European Union (EU))²⁷ and United Kingdom Foreign Secretary David Miliband²⁸ presented respective proposals for nuclear disarmament and non-proliferation.

In connection with missile defence issues, the United States completed negotiations with the Czech Republic and Poland on an agreement that called for stationing a United States radar system in the Czech Republic and a ballistic missile defence (BMD) interceptor facility in Poland. On its part, the Russian Federation expressed strong disagreement with the proposed plans.

²¹ The article of 15 January 2008 is available at <http://online.wsj.com/article/SB120036422673589947.html> (accessed 10 June 2009). For a brief discussion on the first article, see the *United Nations Disarmament Yearbook*, vol. 32 (2007), pp. 39-40, available online at <http://www.un.org/disarmament>.

²² The article entitled “Start worrying and learn to ditch the bomb: It won’t be easy, but a world free of nuclear weapons is possible” is available at http://www.timesonline.co.uk/tol/comment/columnists/guest_contributors/article4237387.ece (accessed 10 June 2009).

²³ The article entitled “For a world without nuclear weapons” is available in Italian at http://www.corriere.it/cronache/08_luglio_24/mondo_senza_armi_nucleari_ba381db8-594a-11dd-94cb-00144f02aabc.shtml (accessed 10 June 2009).

²⁴ See http://www.ctbto.org/fileadmin/user_upload/pdf/External_Reports/paper-einhorn.pdf (accessed 10 June 2009).

²⁵ See <http://www.icnnd.org/> (accessed 10 June 2009).

²⁶ The address, including the full five-point proposal, is available at <http://www.un.org/News/Press/docs/2008/sgsm11881.doc.htm>.

²⁷ See CD/1842.

²⁸ See “A world without nuclear weapons” by David Miliband of 8 December 2008, available at <http://www.guardian.co.uk/commentisfree/2008/dec/08/nuclear-nuclearpower> (accessed 6 July 2009).

Issues related to the Treaty on the Non-Proliferation of Nuclear Weapons

Second session of the Preparatory Committee for the 2010 NPT Review Conference

From 28 April to 9 May, the PrepCom for the 2010 NPT RevCon convened its second session in Geneva with Volodymyr Yelchenko (Ukraine) serving as Chairman.²⁹ Participants included 106 States parties³⁰ and one specialized agency, the IAEA and five intergovernmental organizations.³¹ Additionally, 63 non-governmental organizations (NGOs) attended the session.³²

²⁹ See NPT/CONF.2010/PC.II/13.

³⁰ Bahrain, Belarus, Belgium, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Germany, Ghana, Greece, Guatemala, Holy See, Hungary, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Malta, Mexico, Mongolia, Montenegro, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Thailand, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom, United States, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zimbabwe.

³¹ Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials, the Organization for the Prohibition of Chemical Weapons, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, the European Commission and the League of Arab States.

³² Abolition 2000, Acronym Institute for Disarmament Diplomacy, Action des Citoyens pour le Désarmement Nucléaire, Ban All Nukes generation, British American Security Information Council, Beati i Costruttori di Pace-BCP, Bipartisan Security Group, Campaign for Nuclear Disarmament, Carnegie Endowment for International Peace, Centre d'Etudes pour la Sécurité Internationale et la Maîtrise des armements, Christian Campaign for Nuclear Disarmament, Christian Campaign for Nuclear Disarmament, Kenya, Citizens' Nuclear Information Center, Egyptian Council for Foreign Affairs, Egyptian Pugwash for Science and International Affairs, Fondation Suisse de L'Energie, Friedens- und Begegnungsstätte Mutlangen e.V., Friedenswerkstatt Mutlangen e.V., Global Security Institute, Greenpeace International, Groupe de Recherche et d'Information sur la Paix et la Sécurité, International Network of Engineers and Scientists Against Proliferation, Institute for Security Studies, International Law Campaign, International Panel on Fissile Materials, International Peace Bureau, International Physicians for the Prevention of Nuclear War, Japan Council against Atomic and Hydrogen Bombs (Gensuikyo), Lawyers' Committee on Nuclear Policy, Le Mouvement de la Paix, Mayors for Peace, Monterey Institute of International Studies, James Martin Center for Nonproliferation Studies, Middle Powers Initiative, Nihon Hidankyo (Japan Confederation of A- and H-Bomb Sufferers Organizations), No to Nuclear Weapons (Nei til Atomvåpen), Nuclear Age Peace Foundation, Nuclear Weapons Non-Proliferation and International Safeguards System, Pacific Network Germany (Pazifik-Informationssstelle), Parliamentary Network for Nuclear Disarmament, Pax Christi International, Peace Depot, People for Nuclear

Four meetings of the Committee were dedicated to a general debate on all aspects of the work of the PrepCom and one meeting that was allocated to NGO representatives making statements.

Boniface Guwa Chidyausiku (Zimbabwe) was elected Chairman of the PrepCom's third session, which would be held in New York from 4 to 15 May 2009. The Committee also decided that the RevCon would be held in New York from 26 April to 21 May 2010. It further decided to invite the United Nations Secretary-General, in consultation with PrepCom members, to nominate a provisional Secretary-General for the 2010 RevCon, which would later be confirmed by the Conference itself. The Committee took note of the estimated costs of the 2010 Review Conference and its Preparatory Committee and agreed that assessed and outstanding dues must be paid in proper time. To promote greater financial transparency and accountability and taking into account the practice of multilateral and other organizations, it also decided to request the Secretary-General to provide a financial report to the RevCon as well as to each session of its Preparatory Committee.

Substantive work

The Committee held a total of nine meetings for a substantive discussion on three main clusters and three specific blocks of issues. The clusters dealt with Treaty implementation of the provisions related to: (a) non-proliferation of nuclear weapons, disarmament and international peace and security; (b) non-proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones (NWFZs); and (c) the inalienable right of all Treaty parties to develop research, production and use of nuclear energy for peaceful purposes, without discrimination and in conformity with Articles I and II. The specific blocks of issues addressed: (a) nuclear disarmament and security assurances; (b) regional issues, including with respect to the Middle East and the implementation of the 1995 resolution on the Middle East; and (c) other Treaty provisions, including Article X. The Committee also held an interactive debate on each topic.

States parties reaffirmed the NPT as the cornerstone of the non-proliferation regime and global disarmament efforts,³³ which rested on the three pillars of nuclear disarmament, nuclear non-proliferation and

Disarmament, Nuclear Flashpoints Campaign, Project Ploughshares, Quaker United Nations Office, Rideau Institute on International Affairs, Risho Kosei-Kai, Scottish Campaign for Nuclear Disarmament, Stockholm International Peace Research Institute, Soka Gakkai International, South Asian Strategic Stability Institute, Stop Essais/Abolition des Armes Nucléaires, The Stanley Foundation, Tri-Valley CAREs (Community against a Radioactive Environment), Verification Research, Training and Information Centre, Western States Legal Foundation, WMD Awareness Programme, Women's International League for Peace and Freedom, World Conference of Religions for Peace, World Council of Churches, World Court Project UK, World Disarmament Campaign, World Forum of Civil Society Networks and World Federation of United Nations Associations.

³³ Any reference to "States parties" is not intended to imply unanimity among States parties.

the peaceful uses of nuclear energy. Its preservation and strengthening was highlighted as key to improving global peace and security. Emphasis was placed on the Treaty's mutually reinforcing nature of disarmament and non-proliferation, and due respect for the right of States parties to the peaceful use of nuclear energy.

Several States underlined the importance of achieving universality of the Treaty, urging India, Israel and Pakistan to accede as NNWS, and to bring into force the required comprehensive safeguards agreements together with the Additional Protocols.

States parties maintained that the only absolute guarantee against the use or threat of use of nuclear weapons was their total elimination. Although some NWS reduced their nuclear stockpiles, delegations expressed concern that the pace of disarmament was too slow, and that nuclear weapons deployed and stockpiled still numbered in the thousands. Members of the Movement of Non-Aligned States called for the total elimination of nuclear weapons within a specified time frame. Several States called for the full implementation of the decisions and the resolution of the 1995 Review and Extension Conference and the undertakings agreed to in the Final Document of the 2000 Review Conference, including the 13 practical steps.³⁴ Some States, recalling the 1996 advisory opinion of the International Court of Justice, called for a nuclear weapons convention as well as a subsidiary body dealing with nuclear disarmament at the 2010 NPT Review Conference.

A number of delegations expressed disappointment that some NWS aimed to modernize or replace their nuclear weapons systems. Apprehension was expressed about the development of new nuclear weapons along with the increased role of such weapons in security policies and doctrines. In response to concerns regarding nuclear-sharing, several States proposed measures, such as de-alerting and de-targeting of nuclear weapons as well as further NWS information-sharing, to promote transparency and confidence between States.

NWS recommitted to their obligations under Article VI of the NPT. States parties welcomed the transparency measures some NWS had undertaken to achieve nuclear disarmament, such as providing detailed information on actual and projected nuclear arsenal reductions.

³⁴ Steps: 1. CTBT; 2. Nuclear Test Moratorium; 3. Fissile Material Treaty; 4. Subsidiary Body to CD to Discuss Nuclear Disarmament; 5. Principle of Irreversibility; 6. Elimination of Nuclear Arsenals; 7. START II, START III and anti-ballistic missile treaties; 8. Trilateral Initiative; 9. Steps Leading to Nuclear Disarmament Consistent with Stability and Security: (a) Unilateral reductions; (b) Increased transparency; (c) Reductions of nonstrategic weapons; (d) Reduction of operational status; (e) Diminished role for nuclear weapons in security policies; and (f) Engagement in process leading to total elimination of nuclear weapons; 10. Excess Fissile Materials; 11. General and Complete Disarmament; 12. Regular Reports; and 13. Development of Verification Capabilities.

The DPRK's nuclear test of 2006 highlighted the need for the CTBT's entry into force. Recent ratifications were welcomed and States that had not yet ratified, especially the Annex 2 States, were urged to do so without delay. The importance of maintaining a moratorium on nuclear-weapon-test explosions and other nuclear explosions was reiterated. The 2007 Joint Declaration of the Article XIV Conference on the entry into force of the Treaty was also welcomed.

States parties stressed the importance of negotiating a treaty in the CD on the production of fissile material for nuclear weapons or other nuclear explosive devices. Pending the conclusion of such a treaty, States were called upon to maintain or declare moratoria in this regard.

Many States expressed the urgent need to address proliferation challenges within the NPT, as they were causing serious strain on the non-proliferation regime. All States were called upon to fully comply with their non-proliferation obligations under the Treaty.

Concern was raised over the Islamic Republic of Iran's failure to halt uranium enrichment activities and comply with Security Council resolutions 1737 (2006), 1747 (2007)³⁵ and 1803 (2008) (see appendix IV for resolution text). On its part, the Islamic Republic of Iran indicated a continued readiness to resolve the outstanding issues within the IAEA framework and in accordance with the legal obligations envisaged in the IAEA statute and the NPT. It further reiterated the peaceful nature of its nuclear programme and resolved not to suspend enrichment activities.

Concern was also expressed over alleged reports of Syrian clandestine nuclear activities. However, the Syrian Arab Republic rejected the allegations and reiterated its commitment to NPT compliance and IAEA safeguards agreements.

With regard to the Six-Party Talks on DPRK's nuclear programme, the States parties welcomed the progress made over the past twelve months, including the disablement of the Yongbyon nuclear facilities.

The IAEA was reaffirmed as the sole authority to verify and assure compliance with NPT safeguards agreements, under Article III, to prevent the diversion of nuclear energy from peaceful uses to weapons or other explosive devices. States urged the universalization of the IAEA safeguards system. It was noted that 30 States parties had yet to conclude a safeguards agreement, while only 87 States parties had concluded Additional Protocols. Those who had not yet done so were encouraged to conclude such agreements at the earliest date possible. While some States suggested that a comprehensive

³⁵ See S/RES/1718 (2006), adopted by the Security Council on 14 October 2006 and S/RES/1747 (2007), adopted by the Security Council on 14 October 2007. These and all subsequent Security Council resolutions are available at <http://www.un.org/Depts/dhl/resguide/scact.htm>.

safeguards agreement together with the Additional Protocol should constitute the NPT's verification standard, others underlined the voluntary nature of the Additional Protocol.

NWFZs, established on the basis of arrangements freely arrived at among the States concerned and within United Nations guidelines, were supported. Internationally recognized zones, under the existing NWFZ treaties were considered positive contributions to nuclear disarmament and, as such, the importance of their entries into force was stressed.

States parties underlined the gravity of combating nuclear terrorism and the proliferation threat caused by clandestine transfers of nuclear materials and technology. They supported the IAEA action plan to protect against nuclear terrorism and called for the full implementation of UNSCRs 1540 (2004), 1673 (2006)³⁶ and 1810 (2008) (see appendix IV for resolution text). The States also welcomed the 2007 entry into force of the International Convention for the Suppression of Acts of Nuclear Terrorism.³⁷

States parties reaffirmed their inalienable right, under Article IV of the NPT, to develop research, production and use of nuclear energy for peaceful purposes, without discrimination and in conformity with Articles I, II and III. The importance of promoting the peaceful uses of nuclear energy was noted and that the exchange of nuclear technology for peaceful purposes be consistent with the Treaty's non-proliferation obligations stressed. Several States presented proposals to establish multilateral mechanisms under strict international control, guaranteeing the supply of nuclear fuel. The importance of unimpeded and non-discriminatory transfers of nuclear technology for peaceful purposes was noted, especially in light of the growing reliance on nuclear energy. Some States warned about proliferation risks in this connection and stressed the need for safeguards and relevant agreed criteria for transferring proliferation-sensitive equipment and technology.

The NWS were urged to provide security assurances to NNWS and not to use or threaten to use nuclear weapons against them, pending the elimination of nuclear weapons. In this context, the relevance of the 1995 decision to indefinitely extend the NPT was underlined. While NWS reaffirmed their commitments under UNSCR 984 (1995),³⁸ as these obligations were not considered legally binding, some NNWS urged that the CD conclude a universal, unconditional and legally binding instrument on negative security assurances to NNWS. Some also called for the establishment of a subsidiary body on security assurances at the 2010 Review Conference.

³⁶ S/RES/1540 (2004) was adopted by the Security Council on 28 April 2004 and S/RES/1673 (2006) on 27 April 2006.

³⁷ Treaty text available at http://untreaty.un.org/english/terrorism/english_18_15.pdf.

³⁸ S/RES/984 (1995) was adopted by the Security Council on 11 April 1995.

States parties reaffirmed their support for the establishment of a Middle East zone free of nuclear weapons as well as other WMD and their delivery systems. Underlining the importance of the resolution on the Middle East adopted at the 1995 Review and Extension Conference,³⁹ they expressed concern over its lack of implementation and urged measurable actions to be taken in this regard. To follow up on the implementation of recommendations, some proposed the establishment of a subsidiary body on the issue within Main Committee II of the 2010 Review Conference, along with a standing committee of the Conference Bureau members. Other States sought an international conference on the establishment of an NWFZ in the Middle East.

Concerns were also expressed that Israel was not yet a party to the NPT and States parties called upon it to accede as soon as possible to the Treaty as an NNWS and to place its nuclear facilities under full scope IAEA safeguards.

While States parties reaffirmed their sovereign right to withdraw from the NPT, as provided for in Article X, they noted the importance of holding violators accountable. States also underlined that a withdrawal could only be justified in extraordinary events and maintained that a State that withdrew from the Treaty should not benefit from nuclear materials, equipment and technology acquired while party to the NPT. Depending on the circumstances of withdrawal, the role of the Security Council, as provided for in Article X, was also stressed.⁴⁰

Issues related to the Comprehensive Nuclear-Test-Ban Treaty

Ministerial Meeting in support of Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty

On 24 September, the Fourth Ministerial Meeting in support of the Comprehensive Nuclear-Test-Ban Treaty's (CTBT) entry into force was held in New York. The Meeting was convened by the Ministers for Foreign Affairs of Australia, Austria, Canada, Costa Rica, Finland, Japan and the Netherlands.

In his opening address, the Secretary-General reiterated his appeal to those States whose ratification was needed for entry into force to sign and

³⁹ Resolution available on the UNODA website at <http://www.un.org/disarmament/WMD/Nuclear/1995-NPT/1995NPT.shtml>.

⁴⁰ See NPT/CONF.2010/PC.II/WP.43 for the Chairman's working paper.

ratify the Treaty,⁴¹ underlining that it “would be a major step in our effort to build a safer, more peaceful world.”⁴²

Approximately 40 Foreign Ministers participated in the Meeting and issued a Joint Ministerial Statement,⁴³ which was subsequently endorsed by 96 countries.⁴⁴ In this statement, the Ministers called “upon all States that have not yet done so to sign and ratify the Treaty without delay, in particular those whose ratification is needed for its entry into force” and committed themselves “individually and together to make the Treaty a focus of attention at the highest political levels”.⁴⁵

Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO)

On 15 October, the Executive Secretary of the CTBTO⁴⁶ reported to the First Committee on its work throughout 2008, in particular on the progress in the establishment of the Treaty’s verification regime and the successful conclusion of a major on-site inspection exercise.⁴⁷ He also reported on the

⁴¹ The outstanding countries are China, DPRK, Egypt, India, Indonesia, Iran (Islamic Republic of), Israel, Pakistan and the United States.

⁴² Secretary-General’s address to the CTBT’s Fourth Ministerial Meeting of 24 September is available on the UNODA website at <http://www.un.org/disarmament/HomePage/SG/sgstatements.shtml>.

⁴³ The Statement was annexed to the letter dated 19 December 2008 from Australia, Austria, Canada, Costa Rica, Finland, Japan and the Netherlands to the United Nations addressed to the Secretary-General of 29 December 2008, A/63/634. See appendix III for the text of the Statement.

⁴⁴ Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cambodia, Canada, Chile, Cook Islands, Costa Rica, Côte d’Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Germany, Greece, Guyana, Holy See, Hungary, Iceland, Iraq, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kiribati, Kuwait, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Mauritania, Mexico, Monaco, Mongolia, Montenegro, Morocco, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Palau, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Arab Emirates, United Kingdom, Uruguay.

⁴⁵ The Ministerial Statement was transmitted in the letter dated 19 December 2008 from Australia, Austria, Canada, Costa Rica, Finland, Japan and the Netherlands to the United Nations addressed to the Secretary-General of 29 December 2008, A/63/634.

⁴⁶ Tibor Tóth (Hungary).

⁴⁷ The report on the work of the CTBTO PrepCom in 2008 was transmitted to the United Nations General Assembly’s First Committee at its sixty-third session through a note by the Secretary-General (A/63/156).

CTBT's status, which had reached 180 signatures and 148 ratifications.⁴⁸ The Executive Secretary identified this as positive political momentum towards the CTBT's ratification, including in several of the nine remaining countries whose ratification was a precondition for entry into force.⁴⁹

The Executive Secretary also provided an overview of the progress made on establishing a global verification regime for monitoring CTBT compliance. By the end of 2008, approximately 250 stations of the International Monitoring System (IMS), representing 70 per cent of the entire network, had been certified and were transmitting data to the International Data Centre in Vienna. Additionally, the migration of the Global Communications Infrastructure to a new system was completed. The data volume transmitted through the system was soon expected to reach 26 gigabytes per day and the number of IMS data users increased further, crossing the threshold of 1,000 authorized individual users in 100 countries.

The Executive Secretary gave an account of the on-site inspection exercise conducted in September in Kazakhstan, the first comprehensive inspection exercise ever conducted, involving all major elements of the on-site inspection regime. Over 200 participants were involved, including more than 40 inspectors. Additionally, 50 tons of equipment were deployed to Semipalatinsk, the former Soviet nuclear test site in Kazakhstan.

He also informed the Committee about the International Scientific Studies (ISS) project, which was launched in March. The purpose of the ISS was for participating scientific institutions worldwide to independently assess the verification regime and to explore future opportunities for cooperation between CTBTO and the scientific community. The project will culminate in a conference to be held in Vienna from 10 to 12 June 2009.

General Assembly, 2008

63/87. Comprehensive Nuclear-Test-Ban Treaty

This biennial resolution, originally introduced in 2000, welcomed the Joint Ministerial Statement on the Comprehensive Nuclear-Test-Ban Treaty, adopted at the Ministerial Meeting held in New York on 24 September 2008. It also welcomed the ratification of the Treaty in 2008 by Colombia, Barbados, Malaysia and Burundi, as well as the signatures in 2008 by Iraq

Introduced by: Mexico (28 Oct.)

GA vote: 175-1-3 (2 Dec.)

1st Cttee vote: 168-1-3 (28 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 189 to 192.

⁴⁸ Since the First Committee's previous session, the Treaty had been signed by Iraq and Timor-Leste and ratified by Bahamas, Barbados, Malaysia, Colombia, Burundi, Mozambique, Malawi and Lebanon.

⁴⁹ China, the Democratic People's Republic of Korea, Egypt, India, Indonesia, Iran (Islamic Republic of), Israel, Pakistan and the United States.

and Timor-Leste, as significant steps towards the Treaty's early entry into force. Once again the resolution urged all States to maintain their moratoriums on nuclear-weapons test explosions or any other nuclear explosions and to refrain from acts that would defeat the object and purpose of the Treaty. It urged all States that had not done so, to sign and ratify the Treaty as soon as possible, and all States that had signed but not yet ratified, in particular those whose ratification was needed for its entry into force, to accelerate their ratification processes at the earliest. It also requested the Secretary-General, in consultation with the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, to prepare a report on the efforts of States that had ratified the Treaty towards its universalization and possibilities for providing assistance on ratification procedures to States that so requested it, and to submit such a report to the General Assembly at its sixty-fourth session.

First Committee. Before taking action, two States explained their affirmative votes. **France**, on behalf of the European Union, noted its awareness of what was at stake regarding the entry into force of the CTBT in the context of the next NPT Review Conference, and decided internally to take every opportunity to make contact with States not yet parties to the CTBT to move forward the cause of its universalization. Moreover, the EU called upon all States parties to respect their financial commitments towards the CTBTO, inter alia, to make it possible to complete the verification regime planned by the Treaty and, thus, ensure complete credibility. **Mexico** was convinced of the draft's importance and maintained its invitation to those delegations that wished to join the list of sponsors and called upon delegations to strongly support the draft.

After the vote, three States explained their favourable positions. **Colombia** called upon all annex 2 States that had not done so to ratify the Treaty, to demonstrate their political will and commitment to international peace and security and hoped that the Treaty would quickly enter into force to become an effective instrument for containing the development of new nuclear weapons and for limiting the improvement of those already existing. **Pakistan** would have liked the draft resolution to have appropriately reflected the unilateral moratorium it observed on further nuclear testing. It believed that the call to promote signatures and ratification leading to the entry into force of the CTBT would be facilitated when major erstwhile proponents restored their support and CTBT obligations were accepted on a regional basis in South Asia. Israel, among other things, viewed completion of the verification regime as a major consideration for ratification. It added that sovereign equality must be ensured and that Middle Eastern States must adhere to and comply with the Treaty.

Abstaining, the **Syrian Arab Republic** believed that such an important treaty, with future obligations for all Member States, should not ignore the

legitimate concerns of the non-nuclear States—the majority of the world’s States—which had not been given assurances against the use or threat of use of nuclear weapons. Additionally, the Treaty did not permit access to advanced peaceful technology in all essential areas for accelerated development.

Conference on Disarmament, 2008

Nuclear disarmament

In accordance with the organizational framework agreed upon, the CD held two informal meetings on 5 and 19 February, followed by an additional session on the issue of nuclear disarmament, which was convened on 31 July under the guidance of Chile.⁵⁰ The outline for these meetings initially allowed for a general discussion and subsequently, a more in-depth exchange of views on specific topics.⁵¹

During these discussions, Canada underlined the NPT’s pivotal role in nuclear disarmament, non-proliferation and peaceful use of nuclear energy, and reiterated the view that a fissile material agreement would be a step forward in meeting the Article VI obligations of NWS. To enhance transparency, it listed five concrete proposals for: (i) regular updates by NWS on policies and doctrines; (ii) numbers and status of nuclear weapons and delivery systems by all NWS; (iii) reduction of operational readiness of nuclear weapons systems; (iv) nuclear reductions to be transparent; and (v) development of a multilateral agreement to reduce nuclear weapons.

China noted that peace and international security and a healthy international environment were the basis of nuclear disarmament, and that the United States and the Russian Federation had a special responsibility in that regard. It stressed its unconditional pledge not to use nuclear weapons against NNWS and urged other nuclear powers to follow its example.

Within the context of these discussions, on 7 February the United States organized a presentation by the Administrator of its National Nuclear Security Administration, at which time some NNWS expressed concern about certain elements introduced. Similar concerns voiced at a plenary meeting on 5 February, when a statement was made by the Defence Minister of the

⁵⁰ The Coordinators were: Juan Martabit (Chile) and Sumio Tarui (Japan) for agenda items 1 entitled “Cessation of the nuclear arms race and nuclear disarmament” and 2, “Prevention of nuclear war, including all related matters”, with a general focus on nuclear disarmament; Marius Grinius (Canada) for item 3 entitled “Prevention of an arms race in outer space”; Babacar Carlos Mbaye (Senegal) for item 4 entitled “Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons”; Petko Draganov (Bulgaria) for item 5 entitled “New types of weapons of mass destruction and new systems of such weapons; radiological weapons”; Dayan Jayatilaka (Sri Lanka) for item 6 entitled “Comprehensive programme of disarmament”; and I Gusti Agung Wesaka Puja (Indonesia) for item 7 entitled “Transparency in Armaments”.

⁵¹ See CD/1846.

United Kingdom to shift and shape the interpretation of NPT commitments, particularly those under Article VI. They also expressed their concern that greater emphasis was being placed on nuclear non-proliferation at the expense of nuclear disarmament. The Group of 21's (G-21) position on the subject was reiterated by the Syrian Arab Republic, the current Regional Group Coordinator, and supported by Algeria, Egypt, the Islamic Republic of Iran and Pakistan.

Other noteworthy announcements made to the CD included the establishment of the ICNND, which sought to shape a global consensus for the 2010 NPT Review Conference and beyond. The 15-member panel was led by former Australian and Japanese foreign ministers and comprised of former heads of State, ministers, military strategists and disarmament experts.⁵²

Finally, on 27 March, France referred to President Sarkozy's statement of 21 March, in which he set out his country's non-proliferation and disarmament policies, announced new reductions in nuclear weapons and delivery systems, and outlined an disarmament "action plan"—primarily aimed at the eight States that had declared they had conducted nuclear tests.⁵³

Fissile material for nuclear weapons and other nuclear explosive devices

Throughout the 2008 session, the majority of members, particularly from the Western Group, supported CD negotiations on a treaty to ban the production of fissile material for nuclear weapons and other nuclear explosive devices. However, as a programme of work was not accepted, the CD was unable to begin negotiating such a treaty. Notwithstanding, in accordance with the organizational framework adopted on 5 February, the Conference held two rounds of informal deliberations on 6 and 20 February on the prohibition of the production of fissile material for nuclear weapons and other nuclear explosive devices. These were convened under the chairmanship of the Coordinators for the prohibition of the production of fissile material for nuclear weapons and other nuclear explosive devices.⁵⁴ Additionally, the Conference held another round of informal deliberations on 31 July under the Presidency of the United States.

During plenary meetings and throughout the informal deliberations, many delegations reiterated the need to commence negotiations on a fissile material cut-off treaty (FMCT). They urged CD members to agree to the 2008 Presidents'⁵⁵ proposal on a programme of work,⁵⁶ and immediately commence negotiations on an FMCT without precondition.

⁵² For more information on the ICNND, see <http://www.icnnd.org/> (accessed 22 June 2009).

⁵³ See CD/1842.

⁵⁴ Op. cit., footnote 50. See also CD/PV.1087.

⁵⁵ Op. cit., footnote 3.

⁵⁶ The proposal may be found in CD/1840.

A number of dignitaries who addressed the Conference during the year expressed their support for FMCT negotiations. At the inaugural meeting of the 2008 session, the Secretary-General reiterated his full support, remarking that the talks would advance nuclear disarmament and non-proliferation objectives.⁵⁷ A high priority for the United Kingdom, Defence Secretary Des Browne called on those three States that had not taken part in last year's negotiations to do so in 2008.⁵⁸ Thomas D'Agostino, United States Administrator of the National Nuclear Security Agency, stated his country's belief that an FMCT was a desirable and achievable goal, which was why it continued to stand by the draft it had tabled in the CD in 2006.⁵⁹

During the high-level segment of the 2008 session held from 3 to 5 March, Foreign Ministers from Argentina, Iran (Islamic Republic of), Kazakhstan, Netherlands, Norway, Romania and Slovakia⁶⁰ underlined the importance of negotiating an FMCT.⁶¹ In addition, the Deputy Foreign Minister of Turkey, the Vice-Minister for Foreign Affairs of Japan, the First Deputy Minister of Foreign Affairs of Ukraine, and the Secretary of State for Foreign Affairs of Sweden highlighted the need for the CD to start negotiations.⁶²

Regional groups also offered broad support for the commencement of FMCT negotiations. On behalf of the EU, Slovenia stated that it attached clear priority to CD negotiations on an FMCT.⁶³ In his address to the Conference on 25 July, Javier Solana called on all CD members to join the emerging consensus on a work plan and start negotiations on an FMCT.⁶⁴ Other members of the Western Group, such as Australia, Canada, Japan, New Zealand and the Republic of Korea, also supported the immediate commencement of negotiations on an FMCT and urged all CD members to support a programme of work.⁶⁵ A number of Eastern European countries also expressed support for an early commencement of negotiations on an FMCT and, on behalf of the Eastern European Group, Belarus announced the Group's preparedness to join consensus on a work programme.⁶⁶

On behalf of the G-21, Sri Lanka stated that while the Group reiterated its long-standing position that total nuclear disarmament remained a priority, it was also mindful of the urgent need to address issues pertaining to fissile

⁵⁷ See CD/PV.1083.

⁵⁸ See CD/PV.1087.

⁵⁹ The draft treaty text is available in CD/1777, see also CD/PV.1088.

⁶⁰ Jorge Taiana, Manouchehr Mottaki, Marat Tazhin, Maxime Verhagen, Jonas Gahr Støre, Adrian Cioroianu and Ján Kubiš, respectively.

⁶¹ See CD/PV.1095 and CD/PV.1096.

⁶² See CD/PV.1097 and CD/PV.1098.

⁶³ See CD/PV.1084.

⁶⁴ Mr. Solana was the High Representative for the Common Foreign and Security Policy and Secretary-General of the EU Council. See CD/PV.1110.

⁶⁵ The programme of work proposal may be found in CD/1840, see also CD/P.1104, CD/1106, CD/1108, CD/PV.1109, CD/PV.1114 and CD/PV.1115.

⁶⁶ Ibid., see also CD/PV.1103.

material, the prevention of an arms race in outer space (PAROS) and negative security assurances.⁶⁷ A number of G-21 countries, such as Brazil, Colombia and South Africa, were in favour of commencing, without preconditions, FMCT negotiations.⁶⁸ India also expressed support for establishing an FMCT ad hoc committee as part of the CD's programme of work.⁶⁹ On behalf of Latin American countries, Chile supported the proposal on a programme of work.⁷⁰

In addition to the United Kingdom and the United States, other NWS expressed support for the negotiation of an FMCT. As mention above, France outlined President Sarkozy's speech of 21 March, in which he called upon eight nations that had declared they had conducted nuclear tests to commit to an eight-point "action plan". The action plan included the immediate launching of negotiations on a treaty to ban the production of fissile material for nuclear-weapons purposes and to establish without delay a moratorium on the production of such material.⁷¹ For its part, while the Russian Federation considered a treaty on PAROS as a priority issue, it noted that it would not object to negotiations on an FMCT within the CD's agreed programme of work.⁷² China stated that the CD was the only venue for negotiating an FMCT and stressed that an early agreement on a balanced and acceptable programme of work must first be agreed upon.

Despite the overwhelming support for the proposed programme of work, which would allow the Conference to start negotiations on an FMCT, the Conference did not reach a consensus during 2008. Pakistan continued to express concerns about the proposed programme, insisting that negotiations on a fissile material treaty must be conducted on the basis of the Shannon report.⁷³ It demanded that a work programme commit to negotiating a non-discriminatory, multilateral and internationally and effectively verifiable fissile material treaty with a space for addressing the question of existing and future stock. Pakistan also demanded negotiations on the core issues of nuclear disarmament, PAROS and negative security assurances, underlining the importance of a programme of work that would equally balance all four issues.⁷⁴ The Islamic Republic of Iran also maintained its support of a comprehensible and verifiable FMCT that covered existing stocks, stressing that the Shannon report govern any future negotiations.⁷⁵

⁶⁷ See CD/PV.1085.

⁶⁸ See CD/PV.1104, CD/PV.1109 and CD/1112.

⁶⁹ See CD/PV.1094 and CD/PV.1112.

⁷⁰ The programme of work proposal may be found in CD/1840, see also CD/PV.1102.

⁷¹ See CD/1842 and CD/PV.1102.

⁷² See CD/PV.1084 and CV/PV.1109.

⁷³ Available in CD/1299.

⁷⁴ Pakistan's position on CD/1840 was stated in CD/1843 and CD/1851. See also CD/PV.1108, CD/PV.1114.

⁷⁵ CD/PV.1096, CD/PV.1105.

The Conference was able to continue substantive discussions on an FMCT through all three rounds of informal deliberations. In his summary and assessment of the February deliberations, the Coordinator noted that no delegation had expressed opposition to FMCT negotiations, with many stressing the need to commence such a treaty at the earliest possible time or without delay.

The Coordinator also reported that no new positions were put forward on sub-issues, including: (a) definition; (b) scope; (c) production of fissile material for non-explosive purpose; (d) transparency; (e) stocks; and (f) compliance and verification.⁷⁶ While considering the sub-issues, the Coordinators presented relevant summary discussions held in 2006 and 2007, and several delegations reiterated comments they had made last year on controversial issues such as definition, non-explosive nuclear propulsion and verification. However, there were no new elements in the discussions. Nonetheless, the deliberations helped to reaffirm the need for FMCT negotiations and revalidated the outcome of previous agenda item discussions, which was the goal of the 2008 Presidents.

During the final part of the 2008 session, the CD President (United States) held the third round of informal meetings under the Coordinators on all seven agenda items. At the end of its Presidency, however, the United States noted with regret that the exchanges of views afforded by the meetings had failed to reach consensus on a programme of work, which was perplexing as the discussions underscored the common understanding of the CD's purpose and the importance of substantive work on its core issues—including the prompt commencement of negotiations on an FMCT.⁷⁷

While the Conference was unable to agree on a mandate to negotiate an FMCT, France, the Russian Federation, the United Kingdom and the United States recommitted themselves to the current moratoria for the production of weapon-usable fissile material.⁷⁸ A number of countries called on all NWS to declare such a moratorium.

Negative Security Assurances

Based on the organizational framework and under the guidance of Senegal,⁷⁹ the Conference held two informal meetings on 12 and 21 February, followed by an additional session on 7 August. The issue of effective international arrangements to assure NNWS against the use or threat of use of nuclear weapons was discussed whereby the coordinator drew on the previous year's work, in an effort to build on areas of consensus.⁸⁰

⁷⁶ See CD/1846, annex II.

⁷⁷ See CD/PV.1113.

⁷⁸ See CD/PV.1087, CD/PV.1088 and CD/PV.1102.

⁷⁹ Babacar Carlos Mbaye was the Coordinator.

⁸⁰ See CD/1846.

The deliberations revealed that most positions remained unchanged. Some delegations believed that the existing frameworks, such as Security Council resolutions and NWFZs, sufficiently addressed the objective. Others, however, supported a new legally binding instrument, arguing that the existing guarantees were inadequate.

Radiological weapons

The issue of radiological weapons had been on the CD agenda since 1979. In accordance with the organizational framework agreed upon on 5 February, and under the guidance of Bulgaria,⁸¹ the Conference held two informal meetings on 13 and 29 February, followed by an additional session on 7 August on “New types of WMD and new systems of such weapons; radiological weapons”.⁸²

During the discussions, delegations validated the outcome of the 2007 CD meetings. While a number of delegations underscored the continued relevance of this agenda item, particularly considering the threat of dirty bombs by non-State actors, most agreed that it was not a key issue to be addressed by the Conference and priority should be given to the core issues on its agenda.

Consequently, no specific issues or new proposals were raised during the proceedings in 2008.

Bilateral agreements and other issues

United States–India Agreement for Peaceful Nuclear Cooperation

On 1 October, the United States Congress approved the Agreement for Peaceful Nuclear Cooperation⁸³ with India, which was subsequently signed by both States on 10 October. This was made possible through the IAEA Board of Governor’s approval of the India-specific Safeguards Agreement given on 1 August and the exception the Nuclear Suppliers Group (NSG)⁸⁴ granted to its full-scope safeguards requirements on 6 September.

⁸¹ Petko Draganov was the Coordinator.

⁸² See CD/1846.

⁸³ See the United States Department of State press release of 18 September 2008, available at <http://foreign.senate.gov/hearings/2008/hr080918p.html>. See also the website of the Senate Committee on Foreign Relations available at <http://foreign.senate.gov/hearings/2008/hr080918p.html> (accessed 25 June 2009).

⁸⁴ Participating Governments in the NSG: Argentina, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Canada, China, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Kazakhstan, Republic of Korea, Latvia, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom and United States.

The IAEA Board of Governors approved by consensus an “Agreement between the Government of India and the IAEA for the Application of Safeguards to Civilian Nuclear Facilities”,⁸⁵ which required the IAEA to verify that certain nuclear material and facilities declared by India were used only for peaceful purposes. Under the agreement, India can add facilities over time to come under IAEA safeguards.

After addressing a series of questions concerning the United States draft proposal, the NSG also reached a consensus agreement to adopt the “Statement on Civil Nuclear Cooperation with India”,⁸⁶ thus enabling the necessary exception to its full-scope safeguards requirements that would allow civil nuclear trade with India.

In the NSG Statement, the Participating Governments declared their desire to contribute to the effectiveness, integrity and widest possible implementation of the provisions and objectives of the NPT. They further noted that India had: (a) decided to separate its civilian nuclear facilities; (b) concluded negotiations with the IAEA for the application of safeguards to civilian nuclear facilities; (c) committed to the Additional Protocol, which would harmonize its export control guidelines with those of the NSG; and (d) continued its unilateral moratorium on nuclear testing. On that basis, the NSG agreed to adopt and implement a policy on civil nuclear cooperation by the Participating Governments with the IAEA-safeguarded Indian nuclear programme. This would allow the Participating Governments to transfer trigger-list items and/or related technology, nuclear-related dual-use equipment, materials, software and related technology to India for peaceful purposes and for use in IAEA safeguarded facilities, provided that the transfer satisfied all other provisions of the NSG revised guidelines.⁸⁷

Russian Federation and United States framework for strategic cooperation

The United States–Russia Strategic Framework Declaration was signed by both States on 6 April to set forth a foundation for strategic cooperation between the two countries.⁸⁸ Areas identified in the Declaration included steps to: (a) promote security in the face of new and emerging threats; (b) prevent the spread of WMD; (c) combat global terrorism; and (d) advance economic cooperation. The countries agreed, inter alia, to develop a legally binding

⁸⁵ See IAEA website at <http://www.iaea.org/NewsCenter/News/2008/board010808.html> (accessed 23 June 2009).

⁸⁶ See IAEA website at <http://www.iaea.org/Publications/Documents/Infocircs/2008/infocirc734c.pdf> (accessed 24 June 2009).

⁸⁷ See also United States delegations fact sheet to the CD of 12 September 2008, available at <http://geneva.usmission.gov/CD/updates/0912UsIndia.html> (accessed 24 June 2009).

⁸⁸ The Declaration is available at <http://moscow.usembassy.gov/sochi-declaration-040608.html> (accessed 24 June 2009).

arrangement following the expiration of START⁸⁹ on 9 December 2009 and in connection with the Intermediate-Range Nuclear Forces Treaty.⁹⁰ The States aimed to engage in a high-level dialogue to analyse and address intermediate and shorter-range missile threats and inventory options. Furthermore, they agreed to intensify dialogue on issues concerning bilateral and multilateral missile defence cooperation, and to continue cooperation on preventing the spread of WMD and on combating global terrorism.

Democratic People's Republic of Korea (DPRK)

As per the Six-Party Joint Statement⁹¹ of 19 September 2005, work continued under the Six-Party Talks to achieve the verifiable denuclearization of the Korean Peninsula.⁹² The DPRK continued work towards disabling all existing nuclear facilities under the 3 October 2007 agreement on "Second-Phase Actions for the Implementation of the Joint Statement".⁹³

As part of the denuclearization process, in May the DPRK submitted to the United States for review approximately 18,000 pages of documentation on its nuclear programmes, including operating records for the reprocessing plant at Yongbyon dating back to 1986. Furthermore, on 26 June, the DPRK provided a declaration of its nuclear programmes to China,⁹⁴ addressing both its plutonium programme and concerns about uranium enrichment and nuclear proliferation activities.⁹⁵ In a reciprocal gesture, President Bush announced that he would terminate the exercise of authorities under the Trading with the Enemy Act with respect to the DPRK. He notified Congress of his intention to rescind designation of the DPRK as a State Sponsor of Terrorism following the 45-day Congressional notification period. During that time, the United States would assess the cooperation of the DPRK and attempt to reach agreement on a verification protocol. The DPRK also received energy assistance in accordance with agreements on First and Second-Phase Actions for the implementation of the Joint Statement.⁹⁶

⁸⁹ The Treaty is available at <http://www.state.gov/www/global/arms/starthtm/start/toc.html> (accessed 24 June 2009).

⁹⁰ The Treaty is available at <http://www.state.gov/www/global/arms/treaties/inf1.html> (accessed 24 June 2009).

⁹¹ The Six Parties are China, Democratic People's Republic of Korea, Japan, Republic of Korea, the Russian Federation and the United States.

⁹² The Statement is available on the website of the China's Ministry of Foreign Affairs at <http://www.fmprc.gov.cn/eng/zxxx/t212707.htm> (accessed 11 June 2009).

⁹³ The Statement is available on the website of the China's Ministry of Foreign Affairs at <http://www.fmprc.gov.cn/eng/zxxx/t369084.htm> (accessed 26 June 2009).

⁹⁴ At that time, China chaired the Six-Party Talks.

⁹⁵ See the article on the Secretary-General's response "DPR Korea's submission of its nuclear declaration 'very encouraging'" of 26 June 2008, available at <http://www.un.org/apps/news/story.asp?NewsID=27174&Cr=DPRK&Cr1=>.

⁹⁶ See the United States delegations fact sheet to the CD of 26 June 2008, available at <http://www.us-mission.ch/CD/updates/0626SST.html> (accessed 26 June 2009).

In July, the DPRK demolished the cooling tower of its experimental nuclear power plant. However, as negotiations continued on a verification plan for its nuclear programme, the United States asserted that it would not remove the DPRK from its list of State Sponsors of Terrorism until such a plan was complete. On 18 August, the IAEA was informed that the DPRK had decided to suspend disabling activities at that nuclear reactor site and, by month's end, commented that it would consider restoring its plutonium-producing facility over the perceived failure of the United States to fulfil its side of the "action-for-action" agreement. On 23 September, the DPRK informed the IAEA that its inspectors would have no further access to its reprocessing plant, from which agency seals had already been removed, and stated its intent to introduce nuclear material back into the plant (see also p. 28).⁹⁷

In early October, intense negotiations between the United States and DPRK led to an agreement on verification measures, which would serve as the baseline for a Verification Protocol to be finalized and adopted by the Six Parties. This further led to the removal of DPRK from the United States list of State Sponsors of Terrorism shortly after. Accordingly, the DPRK restored the access of IAEA inspectors to its nuclear facilities and confirmed that it would resume its disablement activities.

However, new complications arose towards the end of the year. DPRK claimed it had not agreed to sampling as one of the verification measures and argued that that would be a breach of its sovereignty. Consequently, the last round of the Six-Party Talks ended in early December in Beijing without agreement on nuclear verification measures.

Missile defence system in Europe

Plans for stationing a missile defence system in Europe were further consolidated when the United States and the Czech Republic issued a Joint Statement on 3 April announcing the completion of negotiations on a missile defence agreement that called for the stationing of a ballistic missile-tracking radar in the Czech Republic.⁹⁸ On 20 August, Secretary of State Condoleezza Rice and Poland's Foreign Minister Radoslaw Sikorski signed the "Agreement between the Government of the United States of America and the Government of the Republic of Poland Concerning the Deployment of Ground-Based Ballistic Missile Defense Interceptors in the Territory of the Republic of Poland".⁹⁹ The legally binding Agreement called for the establishment and operation of a United States BMD interceptor facility in Poland.

⁹⁷ See <http://www.iaea.org/NewsCenter/PressReleases/2008/prn200813.html> (accessed 26 June 2009).

⁹⁸ See the website of the United States Embassy in Prague, available at http://prague.usembassy.gov/joint_statement_by_the_united_states_and_the_czech_republic.html (accessed on 26 June 2009).

⁹⁹ See the United States Diplomatic Mission to Warsaw Fact Sheet, available at http://poland.usembassy.gov/poland/official_texts_and_speeches/official-text-and-speeches-2008/fact-

These plans were strongly criticized by the Russian Federation, which expressed concerns over such an establishment and declared its intention to deploy countermeasures should the missile defence system become reality. In his speech to the Federal Assembly on 5 November, President Medvedev stated that measures would be taken to “effectively counter the persistent and consistent attempts of the current American administration to install new elements of a global missile defense system in Europe”, such as deploying the Iskander missile system in the Kaliningrad Region, as well as electronic jamming of the new installations for the United States missile defence system.¹⁰⁰

International Atomic Energy Agency verification

A major pillar, the Agency’s verification programme provides assurances to the international community regarding the peaceful use of nuclear material and facilities. It therefore remains at the core of multilateral efforts to curb the proliferation of nuclear weapons.¹⁰¹

Strengthened safeguards system

Safeguards agreements, additional protocols and small quantities protocols

Safeguards agreements and additional protocols are the principal legal instruments for the IAEA’s verification activities. Therefore, the entry into force of such instruments continues to be key to an effective and efficient IAEA safeguards system. During 2008, a comprehensive safeguards agreement (CSA) pursuant to the NPT was signed with Montenegro, and a CSA was approved by the IAEA Board of Governors for Qatar. In addition, the Board approved an INFCIRC/66-type safeguards agreement for India. At the end of the year, 163 States had safeguards agreements in force with the IAEA. Thirty NNWS party to the NPT had yet to bring into force a CSA with the IAEA, as required under Article III of the NPT.

Additional protocols (APs) to safeguards agreements were signed by Côte d’Ivoire, Iraq and Montenegro, and entered into force for Guatemala and Singapore. The Board of Governors also approved draft additional protocols for Iraq, Lesotho, Swaziland and Zambia. Safeguards agreements and additional protocols are approved by the Board before they can be signed and brought into force. Overall, 119 States had signed APs and 88 had brought

sheet-ballistic-missile-defense-agreement-between-the-united-states-and-the-republic-of-poland-20-august-2008.html (accessed on 26 June 2009).

¹⁰⁰ The speech is available in English at http://www.kremlin.ru/eng/speeches/2008/11/05/2144_type70029type82917type127286_208836.shtml (accessed 26 June 2009).

¹⁰¹ For a description, see the *Safeguards System of the International Atomic Energy Agency*, http://www.iaea.org/OurWork/SV/Safeguards/safeg_system.pdf (accessed 29 June 2009).

APs into force by the end of 2008.¹⁰² The measures provided for under APs significantly increase the IAEA's ability to verify the correctness and completeness of a State's declarations under its CSA.

Small quantities protocols (SQPs) to CSAs were amended for eight States.¹⁰³ Such amendments were concluded in the context of the Board of Governors' September 2005 decisions on SQPs and allow for the application of more safeguards measures in States with limited nuclear material and activities.

The conclusion of such legal instruments was the focus of outreach and training by the IAEA Secretariat throughout 2008.¹⁰⁴ Events included: (a) an interregional seminar for States with SQPs conducted in Vienna in February 2008; (b) two briefings held in Geneva in May 2008 in the margins of the second session of the Preparatory Committee for the 2010 Review Conference of the Parties to the NPT; and (c) a regional seminar conducted in Santo Domingo in July for States in the Greater Caribbean with limited nuclear material and activities. Consultations on the amendment of SQPs and the conclusion of safeguards agreements and APs were also held throughout the year with representatives from member and non-member States in Vienna, as well as during international safeguards training courses held in the United States in May and in Mexico in July.

The number of States where integrated safeguards are applied also increased in 2008.¹⁰⁵

Safeguards conclusions for 2008

At the end of each year, the Agency draws a safeguards conclusion for each State with a safeguards agreement in force—based upon the evaluation of all information available to it for that year. For a broader conclusion to be drawn that all nuclear material remained in peaceful activities, both a CSA and an AP must be in force, and the Agency must have been able to conduct all necessary verification and evaluation activities. For States that have CSAs in force but no APs, the Agency does not have sufficient tools to draw credible safeguards conclusions regarding the absence of undeclared nuclear material and activities. For such States, the Agency draws a safeguards conclusion, for a given year, with respect to whether declared nuclear material remained in peaceful activities.

¹⁰² For more information, see *Safeguards Statement for 2008, Background to Safeguards Statement and Executive Summary of the Safeguards Implementation Report for 2008*, available at www.iaea.org (accessed 29 June 2009).

¹⁰³ Benin, Burkina Faso, Croatia, Madagascar, Malawi, Mauritius, Monaco and Singapore.

¹⁰⁴ For additional information, see the *Plan of Action to Promote the Conclusion of Safeguards Agreements and Additional Protocols*, available at http://www.iaea.org/OurWork/SV/Safeguards/sg_actionplan.pdf (accessed 30 June 2009).

¹⁰⁵ Integrated safeguards are the optimum combination of all safeguards measures available to the IAEA under CSAs and APs.

For those States for which the broader conclusion has been drawn and a State-level integrated safeguards approach has been approved, the Secretariat is able to implement integrated safeguards to achieve maximum effectiveness and efficiency in meeting the Agency's safeguards obligations.

In 2008, safeguards were applied for 163 States with safeguards agreements in force with the Agency. Eighty-four States had both CSAs and APs in force. For 51 of these States, the Agency concluded that all nuclear material remained in peaceful activities. For 33 of the States, the Agency had not yet completed all the necessary evaluations under their APs, and concluded that the declared nuclear material remained in peaceful activities. For 70 States with CSAs in force but without APs, the Agency was able to draw the conclusion that declared nuclear material remained in peaceful nuclear activities.¹⁰⁶

For three States that had safeguards agreements based on INFCIRC/66/Rev.2¹⁰⁷ in force in 2008, the Secretariat concluded that the nuclear material, facilities or other items to which safeguards were applied remained in peaceful activities. Safeguards were also implemented with regard to declared nuclear material in selected facilities in four of the five NWS, all of which have voluntary-offer safeguards agreements in force. For these four States, the Agency concluded that nuclear material to which safeguards were applied in selected facilities remained in peaceful activities or was withdrawn as provided for in the agreements.

The Secretariat could not draw any safeguards conclusions for 30 NPT NNWS without safeguards agreements in force.

Integrated safeguards were implemented during 2008 in 25 States, while implementation began in another seven States. In addition, integrated safeguards approaches were developed and approved for three States.

Implementation of safeguards

In the DPRK, the Agency implemented monitoring and verification measures related to the shutdown of the Yongbyon nuclear facilities and one facility at Taechon. These activities were partially discontinued at the request of the DPRK from 22 September to 13 October, resulting in a lack of access for Agency inspectors to the Yongbyon facilities and in the removal of Agency seals and surveillance equipment at the Radiochemical Laboratory. On 14 October, the Agency resumed its activities as envisaged in the ad hoc monitoring and verification arrangements. The Agency found no indication that these facilities had resumed operation during that period of time. The

¹⁰⁶ The 70 States did not include DPRK, as the Agency was not able to implement safeguards in that State and, therefore, could not draw any conclusion.

¹⁰⁷ See INFCIRC/66/Rev.2, available at <http://www.iaea.org/Publications/Documents/Infcircs/Others/inf66r2.shtml> (accessed 29 June 2009).

IAEA General Conference adopted resolution GC(52)/RES/14, on 4 October, entitled “Implementation of the NPT safeguards agreement between the Agency and the Democratic People’s Republic of Korea”.¹⁰⁸ The resolution, inter alia, supported the continuation of monitoring and verification activities by the Agency at the Yongbyon nuclear facilities as agreed to in the Six-Party Talks and acknowledged the Agency’s activities in relation to the disablement process. It also stressed the essential verification role of the Agency and called upon the DPRK to come into full compliance with the NPT.

During 2008, the Director General submitted four reports to the Board of Governors on the implementation of the Islamic Republic of Iran’s NPT safeguards agreement and relevant United Nations Security Council resolutions. The Agency was able to verify the non-diversion of the declared nuclear material in Iran in 2008. As Iran had not provided the information and access that would have allowed the Agency to make progress on a number of outstanding issues related to Iran’s past nuclear activities, and Iran had not implemented its additional protocol, the Agency remained unable to draw a conclusion regarding the absence of undeclared nuclear material and activities in Iran. Contrary to the decisions of the Security Council, Iran did not suspend its uranium enrichment-related activities and continued its heavy water-related projects.

In 2008, the Director General submitted a report to the Board of Governors on the implementation of the Syrian Arab Republic’s NPT safeguards agreement. In April 2008, the Agency was provided with information alleging that an installation destroyed in 2007 by Israel at Dair Alzour, Syria, had been a nuclear reactor. Syria has stated that the Dair Alzour site was a military site and was not involved in any nuclear activities. The destruction of the building and the subsequent removal of the debris made the Agency’s verification work quite difficult and complex. The Agency held discussions with Syria in Damascus and visited the Dair Alzour site in June. At the end of 2008, the Agency’s verification work in Syria was continuing.

Peaceful uses of nuclear energy

Assurances of supply of nuclear fuel

Several proposals on assurance of nuclear fuel supply made considerable progress in 2008.¹⁰⁹

In September 2006, the Nuclear Threat Initiative (NTI) announced at a Special Event on the Nuclear Fuel Cycle, which was held at the IAEA, that it would contribute \$50 million to the Agency to help create low-enriched

¹⁰⁸ The resolution is available at http://www.iaea.org/About/Policy/GC/GC52/GC52Resolutions/English/gc52res-14_en.pdf (accessed 30 June 2009).

¹⁰⁹ For an update, see: <http://www.iaea.org/NewsCenter/News/2009/fbankmilestone.html> (accessed 30 June 2009).

uranium (LEU) stockpiles in support of the IAEA's efforts to establish mechanisms for non-discriminatory, non-political assurances of supply of fuel for nuclear power plants. NTI's contribution was contingent on two conditions, provided they were both met within the next two years: (a) that the IAEA takes the necessary actions to approve establishment of this reserve; and (b) that one or more Member States contribute an additional \$100 million in funding or an equivalent LEU value. Every other element of the arrangement—its structure, its location, the conditions for access—would be up to the IAEA and its member States to decide.

In August, the NTI extended the deadline to the end of September 2009 for the IAEA and its member States to raise the money. At the end of December 2008, financial pledges and contributions were as follows: Norway \$5 million, United Arab Emirates \$10 million, United States \$50 million, and the European Union €25 million.

During the year, the IAEA continued supporting the Russian Federation in its endeavours to establish a guaranteed reserve of 120 tons of LEU, to be used by IAEA member States, which would be located in Angarsk, Russian Federation. The material would be placed under Agency safeguards upon the establishment of the reserve and would be provided to member States upon the IAEA Director General's request in conformity with the eligibility criteria to be established by the Agency's Board of Governors.

Germany refined its proposal for a Multilateral Enrichment Sanctuary Project (MESP).¹¹⁰ The proposal envisages the MESP as a new enrichment venture that would: (a) be established by a group of interested States (to be determined); (b) be located in an area (to be determined) administered by the IAEA; (c) be based on URENCO¹¹¹ centrifuge technology while preserving the principle of no transfer of enrichment technology; and (d) operate on regular market conditions. Agreed criteria would serve as the basis for the release of deliveries of LEU to consumer States. For a further assurance of supply, a buffer stock of LEU would be established for the use of IAEA member States on conditions determined by the IAEA Board of Governors.

Nuclear safety and security (IAEA)

Nuclear Security Programme 2006-2009

In 2002, the IAEA strengthened its programmes for helping member States to combat the risk of nuclear terrorism. As part of this effort, the IAEA's second Nuclear Security Plan (NSP), approved by the Board of Governors

¹¹⁰ See INFCIRC/727 (30 May 2008) and INFCIRC/735 (25 September 2008), available at www.iaea.org (accessed 30 June 2009).

¹¹¹ URENCO is an international energy and technology group that manufactures enriched uranium for nuclear power utilities worldwide.

in September 2005, came into operation in 2006 and will run until 2009.¹¹² The areas of implementation consist of needs assessments and information, prevention and detection and response activities. The NSP continues to be almost exclusively funded through extrabudgetary resources. The priority accorded to nuclear security activities by member States and others is reflected in the continued funding provided by a range of donor States and other organizations.

The responsibility for nuclear security rests entirely with each individual State. International legal instruments provide a strategic framework and a common platform for States to work together to enhance their collective nuclear security. During 2008, the IAEA continued to assist national efforts in enhancing nuclear security through prevention measures—comprising both protection and risk reduction components—and detection and response measures. The IAEA helped Member States to identify nuclear security needs through evaluation missions that were based upon the relevant international legal instruments and IAEA guidelines and recommendations.

International nuclear security framework

As referred to in prior IAEA reports on nuclear security,¹¹³ the nuclear security framework is recognized as the combination of internationally binding and non-binding legal instruments together with IAEA nuclear security guidance. This legal framework, together with measures to facilitate its implementation—for example training, information exchange, legislative assistance and capacity-building—constitute the nuclear security regime.

The binding international instruments relevant to nuclear security include: (a) the Convention on the Physical Protection of Nuclear Material and its Amendment;¹¹⁴ (b) the International Convention for the Suppression of Acts of Nuclear Terrorism;¹¹⁵ (c) Safeguards Agreements and Additional Protocols;¹¹⁶ and (d) UNSCRs 1373 (2001), 1540 (2004) and 1673 (2006).¹¹⁷ The non-binding international instruments are the code of conduct on the safety and security of radioactive sources and supplementary guidance on the import and export of radioactive sources. In addition, the document entitled “The Physical Protection of Nuclear Material and Nuclear Facilities”, published

¹¹² The *IAEA Nuclear Security Plan for 2006-2009* is available at: http://www-ns.iaea.org/security/NSP_2009.htm (accessed 30 June 2009).

¹¹³ See GOV/2008/35-GC(52)/12 (22 August 2009).

¹¹⁴ The Treaty text and status of adherence are available on the website of the United Nations Treaty Collection at <http://treaties.un.org/>.

¹¹⁵ Ibid.

¹¹⁶ See IAEA website for further information, available at http://www.iaea.org/Publications/Factsheets/English/sg_overview.html (accessed 1 July 2009).

¹¹⁷ S/RES/1373 (2001) was adopted by the Security Council on 28 September 2001, S/RES/1540 (2004) was adopted by the Security Council on 28 April 2004 and S/RES/1673 (2006) on 27 April 2006.

as INFCIRC/225/Rev.4,¹¹⁸ contains recommendations for physical protection that States implement on a voluntary basis. It provides a comprehensive basis for guiding States on the requirements that should be met by systems for the physical protection of nuclear material and facilities.

**Status of international instruments related to nuclear security
(31 December 2008)**

<i>Instrument</i>	<i>Binding</i>	<i>States in-force</i>
Convention on the Physical Protection of Nuclear Material	Yes	137
Amendment to the Convention on the Physical Protection of Nuclear Material	Yes	22
Code of Conduct on the Safety and Security of Radioactive Sources	No	93
Code of Conduct Supplementary Guidance	No	51
International Convention for the Suppression of Acts of Nuclear Terrorism	Yes	47

IAEA Nuclear Security Series (NSS)

During 2008, the IAEA published three documents as part of its Nuclear Security Series. The first, Nuclear Security Culture (NSS-7), provides introductory, implementing guidance on the nuclear security culture for a broad audience of Member States' stakeholder organizations, institutions and individuals involved in activities utilizing nuclear or other radioactive material and those who would be called upon to respond to an incident involving radioactive material or its associated facilities, including its transport. The second, Preventive and Protective Measures Against Insider Threats (NSS-8), provides general technical guidance to States' competent authorities and operators on prevention of and protection against insider threats, which can involve outsiders, insiders or both in collusion. The third document, Security in the Transport of Radioactive Material (NSS-9), provides States with guidance for implementing, maintaining or enhancing a nuclear security regime to protect radioactive material, including nuclear material, while in transport against theft, sabotage or other malicious acts that could, if successful, have unacceptable radiological consequences.¹¹⁹

¹¹⁸ See INFCIRC/225/Rev.4, available at http://www.iaea.org/Publications/Documents/Infcircs/1999/infcirc225r4c/rev4_content.html (accessed 1 July 2009).

¹¹⁹ Further information on the Nuclear Security Series is available at http://www-ns.iaea.org/security/nuclear_security_series.htm (accessed 1 July 2009).

Nuclear security peer reviews

Throughout the year, IAEA continued to offer, inter alia, fact-finding missions to help States assess the status of their technical and administrative arrangements. In this regard, 21 nuclear security missions focused on: (a) States' physical protection of nuclear and other radioactive material, including that in non-nuclear applications, and associated facilities and transports; (b) nuclear security legislative and regulatory frameworks; (c) detection and response to the illicit trafficking of nuclear and other radioactive material; (d) planning and preparedness for nuclear security at major public events; and (e) planning and preparedness for responding to nuclear security incidents and emergencies.¹²⁰

Technical assistance and upgrades

During 2008, the IAEA provided technical support to help strengthen the "first line of defence" of nuclear and other radioactive material by assisting in upgrading, or preparing to upgrade, the physical protection at nuclear facilities in 12 States and the physical protection of radioactive material in nine. More than 600 disused radioactive sources of various categories were packaged, conditioned and either sent back to the supplier or brought to safe and secure storage. The Agency provided 24 States with 592 items of equipment to improve detection and response capabilities. Through the Border Monitoring Working Group,¹²¹ the Agency coordinated: (a) the training of officers and the sharing of lecturers and training facilities; (b) the development of joint training courses and syllabi; and (c) the standardization of monitoring equipment procurement specifications. The Agency's Nuclear Security Equipment Laboratory (NSEL)¹²² helped to ensure that border detection instruments met relevant technical and functional specifications by conducting acceptance tests on 689 portable and two fixed installed radiation detection instruments, and by evaluating 31 new detection systems. In 2007, the Agency was concerned about a 27 per cent rejection rate of equipment tested by NSEL. To address the matter, a comprehensive strategy to improve the quality of procured equipment was developed and, as a result, the rate of rejection was reduced to 5 per cent in 2008.

¹²⁰ Further information on the nuclear security missions is available at <http://www.iaea.org/NewsCenter/Focus/NuclearSecurity/> (accessed 1 July 2009).

¹²¹ The Group was created in 2005 by the IAEA, the EU's Joint Research Centre and the Department of Energy Second Line of Defense Program to coordinate efforts in strengthening the global capacity to combat the illicit trafficking of nuclear and other radioactive materials.

¹²² The NSEL was established in 2003 to support the procurement of equipment and to perform acceptance tests and maintenance for various equipment projects.

Nuclear security human resource development

Throughout 2008, the IAEA prioritized the development of nuclear security education mechanisms and continued to expand efforts to improve, through human resource development, nuclear security information and coordination. To this end, three regional workshops on illicit trafficking information and two regional workshops on information and computer security were conducted. To strengthen States' capacities in the area of prevention, the IAEA convened 14 national and 16 regional training events in the area of physical protection of nuclear material in use, storage and transport and associated facilities, including State systems of accounting for and control of nuclear material. More than 750 participants from more than 90 States received prevention training. The IAEA also provided training to enhance States' capabilities for detecting, interdicting and responding to illegal acts involving nuclear and other radioactive material and associated facilities. Eighteen national, 12 regional and 3 international training courses of this kind were convened for in excess of 870 individuals from more than 80 States.

The IAEA provided assistance to Brazil, Malaysia, Morocco and Tanzania on establishing a Nuclear Security Support Centre (NSSC)¹²³ in each State and continued to support Pakistan by providing nuclear security training courses through the established NSSC. The IAEA also continued cooperation with and support to educational programmes at Sevastopol National University of Nuclear Energy and Technology in Ukraine and at the Interdepartmental Special Training Centre, Obninsk, in the Russian Federation. Jointly with the Saudi Arabia's Naif Arab University for Security Services, the IAEA started implementing the practical arrangements for enhancing cooperation and training on nuclear security issues.

Nuclear security at major public events

IAEA helped States to meet nuclear security challenges associated with major public events by providing assistance in the form of information, detection equipment and the training of staff. It also facilitated peer-based sharing of knowledge and expertise. The Agency provided the China Atomic Energy Authority with nuclear security assistance at the 2008 Olympic Games in Beijing through field exercises, training and the supply, or loan, of over 200 pieces of detection instrumentation. IAEA also provided similar assistance to Peru in ensuring the nuclear security of the Fifth Latin American and Caribbean–European Union Summit from 16 to 17 May. The IAEA began initial discussions on nuclear security for future events, including the 2010 Shanghai EXPO in China, the 2010 World Cup in South Africa, the 2012 Olympics in the United Kingdom and the 2012 Eurocup in the Ukraine.

¹²³ The NSSC aims to: (a) help bring about States' sustainable competencies in nuclear security; (b) enable States to improve their nuclear security regimes; and (c) foster more effective maintenance of these regimes through a systematic, business-oriented approach.

Illicit Trafficking Database

The IAEA Illicit Trafficking Database (ITDB)¹²⁴ programme contains data from 1993 onwards with currently 103 IAEA member States and one non-member State voluntarily participating. As of 31 December, States had reported or otherwise confirmed 1,562 incidents to the database. Of these, 336 involved the illegal possession or attempts to illegally possess nuclear material or radioactive sources, some of which involved attempts to sell or smuggle across borders. Of particular concern were 15 incidents involving the unauthorized possession of highly enriched uranium and plutonium. Material thefts and losses accounted for 421 reported incidents, in which the majority of the stolen or lost material had not been reported as recovered. Seven hundred and twenty-four incidents involved the recovery or discovery of uncontrolled or orphan material, unauthorized disposals and other unauthorized activities. Regarding the remaining 81 cases, there was insufficient information to categorize the incident. The continued reporting by States to the ITDB of incidents—whether criminal, unauthorized or inadvertent in nature—points to the need for further improvement to control and secure nuclear and other radioactive material, wherever used or located, and the capabilities to detect illicit trafficking and other unauthorized acts involving such material.

Export controls

Nuclear Suppliers Group

The eighteenth Plenary Meeting of the Nuclear Suppliers Group (NSG) took place in Berlin from 22 to 23 May. Germany's State Secretary Georg Boomgaarden made an opening statement on behalf of the his Government and the meeting was chaired by Viktor Elbling of the Federal Foreign Office.

The aim of the NSG, which currently has 45 Participating Governments¹²⁵ and the European Commission as a permanent observer, is to prevent nuclear weapons proliferation by implementing, on a national basis, export controls of nuclear and nuclear-related material, equipment, software and technology. This is set about without hindering international cooperation on the peaceful uses of nuclear energy.

¹²⁴ For additional information, see the IAEA fact sheet on illicit trafficking and other unauthorized activities involving nuclear and radioactive materials available at: http://www-ns.iaea.org/downloads/security/ITDB_Fact_Sheet_2007.pdf (accessed 1 July 2009).

¹²⁵ Argentina, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Canada, China, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Kazakhstan, Republic of Korea, Latvia, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom and United States.

The NSG also met in Vienna from 4 to 6 September to continue discussions on a United States draft proposal for civil nuclear cooperation with India. During the meeting, the Participating Governments exchanged views, addressed a series of questions on the draft and adopted by consensus the Statement on Civil Nuclear Cooperation with India (see also p. 22 of this chapter).

The next regular Plenary Meeting of the NSG will take place in 2009 in Hungary.

Missile-related issues

Missile Technology Control Regime

The Missile Technology Control Regime (MTCR) held its 23rd Plenary Meeting in Canberra from 5 to 7 November to review its activities and further strengthen the efforts of Partner countries¹²⁶ to prevent missile proliferation. The Plenary was opened by Michael L'Estrange, Secretary of Australia's Department of Foreign Affairs and Trade, and chaired by John Quinn, Australian Department of Foreign Affairs and Trade.

MTCR Partners discussed the proliferation of WMD and their means of delivery that constituted a threat to international peace and security. They recognized that more must be done to discourage WMD means-of-delivery programmes and proliferation activities. Special emphasis was placed on particular challenges posed by missile proliferation in Northeast Asia, South Asia and the Middle East.

The Partners exchanged information, discussed export control challenges and reaffirmed their determination to strengthen MTCR controls to meet existing and emerging proliferation threats, including those posed by rapid technological change.

The Partners discussed a number of proposals to maintain the accuracy and comprehensiveness of MTCR controls and agreed on changes to the list of controlled goods. It also agreed on measures to be implemented on a national level to improve the effectiveness of MTCR controls.

The Partners noted the direct relevance of Security Council resolutions, inter alia, 1718 (2006), 1737 (2006), 1747 (2007), 1803 (2008) and 1835 (2008),¹²⁷ to MTCR export controls. They expressed their determination to implement the resolutions, to exercise vigilance and to prevent the transfer

¹²⁶ Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Russian Federation, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom and United States.

¹²⁷ See S/RES/1718 (2006), adopted by the Security Council on 14 October 2006, S/RES/1737 (2006), adopted by the Security Council on 27 December 2006 and S/RES/1747 (2007),

of any items, materials, goods and technology that could contribute to WMD missile proliferation programmes, in accordance with their national legislation and consistent with international law.

More broadly, the Partners reiterated their support for the implementation of UNSCR 1540 (2004),¹²⁸ which called on all States to establish effective national export controls to prevent WMD proliferation, their means of delivery and related materials. The Partners also agreed that the MTCR Chair should continue to pursue contact with the 1540 Committee.

The MTCR Partners encouraged States that were not members to apply MTCR guidelines and control lists. They confirmed their intention individually and through the outreach activities of the Chair to consult and cooperate with non-members to promote effective controls over missiles and missile technology. The current Chair was mandated to conduct outreach activities with a diverse range of non-member States.

The Partners also welcomed Brazil's offer to host the next Plenary Meeting in the second half of 2009 and to serve as Chair for the subsequent term of office.¹²⁹

The Hague Code of Conduct against Ballistic Missile Proliferation (HCOC)

The Subscribing States¹³⁰ held their Seventh Regular Conference in Vienna from 29 to 30 May. The Conference discussed, inter alia, the

adopted by the Security Council on 14 October 2007. The texts of 1803 (2008) and 1835 (2008) are available in appendix IV of this volume.

¹²⁸ See S/RES/1540 (2004), adopted by the Security Council on 28 April 2004.

¹²⁹ Further information available at <http://www.mtc.info/english/press/canberra.html> (accessed 1 July 2009).

¹³⁰ By the end of 2008, HCOC had 130 subscribing States: Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, Colombia, Comoros, Cook Islands, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Latvia, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Marshall Islands, Mauritania, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sudan, Suriname, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of) and Zambia.

strengthening of confidence-building measures (CBMs), such as pre-launch notifications and annual declarations of ballistic missiles, space-launch vehicles and the importance of outreach activities to foster HCOC universalization, and thereby increase the number of Subscribing States.

The Chairperson of the Conference, Györgyi Martin Zanathy (Hungary), expressed her commitment to uphold the principles of the Code to promote its universalization and enhance its full implementation by all Subscribing States. She highlighted the need to strengthen ties with the United Nations, as an integral part of the universal non-proliferation architecture, and pledged to carry on HCOC outreach activities.

In 2008, four new countries became Subscribing States: the Dominican Republic, Maldives, San Marino and Samoa. The Conference concluded by deciding that the Eighth Regular Conference would be held in Vienna from 28 to 29 May 2009 under the chairmanship of Costa Rica.

Panel of Governmental Experts on the Issue of Missiles in All Its Aspects

Following the study undertaken by the Panel of Governmental Experts on Missiles in All Its Aspects, the General Assembly in 2004¹³¹ requested the Secretary-General to further explore the issue, with the assistance of the Panel to be established in 2007, and to submit a report to the General Assembly for consideration at its sixty-third session. The Panel held its second and third sessions from 25 to 29 February and 2 to 6 June, respectively. During those sessions, it conducted comprehensive, constructive and in-depth discussions on all aspects of the issue, including the peaceful uses of missile technology, export controls, missile defence, global and regional security implications of missiles, missile-relevant CBMs, and a possible United Nations role for addressing the issue.

At the conclusion of its third and final session in June, the Panel adopted a consensus report concluding, among other things, that in the interest of international peace and security, continued international efforts were important to deal with the increasingly complex issue of missiles. The Panel also emphasized the value of further deliberations on the issue, specifically focusing attention on existing and emerging areas of consensus as well as the important role of the United Nations in providing a structured and effective mechanism to build on such a consensus.

The Chair presented the Panel's report to the First Committee on 28 October.¹³² On 2 December, through its resolution 63/55, the General Assembly welcomed the report of the Secretary-General on the issue of

¹³¹ See "Missiles" of 17 December 2004, A/RES/59/67.

¹³² See the Secretary-General's report entitled "The issue of missiles in all its aspects" of 28 July 2008, A/63/176.

missiles in all its aspects and requested him to seek Member States views on the report for submission to the Assembly at its sixty-fifth session.

General Assembly, 2008

63/55. Missiles

The draft resolution welcomed the report of the Secretary-General on the issue of missiles in all its aspects, submitted pursuant to resolution 59/67, and requested the Secretary-General to seek the views of Member States on the report, and to submit them to the General Assembly at its sixty-fifth session.

Introduced by: Islamic Republic of Iran (28 Oct.)

GA vote: 120-10-50 (2 Dec.)

1st Cttee vote: 112-9-50 (28 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 71 to 73.

First Committee. Two States explained their favourable votes on the draft resolution. The **Syrian Arab Republic** stated that the draft considered the issue through a comprehensive approach within the United Nations and without discrimination or selectivity. Similarly, **Egypt** believed that the issue should be considered in the context of the United Nations for it to enjoy both legitimacy and effectiveness, and requested States to present their views to the Secretary-General on the work of the 2008 Panel of Governmental Experts.

Voting against, the **United States** spoke on behalf of itself and the United Kingdom. It stated that it would be inappropriate to convene additional United Nations panels or studies on missiles that consumed scarce resources that could be better spent on more fruitful discussions and that attention must not be diverted away from successful ongoing efforts on missile non-proliferation that had produced useful results. **France** cast a negative vote due to the draft's considerable omissions. It was particularly concerned about the proliferation of missiles that could be used as delivery systems for WMD as well as the fact that the text mentioned neither the 2002 Hague Code of Conduct nor the Missile Technology Control Regime, which remained, to date, the best existing tools to deal with the proliferation of missiles.

After abstaining from the vote, **Singapore** explained that while it supported all initiatives against the indiscriminate use of missiles, it also recognized the legitimate security concerns of States and their right to use missiles in self-defence. It believed that discussions on the issue should continue by all Member States and that if a group of governmental experts were to be convened, it must have a clearly defined scope and objective of its work to ensure focused recommendations.

63/64. The Hague Code of Conduct against Ballistic Missile Proliferation

The resolution invited all States that had not yet subscribed to the Code of Conduct to do so, and encouraged the exploration of further ways and means to deal effectively with the problem of the proliferation of ballistic missiles capable of delivering weapons of mass destruction. It also decided to include in the provisional agenda of its sixty-fourth session the item entitled “The Hague Code of Conduct against Ballistic Missile Proliferation”.

Introduced by: France (17 Oct.)

GA vote: 159-1-18 (2 Dec.)

1st Cttee vote: 145-1-20 (28 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 102 to 104.

First Committee. Two States explained their abstentions before the vote. **Cuba** believed that the issue of missiles should be considered within the United Nations in an inclusive and non-discriminatory manner whereby all interested Member States had the right to openly participate in the consideration of the subject and the adoption of related practical measures. It stated that the Code had significant defects and limitations and did not adequately reflect the primary interests of a significant group of countries. **Indonesia** stated that the draft did not clearly mention the central role of the United Nations in the area of missiles, which it deemed important.

After the vote, three States explained their support. The **Russian Federation** saw the Code as an important forum for enhancing transparency and confidence-building measures, and ultimately one of the negotiating platforms for crafting a legally binding multilateral arrangement on a global regime for missile non-proliferation. However, it also noted that the Code was insufficiently effective in its current form and that subscriber States needed to seek full compliance with their obligations. Also voting in favour, **Brazil** acknowledged and respected the fact that 130 States had already subscribed to the Code as a practical step against the proliferation of WMD and their means of delivery. **France** underscored that the authority and effectiveness of the Code was not based solely on the number of subscribing States but also on the determination of all to remain committed to its implementation. It called upon all States that had subscribed to the Code to submit their notifications and declarations.

Casting the sole negative vote, the **Islamic Republic of Iran** stated that the Code was drafted and endorsed outside the United Nations in an opaque manner and without the participation of all interested countries. It believed that rejecting any draft amendments might have been construed as a continuation of the intention of the sponsors to base their work on a take-it-or-leave-it approach.

Seven States took the floor to explain their abstentions. **Egypt** believed that the Code was a product of export control regimes developed outside

the United Nations in a discriminatory and exclusive manner, that it was neither balanced in its approach nor comprehensive in its scope and that since its adoption, it had failed to develop in a manner that could address its own weaknesses and shortcomings. The **Bolivarian Republic of Venezuela** believed that the Code had a restricted focus on missiles without taking into consideration other elements of key importance for developing countries, including international cooperation in the research and development of new technologies for peaceful purposes in outer space. **India** stated that the draft did not adequately recognize the need for a more inclusive approach, such as the one recommended in the report of the Panel of Governmental Experts—which included several of the sponsors—that was adopted by consensus. **Malaysia** was of the view that an instrument intended to address ways and means of dealing with the problem of ballistic missile proliferation must be comprehensive, take into account all States' concerns and should be addressed by the United Nations. The **Syrian Arab Republic** stated that the Code was selective and discriminatory, focused only on ballistic missiles, and treated the issue of proliferation from a single standpoint without addressing the causes. Further, it ran counter to the multilateral approach of the United Nations. **Pakistan** believed that the Code failed to strike a balance between non-proliferation and disarmament, maintaining a lopsided focus on non-proliferation alone. **Algeria** abstained because the draft was once again introduced without having been genuinely debated among the other General Assembly members. Additionally, it did not take into account the amendments proposed by various delegations in the course of previous meetings.

1540 Committee: implementation of Security Council resolutions 1540 (2004), 1673 (2006) and 1810 (2008)

On 25 April by its resolution 1810 (see appendix IV for resolution text), the Security Council extended until 25 April 2011 the mandate of the 1540 Committee, which was established in 2004 to report to the Council on the implementation of UNSCR 1540.¹³³ UNSCR 1810 reiterated the Council's decisions and requirements of UNSCR 1540 and emphasized the importance for full implementation by all States.

On 8 July, the 1540 Committee presented its second report to the Security Council¹³⁴ on the implementation of UNSCR 1540. The report identified a number of specific implementation measures that States have in place, including: (a) developing new institutional means to incorporate obligations into national practices; (b) adopting new legislation and enforcement measures;

¹³³ S/RES/1540 (2004) was adopted by the Security Council on 28 April 2004.

¹³⁴ The Report is annexed to the letter dated 8 July 2008 from the Chairman of the 1540 Committee addressed to the President of the Security Council of 30 July 2008, S/2008/493.

(c) executing new policies; and (d) creating new assistance programmes directed towards resolution implementation.

The report concluded that, notwithstanding a qualitative improvement in progress towards achieving full implementation of UNSCR 1540, States needed to do far more than they had already done.

The key activities undertaken by the 1540 Committee in 2008 included:

- Examining relevant measures taken by States to implement UNSCR 1540;
- Conducting intensive outreach activities;
- Developing deeper and mutually beneficial cooperation with other Security Council counter-terrorism bodies, as well as with global, regional and subregional intergovernmental organizations; and
- Creating new tools to facilitate assistance.

UNSCR 1540 implementation reports

As of November, 159 Member States had submitted their first national reports to the 1540 Committee on steps taken or intended to be taken to implement the resolution, including 102 States that also provided additional or updated information.

UNSCR 1810 encouraged all States to prepare, on a voluntary basis, summary action plans, with the assistance of the 1540 Committee, as appropriate, mapping out implementation priorities and means for key provisions of UNSCR 1540. The resolution also requested the Committee to consider a comprehensive review of the resolution's status of implementation.

Outreach activities

UNSCR 1810 requested the 1540 Committee to continue organizing and participating in outreach events at regional, subregional and, as appropriate, national levels to implement UNSCR 1540. Since its establishment, the Committee has actively engaged in intensive outreach activities in more than 100 Member States.

In cooperation with the Government of Brazil, with funding by the EU, the Governments of Norway and the United States, the United Nations Office for Disarmament Affairs organized a workshop on implementing UNSCR 1540 from 24 to 28 November for Southern Common Market States.¹³⁵ Fifty-two participants attended the workshop, including representatives of international and regional organizations such as the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials, the IAEA, International

¹³⁵ Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay and Venezuela (Bolivarian Republic of).

Criminal Police Organization, the Organization of American States and the Organisation for the Prohibition of Chemical Weapons.

The workshop aimed to enhance national capacities for the management of export control processes at a practical level, as well as improve information and experience-sharing between national export control and enforcement authorities. It also facilitated assistance cooperation related to UNSCR 1540 implementation.

The 1540 Committee Chair, members and experts participated in numerous international, regional and national workshops, conferences and seminars during the year to advance the full implementation of resolutions 1540, 1673¹³⁶ and 1810. The events addressed issues ranging from the broad challenge of preventing WMD proliferation to specific aspects of UNSCR 1540, inter alia, issues concerning: (a) chemical and biological weapons-related materials; (b) the prevention of nuclear terrorism; (c) trafficking in nuclear materials; (d) border and export controls; (e) brokering and financial control; and (f) criminal law aspects of countering nuclear, chemical and biological terrorism, in light of relevant universal instruments. Some workshops addressed capacity-building and assistance as priority areas.

Cooperation with other subsidiary bodies of the Security Council

The 1540 Committee maintained close cooperation with the Counter-Terrorism Committee¹³⁷ and the Al-Qaida and Taliban Sanctions Committee¹³⁸ in approaching States that had yet to submit responses to all three Committees. In addition, the Committees collaborated on the development of a common strategy to assist them in their cooperation with key international, regional and subregional organizations and relevant United Nations agencies and entities. On 6 May and 12 November, the three Committees provided joint briefings to the Security Council.¹³⁹ UNSCR 1810 reiterated the need to enhance ongoing cooperation between the three Committees, including through, as appropriate, enhanced information sharing, coordination on visits to countries, within their respective mandates, technical assistance and other issues of relevance to all three.

Cooperation with international organizations

During the year, the 1540 Committee continued its cooperation with international, regional and subregional organizations as well as with NGOs

¹³⁶ S/RES/1540 (2004) was adopted by the Security Council on 28 April 2004 and S/RES/1673 (2006) on 27 April 2006.

¹³⁷ The Counter-Terrorism Committee was established pursuant to S/RES/1373 (2001), adopted by the Security Council on 28 September 2001.

¹³⁸ The Al-Qaida and Taliban Sanctions Committee was established pursuant to S/RES/1267 (1999) adopted by the Security Council on 15 October 1999.

¹³⁹ See press releases SC/9323 and SC/9498.

to promote and facilitate implementation of UNSCR 1540. These activities provided, inter alia, opportunities to share experiences and to expand sources of technical assistance. Regional and subregional organizations have a particular role in encouraging their member States to implement the resolution in ways compatible with historical, cultural and legislative norms region.

Assistance

The 1540 Committee continued to act as a clearing house for information, through formal and informal contact and dialogue with all States, especially those interested in offering and receiving assistance. It also expanded and intensified its efforts to facilitate assistance, including through its website,¹⁴⁰ which contained over 46 offers of assistance. UNSCR 1810 requested the 1540 Committee to continue strengthening its role in facilitating technical assistance for implementation of UNSCR 1540, including by matching offers and requests for assistance through assistance templates, action plans or other information submitted to the 1540 Committee.

Pursuant to UNSCR 1810, the Committee was encouraged to take advantage of voluntary financial contributions to assist States in identifying and addressing their needs for UNSCR 1540 implementation. On 29 December, the Committee informed the Council that it had initiated a discussion on options to develop and make more effective the existing funding mechanisms for the resolution's implementation.

Political declarations and other initiatives

A large number of noteworthy political declarations and initiatives were proposed throughout the year. On 15 January, in a follow-up to their 2007 essay, former high-ranking United States officials George P. Shultz, William J. Perry, Henry A. Kissinger and Sam Nunn published a second article in the *Wall Street Journal* entitled "Toward a nuclear-free world".¹⁴¹ Building on the proposals made in 2007, the article suggested a number of additional steps that the United States and the Russian Federation could take in the near future to dramatically reduce nuclear dangers (see also p. 6 of this chapter).

On 5 February, the British Secretary of Defence, Des Browne, addressed the CD in Geneva on "Laying the Foundations for Multilateral Disarmament". In his speech, he underlined the United Kingdom's commitment to its nuclear disarmament obligations and stressed that progress in nuclear disarmament must be verifiable to both NWS and NNWS.¹⁴²

¹⁴⁰ See the website of the 1540 Committee at <http://www.un.org/sc/1540>.

¹⁴¹ The article of 15 January 2008 is available at http://online.wsj.com/public/article_print/SB120036422673589947.html (accessed 6 July 2009).

¹⁴² See CD/PV.1087, available on the website of the Conference on Disarmament at [http://www.unog.ch/80256EE600585943/\(httpPages\)/0C0EF30DCDF93D05C12575B400476285?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/0C0EF30DCDF93D05C12575B400476285?OpenDocument).

The Government of Norway, in cooperation with the Nuclear Threat Initiative, the Hoover Institution at Stanford University and the Norwegian Radiation Protection Authority, convened an international conference on nuclear disarmament in Oslo from 26 to 27 February entitled “Achieving the vision of a world free of nuclear weapons.”¹⁴³ While endorsing the proposals of the two *Wall Street Journal* articles mentioned above, the Chairman of the Conference, Norwegian Foreign Minister Jonas Gahr Støre, also underlined a set of 5 principles and 10 conclusions in his Chairman’s summary.¹⁴⁴

In addition to his March speech in Cherbourg on the presentation of the nuclear submarine “Le Terrible”,¹⁴⁵ Nicolas Sarkozy, for the first time since 1994, introduced France’s new “White Paper on Defence and National Security”.¹⁴⁶ While stating that nuclear deterrence remained an essential concept of national security, he announced plans to cut France’s nuclear arsenal to less than 300 nuclear warheads. He further outlined an action plan, which included: (a) the call to nuclear powers to dismantle nuclear test sites in a transparent manner; (b) ratification of the CTBT; (c) launching negotiations on a treaty to ban fissile material production for nuclear weapons purposes and establishing a moratorium on the production of such material; (d) an agreement on transparency measures; (e) opening negotiations on a treaty banning short- and intermediate-range surface-to-surface missiles; and (f) all nations acceding to and implementing the HCOC.

On 28 June, the Russian Federation introduced a Foreign Policy Concept intended to supplement and develop the provisions of its Foreign Policy Concept paper of June 2000.¹⁴⁷ The Russian Federation reaffirmed its commitment to multilateralism and to existing disarmament and non-proliferation treaties and regimes, while underlining its readiness to negotiate with all nuclear powers for a reduction of strategic offensive weapons (intercontinental ballistic missiles, submarine-launched missiles, as well as heavy bombers and the warheads they carry) down to the minimum level sufficient to maintain strategic stability. Further, the Foreign Policy Concept states that the Russian Federation “promotes the prevention of deployment of weapons in outer space and the establishment of a system of collective response to potential missile threats on an equal basis, and opposes unilateral actions in the field of strategic antimissile defense that are destabilizing international situation”.

¹⁴³ See <http://disarmament.nrpa.no/> (accessed 6 July 2009).

¹⁴⁴ The Foreign Minister’s summary and preliminary recommendations are available at http://disarmament.nrpa.no/wp-content/uploads/2008/05/chairs_written_summary.pdf (accessed 6 July 2009).

¹⁴⁵ See CD/1842.

¹⁴⁶ The President’s White Paper on defence and national security is available in English at http://www.ambafrance-ca.org/IMG/pdf/Livre_blanc_Press_kit_english_version.pdf (accessed 6 July 2009).

¹⁴⁷ The paper is available through the Official Web Portal of the President of the Russian Federation, at <http://www.kremlin.ru/eng/text/docs/2008/07/204750.shtml> (accessed 6 July 2009).

As discussed earlier on page 44 of this chapter, responding in support of the two Shultz, Perry, Kissinger and Nunn articles on nuclear disarmament and non-proliferation, four former British politicians (Foreign Secretaries Lord Douglas Hurd, Sir Malcom Rifkind, Lord David Owen, and Defence Secretary and NATO Secretary General Lord George Robertson) published an article in *The Times* of London on 30 June. In it, they warned about the risks of nuclear proliferation and that of non-State actors accessing nuclear weapons or materials, and called on NWS to join in renewed multilateral efforts to dramatically reduce the number of nuclear weapons in existence.¹⁴⁸

Subsequently on 24 July, a group of former Italian Statesmen (Prime Minister and Foreign Minister Massimo D'Alema, Foreign Minister and current President of Italian Chamber of Deputies Gianfranco Fini, Minister for European Affairs Giorgio La Malfa and Defence Minister Arturo Parisi), as well as a former Secretary General of Pugwash (Francesco Calogero), printed an article in the Italian newspaper *Corriere della Sera*, adding their support to the call for a nuclear-weapon-free world.¹⁴⁹

As introduced on p. 7 of this chapter, the ICNND¹⁵⁰ was established as a joint initiative of Australia and Japan to revitalize international efforts on disarmament and nuclear non-proliferation. In Kyoto on 9 June, Australian Prime Minister Kevin Rudd proposed the Commission, which would be co-chaired by both Australia and Japan. He announced that it would be co-chaired by former Australian Foreign Minister Gareth Evans. The Commission was established on 9 July by Prime Minister Rudd and Prime Minister Yasuo Fukuda, who announced that former Japanese Foreign Minister Yoriko Kawaguchi would also co-chair.

In September, the United States Departments of Energy and Defense presented a White Paper entitled “National Security and Nuclear Weapons in the 21st Century,”¹⁵¹ which describes its nuclear forces as “the ultimate deterrent capability that supports United States national security”. The Paper stated that extended deterrence was crucial to United States alliances. While significant reductions had been and would continue to be made in its nuclear weapons stockpiles, the White Paper stressed that the current administration sought to rely more on a responsive nuclear weapons design to manage risk—through further study and development of the Reliable Replacement Warhead programme—and less on an inventory of non-deployed warheads.

¹⁴⁸ The article entitled “Start worrying and learn to ditch the bomb: It won’t be easy, but a world free of nuclear weapons is possible” is available at http://www.timesonline.co.uk/tol/comment/columnists/guest_contributors/article4237387.ece (accessed 6 July 2009).

¹⁴⁹ The article entitled “For a world without nuclear weapons” is available in Italian at http://www.corriere.it/cronache/08_luglio_24/mondo_senza_armi_nucleari_ba381db8-594a-11dd-94cb-00144f02aabc.shtml (accessed 6 July 2009).

¹⁵⁰ See <http://www.icnnd.org/> (accessed 6 July 2009).

¹⁵¹ The White Paper is available at <http://www.defenselink.mil/news/nuclearweaponspolicy.pdf> (accessed 6 July 2009).

Condensed highlights of the Secretary-General's five-point proposal

1. All NPT States parties, in particular NWS, are urged to fulfil their treaty obligations to undertake negotiations on effective measures leading to nuclear disarmament.
2. Permanent Members of the Security Council should commence discussions on security issues in the nuclear disarmament process.
3. New efforts are needed: to bring the CTBT and the Central Asian and African NWFZ treaties into force; for the CD to begin immediate negotiations on a fissile material treaty, without preconditions; to establish an NWFZ in the Middle East; and for all NPT parties to conclude their safeguards agreements with the IAEA and to voluntarily adopt the strengthened safeguards under the Additional Protocol.
4. NWS are invited to send descriptions of their work in accountability and transparency, with regard to nuclear disarmament measures, to the United Nations for wider dissemination.
5. Complementary measures are needed, including the elimination of other types of WMD, new efforts against WMD terrorism; limits on the production and trade in conventional arms, and new weapons bans, including of missiles and space weapons.

At the first European Union–Central Asia Forum on Security Issues, which was held in Paris on 18 September, a Joint Declaration was issued underlining that WMD proliferation and their means of delivery represented a particular threat to peace and international stability. The participating Governments reaffirmed their support for multilateral treaties, agreements and international initiatives on non-proliferation. They also agreed to step up efforts with a view to their full implementation, and to establish effective export control systems to prevent proliferation and procurement by terrorist groups. The Declaration welcomed the creation of an NWFZ in Central Asia and expressed concern over growing nuclear non-proliferation crises.¹⁵²

On September 29, the World Institute for Nuclear Security (WINS) was launched, with the aim of strengthening the physical protection and security of nuclear and radioactive materials and facilities worldwide, and with a focus on preventing nuclear terrorism. WINS was developed with IAEA assistance by the Nuclear Threat Initiative in partnership with the Institute of Nuclear Materials Management and the United States Department of Energy.¹⁵³

In his 24 October statement at an event organized by the East-West Institute, the Secretary-General called WMD one of the gravest challenges facing international peace and security, stating the need for specific actions

¹⁵² The Declaration is available at http://www.consilium.europa.eu/uedocs/cmsUpload/Paris_Sec_Forum-Joint_Declaration_EN.pdf (accessed 6 July 2009).

¹⁵³ Further information available at <http://www.wins.org/> (accessed 6 July 2009).

and not just words. He also presented a five-point proposal on nuclear disarmament and non-proliferation to help revitalize the international disarmament agenda.¹⁵⁴

On behalf of the EU, in a letter addressed to the Secretary-General dated 5 December,¹⁵⁵ President Sarkozy drew the Secretary-General's attention to the nuclear disarmament plan of action¹⁵⁶ that had been presented during the General Assembly in September and urged support from the international community, in particular within the United Nations (see annex for text of the letter).

A six-point nuclear disarmament and non-proliferation plan was also proposed by United Kingdom Foreign Secretary David Miliband on 5 December, coinciding with the letter sent by the French President. His proposal to move the world towards the abolition of nuclear weapons were for: (i) bringing the CTBT into force; (ii) United States–Russian negotiations and agreement on substantial further reductions in their nuclear arsenals; (iii) stopping proliferation in the Islamic Republic of Iran and the DPRK and renewing agreement among all NPT States that the way forward must include tougher measures to prevent proliferation; (iv) multilateral negotiations, without preconditions, on a treaty to cut off the production of fissile materials for nuclear weapons; (v) a new IAEA-led system that would help States wishing to develop a civil nuclear energy industry to do so without increasing the risks of nuclear-weapon proliferation; and (vi) exploration of the many complex political, military and technical issues that need to be resolved if the States that possess nuclear weapons were to reduce and ultimately eliminate their arsenals securely and to prevent nuclear weapons from ever re-emerging.¹⁵⁷

In response to the growing threats of proliferation and nuclear terrorism, on 8 December, a cross section of 100 leaders, including former heads of State, former foreign ministers, former defence ministers, former national security advisers and more than 20 former top military commanders, launched a new initiative in Paris called Global Zero. With the aim of eliminating nuclear weapons globally, Global Zero is committed to building sustained broad-based public support for political leaders to pursue and achieve the elimination of nuclear weapons.

¹⁵⁴ The address, including the full five-point proposal, is available at <http://www.un.org/News/Press/docs/2008/sgsm11881.doc.htm>.

¹⁵⁵ The letter is available on the website of the Permanent Mission of France to the United Nations at <http://www.franceonu.org/spip.php?article3752> (accessed 6 July 2009).

¹⁵⁶ Steps introduced were similar to those previously proposed by President Sarkozy in March and included those set out on p. 45.

¹⁵⁷ See "A world without nuclear weapons" by David Miliband of 8 December 2008, available at <http://www.guardian.co.uk/commentisfree/2008/dec/08/nuclear-nuclearpower> (accessed 6 July 2009).

The initiative proposed a step-by-step plan addressing the critical issues necessary to reach the end state of zero nuclear weapons and will conduct a series of international events, including a World Summit for 500 leaders in January 2010. The plan includes the phased and verified elimination of nuclear weapons, starting with deep reductions in the United States and Russian arsenals, to be followed by multilateral negotiations among all nuclear powers for an agreement to eliminate all nuclear weapons. Global Zero also supports the immediate steps to reduce the nuclear danger proposed by George Shultz, William Perry, Henry Kissinger and Sam Nunn (for further information on their proposal, see pp. 7 and 44).¹⁵⁸

General Assembly, 2008

63/36. Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament

Last introduced in 2005, the resolution again requested the Conference on Disarmament to keep the matter under review with a view to making recommendations on undertaking specific negotiations on identified types of such weapons, when necessary.

It also called upon all States to give favourable consideration to those recommendations, and requested the Conference to report the results of any consideration of the matter in its annual reports to the General Assembly and decided to include this item in the provisional agenda of its sixty-sixth session.

First Committee. After casting the only vote against the draft, the **United States** explained its belief that the international community should focus its efforts on the real problem of known types of WMD proliferation by States that violate their commitments to existing treaties and by terrorists. The idea of new WMD beyond chemical, biological, radiological and nuclear remained hypothetical, served no useful purpose and diverted the attention of the international community away from existing threats.

63/39. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

Presented with only minor changes over the past 18 years, among other things, the resolution recommended that further intensive efforts be devoted to the search for a common approach or common formula that could be

Introduced by: Belarus (17 Oct.)

GA vote: 175-1-1 (2 Dec.)

1st Cttee vote: 165-1-1 (29 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 1 to 3.

Introduced by: Pakistan (24 Oct.)

GA vote: 122-1-58 (2 Dec.)

1st Cttee vote: 110-1-55 (30 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 12 to 16.

¹⁵⁸ See also <http://www.globalzero.org/en> (accessed 6 July 2009).

included in an international instrument of a legally binding character, and that the various alternative approaches, particularly those considered in the Conference on Disarmament, be explored further. It also recommended that the Conference actively continue intensive negotiations to reach agreement and conclude effective international arrangements on security assurances, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective.

First Committee. **South Africa** abstained from the vote with the belief that security assurances rightfully belonged to those States that have forsworn the nuclear-weapons option, as opposed to those that preferred to keep their options open. It was continuously of the view that security assurances should be provided in the context of an internationally legally binding instrument, which could be in either a separate agreement reached in the context of the NPT or of a protocol to the Treaty.

63/41. Decreasing the operational readiness of nuclear weapons systems

Tabled for the second year, this resolution called for further practical steps to be taken to decrease the operational readiness of nuclear weapons systems, with a view to ensuring that all nuclear weapons were removed from high alert status. Furthermore, it urged States to update the General Assembly on progress made in implementing the present resolution and decided to remain seized of the matter.

Introduced by: Switzerland (16 Oct.)

GA vote: 141-3-34 (2 Dec.)

1st Cttee vote: 134-3-32 (28 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 22 to 24.

First Committee. After casting a favourable vote, two States took the floor. **Pakistan** stated that it shared most of the elements referred to in the draft. However, it underlined that decreasing the operational status of nuclear weapons must be based on reciprocity. As the draft noted only one bilateral initiative, it hoped that the sponsors would also recognize and support a strategic restraint regime in South Asia, which was proposed by Pakistan. Provided that all nuclear powers were effectively on board, **Belgium** believed that decreasing the operational readiness of nuclear weapons systems may be one concrete measure towards achieving nuclear disarmament, pursuant to article VI of the NPT.

After abstaining, **Canada** explained that its nuclear arms control and disarmament policy balanced disarmament objectives with its security obligations. While it was pleased to see explicit reference to steps taken by a number of NWS to reduce alert times and detarget weapons, there must also be recognition that nuclear deterrence remained an important element

of international security and a fundamental component of NATO's defence strategy, of which Canada was a member.

Voting against the draft, the **United States**, speaking also on behalf the United Kingdom and France, continued to disagree with the basic premise that the current level of nuclear weapons readiness increased their risk of use. It stated that their respective operational readiness was maintained at a level consistent with their national security requirements and obligations to allies, within the larger context of the current global strategic situation. Also, nuclear weapons systems were no longer targeted against any State. Further, the relationship between alert levels and security was complex and not reducible to such simple formulaic responses and that their nuclear weapons systems were subject to rigorous command and control systems to ensure against accidental or unintentional use and to guarantee that such weapons could only be used at the sole direction of the proper national command authority.

63/46. Nuclear disarmament

This year, the resolution mentioned time frames, including through its recognition that the time was opportune for all NWS to take effective disarmament measures for the total elimination of their nuclear weapons as earliest as possible. It reiterated its call, with a specified framework of time, upon the NWS to undertake step-by-step reduction of the nuclear threat and to carry out effective nuclear disarmament measures to achieve their total elimination and upon the Conference on Disarmament to establish, as soon as possible and as the highest priority, a nuclear disarmament ad hoc committee early in 2009 and to commence negotiations on a phased programme of nuclear disarmament leading to the total elimination of nuclear weapons within a specified framework of time.

Introduced by: Myanmar (16 Oct.)

GA vote: 117-45-19 (2 Dec.)

1st Cttee vote: 104-44-21 (29 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 37 to 43.

First Committee. Before voting in favour of the draft, **Cuba** stated that nuclear disarmament was the highest priority within the sphere of disarmament and was gratified that a number of its proposals were incorporated into the text.

After the vote, three States took the floor to explain their abstentions. **Japan** stated that the draft did not contain the necessary elements for the international community, including nuclear-weapon States, to arrive at an agreement towards nuclear disarmament. It firmly believed that steps towards nuclear disarmament should be realistic and progressive and involve NWS. **Pakistan** remained convinced that the draft's references to documents and recommendations of the Review Conferences of the NPT States Parties were unwarranted. **India** shared the main objectives of the draft, but abstained because of certain

references to the Treaty on the Non-Proliferation of Nuclear Weapons, on which its position was well known.

63/47. Reducing nuclear danger

For the eleventh year, the resolution called for a review of nuclear doctrines and, in that context, for immediate and urgent steps by the five NWS to reduce the risks of unintentional and accidental use of nuclear weapons. It also requested the Secretary-General to intensify efforts and support initiatives that would contribute towards the full implementation of the seven recommendations in the report of the Secretary-General's Advisory Board on Disarmament Matters,¹⁵⁹ and to continue to encourage Member States to create conditions that would allow the emergence of international consensus to hold an international conference to identify ways of eliminating nuclear dangers, as proposed in the United Nations Millennium Declaration,¹⁶⁰ and to report thereon to the General Assembly at its sixty-fourth session.

Introduced by: India (16 Oct.)

GA vote: 118-50-14 (2 Dec.)

1st Cttee vote: 108-50-13 (28 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 44 to 47.

First Committee. After voting in favour of the draft, **Brazil** explained that while it was convinced that a review of nuclear doctrines was crucial to reduce the risks of unintentional and accidental use of nuclear weapons, reducing the so-called nuclear danger could not be a substitute for multilaterally agreed upon disarmament measures. Brazil stressed that the mere existence of those weapons constituted a grave risk to the world.

63/49. Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*

For the twelfth consecutive year, the resolution called upon all States to immediately fulfil the obligation under the Advisory Opinion of the International Court of Justice by commencing multilateral negotiations leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination. It also requested all States to inform the Secretary-General of the efforts and measures they have taken to implement the present resolution and nuclear disarmament, and requested the Secretary-General to apprise the General Assembly of that information at its sixty-fourth session.

Introduced by: Malaysia (27 Oct.)

GA vote: 127-30-23 (2 Dec.)

1st Cttee vote: 118-30-22 (28 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 51 to 54.

¹⁵⁹ See A/56/400, para. 3.

¹⁶⁰ See resolution 55/2.

First Committee. Before voting in favour of the draft, **Cuba** reaffirmed the importance of the Court's conclusion of the obligation to pursue nuclear disarmament in all its aspects under strict and effective international control. It regretted, however, that once again the advisory opinion continued not to be implemented.

After abstaining from the vote, **Japan** stated its firm belief that concrete measures must be taken to achieve steady step-by-step progress in nuclear disarmament and non-proliferation and that such steady incremental progress should be made prior to embarking upon the negotiations that the draft resolution called upon all States to commence.

63/58. Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments

Introduced annually, this year, while recognizing the efforts undertaken during 2008 within the framework of the Six-Party Talks to achieve the denuclearization of the Korean Peninsula in a peaceful manner, the resolution urged the Democratic People's Republic of Korea to rescind its announced withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons. To contribute to strengthening and achieving full implementation and universality of the NPT, it stressed the need for a constructive and successful preparatory process leading to the 2010 Review Conference that builds on the outcomes of the 1995 and 2000 Conferences. It also welcomed the second session of the Preparatory Committee for the 2010 Review Conference, held in Geneva from 28 April to 9 May 2008, and called upon the PrepCom at its third session in 2009, to identify and address specific aspects where urgent progress is required to advance the objective of a nuclear-weapon-free world. Finally, it decided to include in the provisional agenda of its sixty-fourth session the item entitled "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments" at which time it will review the implementation of the present resolution.

Introduced by: South Africa (16 Oct.)

GA vote: 166-5-7; 165-4-6, o.p. 4
(2 Dec.)

1st Cttee vote: 141-5-6; 138-4-5,
o.p. 4 (31 Oct.)

For text, sponsors and voting pattern,
see *Yearbook*, Part I, pp. 79 to 83.

First Committee. Before voting against the draft, the **Democratic People's Republic of Korea** explained that once the 2005 Joint Statement adopted at the Six-Party Talks was faithfully implemented by each individual party, all pending issues, including its return to the NPT, would be duly addressed.

After abstaining from the vote, **China** explained that measures called for in the draft were not feasible under the current circumstances. **Pakistan** could not accept the NPT-related references in the text, due to its known position on the Treaty.

India voted against the draft because it could not accept the appeal to accede to the NPT as an NNWS. In urging it to accede promptly and without conditions, the draft resolution negated the rules of customary international law, which provided that a State's acceptance of, ratification of or accession to a treaty is based on the principle of free consent.

63/59. Compliance with non-proliferation, arms limitation and disarmament agreements and commitments

This triennial resolution, with the main sponsor, the United States, recognized the importance of and support for effective national, regional, and international capacities for such verification, compliance, and enforcement. It urged all States to implement and to comply fully with their respective obligations and called upon all Member States to encourage and, for those States in a position to do so, appropriately assist requesting States to increase their capacity to implement fully their obligations.

Introduced by: United States
(16 Oct.)

GA vote: 158-0-18 (2 Dec.)

1st Cttee vote: 142-0-19 (30 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 84 to 86.

First Committee. Before the vote, two States explained their abstentions. **Cuba**, inter alia, found the draft selective, unbalanced and politicized. Additionally, it believed the draft neither adequately addressed the need to preserve and strengthen multilateralism nor to guarantee the strict observance of all disarmament and non-proliferation agreements. The **Islamic Republic of Iran** was of the view that the draft continued to suffer from basic substantive shortcomings, inter alia, its failure to accord priority to nuclear disarmament obligations and commitments, and compliance with those obligations.

After the vote, three States explained their abstentions. **Egypt** found that a number of conceptual inaccuracies were embodied in the draft. In addition to disarmament, non-proliferation and arms control agreements, the draft referred to other commitments that were not clearly described. Additionally, it did not acknowledge the right of any State to enforce compliance of another, outside United Nations institutions and the authority and mechanisms provided for by the relevant agreements. The **Russian Federation** found the draft upset the balance between non-proliferation and disarmament, resulting in a non-objective assessment of the relationship between the obligations of States under their respective international treaties. The **Syrian Arab Republic** found it unreasonable to vote on a draft that called for compliance with non-proliferation, arms limitation and disarmament agreements and commitments while Israel, which possesses nuclear weapons, refused to accede to the NPT and continued to threaten peace and security in the Middle East.

India voted in favour as it believed in the responsibility of States to fully comply with their obligations under the various disarmament, non-proliferation and arms limitation agreements to which they are parties. It also emphasized the significance of multilateralism in addressing issues that might arise on non-proliferation, arms limitation and disarmament agreements and commitments. **Indonesia** also supported the draft as it believed that the treaty regime might be weakened without compliance of the agreements and commitments undertaken by States. It also believed that compliance in the context of nuclear disarmament and non-proliferation merited equal attention.

63/73. Renewed determination towards the total elimination of nuclear weapons

This year's annual draft resolution took note of concrete proposals and initiatives on nuclear disarmament, including those put forward or undertaken by nuclear-weapon States, including recently by France and the United Kingdom. It called upon all NWS to undertake reductions of nuclear weapons in a transparent manner and invited them to agree on transparency and confidence-building measures, while noting the increased transparency they have demonstrated on their nuclear arsenals, including their current number of nuclear warheads. It also decided to include in the provisional agenda of its sixty-fourth session an item entitled "Renewed determination towards the total elimination of nuclear weapons".

Introduced by: Japan (15 Oct.)

GA vote: 173-4-6 (2 Dec.)

1st Cttee vote: 163-4-6 (28 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 143 to 148.

First Committee. Before voting against the draft, the **Democratic People's Republic of Korea** strongly rejected the paragraph that recognized "the importance of implementing Security Council resolution 1718 (2006), of 14 October 2006 with regard to the nuclear test proclaimed by the Democratic People's Republic of Korea ...". It stated that the nuclear test it carried out was an exercise of a rightful measure for self-defence and that its nuclear deterrence constituted a reliable guarantee for the peace and security of the Korean peninsula and beyond.

After the vote, two States took the floor. The **United States** explained that it voted against the draft because paragraph 9 supported the Comprehensive Nuclear-Test-Ban Treaty, which the United States opposed. **Belgium** voted in favour as it believed that nuclear disarmament, pursuant to article VI of the NPT, was an ultimate objective that could be reached gradually by way of concrete measures.

63/75. Convention on the Prohibition of the Use of Nuclear Weapons

Unchanged from previous years, this annual resolution reiterated its request to the Conference on Disarmament to commence negotiations in order to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances, and to report to the General Assembly on the results of those negotiations.

Introduced by: India (16 Oct.)

GA vote: 121-50-10 (2 Dec.)

1st Cttee vote: 110-50-11 (28 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 153 to 155.

First Committee. **Brazil** voted in favour of the draft as it agreed that such a Convention would be an important step in a phased programme towards the complete elimination of nuclear weapons with a specified framework of time. However, it stated that negative security assurances could not be a substitute for multilaterally agreed disarmament measures, which should be irreversible, transparent and verifiable.

63/84. The risk of nuclear proliferation in the Middle East

This annual resolution, again called upon Israel to accede to the NPT, and not to develop, produce, test or acquire nuclear weapons, to renounce possession of nuclear weapons, and to place all of its unsafeguarded nuclear facilities under full-scope IAEA safeguards. It also requested the Secretary-General to report to the General Assembly's sixty-fourth session on the implementation of the resolution.

Introduced by: Egypt (16 Oct.)

GA vote: 169-5-6; 167-5-4, p.p. 6 (2 Dec.)

1st Cttee vote: 159-5-7; 157-4-5, p.p. 6 (28 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 177 to 181.

First Committee. Before the vote, three States took the floor. In favour, **France**, on behalf of the EU, supported the universalization of the NPT and favoured the creation of an NWFZ in the Middle East. In this regard, it expressed concern over the absence of references in the draft to nuclear proliferation developments in the area. The goal of creating an NWFZ in the Middle East could not be achieved unless all States of the area were convinced that their security would not be diminished, but enhanced by becoming part of such a mechanism, which presupposed a dialogue among parties, peace negotiations and the building of trust. Also supporting the draft, the **Islamic Republic of Iran** stated that the United States had adopted damaging policies that were hindering international action to address the proliferation threat, and that if Western States continued to turn a blind eye to Israel's nuclear weapons, any remaining credibility in the region would be lost. It added that an unwarranted focus on safeguarded nuclear facilities rather than on existing

proliferation threats was counterproductive and constituted a dangerous distraction.

Voting against, **Israel** questioned whether the draft had any connection with reality. It cited, inter alia, the irresponsible behaviour of States outside the region that exported ballistic missiles and WMD-related technology to the countries within the region, and the Islamic Republic of Iran's ongoing clandestine activities in the nuclear sphere along with its total disregard of IAEA and Security Council resolutions. Moreover, the draft singled out Israel while overlooking the Islamic Republic of Iran's hostile policies and statements.

After the vote, **Switzerland** explained that it supported the draft to demonstrate the importance it attaches to full and complete implementation of the obligations under the NPT for all States in the region. The **Syrian Arab Republic** stated that the only positive way to help the States of the area free themselves of WMD, above all nuclear weapons, was to urge Israel to accede to the NPT as a non-nuclear party and to place all its nuclear installations under the IAEA's international control.

India abstained, explaining that it believed the focus of the draft should be limited to the region that it intended to address. Also abstaining, **Australia** saw the draft as being unbalanced for singling out Israel while not including a reference to the other Middle East States of proliferation concern, two of which were under IAEA investigation at that time.

The **United States** voted against as the draft, which failed to meet the fundamental tests of fairness and balance by confining itself to expressions of concern over the activities of a single country, omitting any reference to other issues related to nuclear proliferation in the region. Furthermore, the draft did not allude to the steps that some NPT States in the region were taking to develop nuclear weapons nor their failure to cooperate fully and transparently with the IAEA.

63/520. United Nations conference to identify appropriate ways of eliminating nuclear dangers in the context of nuclear disarmament

By its terms, the General Assembly decided to include in the provisional agenda of its sixty-fourth session the item entitled "United Nations conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament".

Introduced by: Mexico (28 Oct.)

GA vote: 130-3-46 (2 Dec.)

1st Cttee vote: 121-3-45 (28 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 206 to 207.

Annex
Letter dated 5 December 2008 from the President of France
to the Secretary-General of the United Nations

The United Nations has an important role to play in the debate on disarmament. Europe wishes to be a full participant in that discussion. Accordingly, I should like to draw your attention to the proposals which the European Union presented at the United Nations this year.

On 23 September I told the United Nations General Assembly that the European Union wanted to act in the service of peace. This is true in the case of counter-terrorism, non-proliferation of weapons of mass destruction and their means of delivery, and crisis management.

It is also true with respect to disarmament, particularly nuclear disarmament. This matter is of special interest to Europe, two of whose member States have nuclear weapons. Europe has already made great strides towards disarmament. Considering that its security will also benefit from the pursuit of global disarmament efforts, Europe stands ready to do more; we aspire to address all aspects of disarmament, as we are convinced of the need to work towards general disarmament. In this area, as in others, Europe intends to act in accordance with a coordinated political and strategic vision.

In 2010 the international non-proliferation regime will reach a milestone with the convening of the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. We should seize that opportunity to make progress towards a safer world in which all of the Treaty's objectives, whether in the area of non-proliferation, disarmament or access to the peaceful uses of nuclear energy, can be met. With respect to disarmament, Europe wished to propose a clear way forward this year by presenting a number of practical, realistic initiatives at the United Nations General Assembly:

- Universal ratification of the Comprehensive Nuclear-Test-Ban Treaty and completion of its verification regime, and dismantling, as soon as possible, of all nuclear testing facilities, in a manner that is transparent and open to the international community;
- Immediate opening, without preconditions, of negotiations on a treaty banning the production of fissile material for nuclear weapons and observance of an immediate moratorium on the production of such material;
- Development of confidence-building and transparency measures by the nuclear Powers;
- Further progress in the discussions under way between the United States and the Russian Federation on the development of a legally binding post-Strategic Arms Reduction Treaty (START) arrangement, and overall reduction of global nuclear weapon stockpiles pursuant to article VI of

the Non-Proliferation Treaty, in particular by the States with the biggest arsenals;

- Inclusion of tactical nuclear weapons, by those States that have them, in general arms control and disarmament processes, with a view to their reduction and elimination;
- Opening of consultations on a treaty banning short- and intermediate-range ground-to-ground missiles;
- Universal subscription to and implementation of the Hague Code of Conduct;
- Mobilization in all other areas of disarmament.

Progress on the road to disarmament requires that the will to move forward be shared by all. Non-proliferation, disarmament and arms control, along with confidence-building, transparency and reciprocity, are essential elements of collective security.

I hope that the international community will join the European Union in supporting and carrying out this plan of action. It is an ambitious agenda that has a real prospect of leading to concrete advances towards disarmament.

Europe is counting on your support. I therefore ask that you convey to the international community, particularly within the United Nations, this initiative in support of a safer world.

Accept, Sir, the assurances of my highest consideration.

(Signed) Nicolas **Sarkozy**

chapter II

Biological and chemical weapons

CHAPTER II

Biological and chemical weapons

Developments and trends, 2008

DURING THE YEAR, IN ACCORDANCE WITH THE DECISIONS and recommendations adopted at the 2006 Sixth Review Conference, the States parties to the Biological Weapons Convention (BWC)¹ continued the intersessional process leading to the 2011 Seventh Review Conference. The process aims to obtain a common understanding on ways of strengthening the implementation of the Convention and improving its effectiveness as a practical barrier against the development of biological weapons.

In its second year of operation, the BWC's Implementation Support Unit's (ISU) continued to make progress in supporting national implementation of the Convention and the decisions of past review conferences, and in promoting universal participation in the Convention and confidence-building measures (CBMs).

The 2008 Second Review Conference of the Chemical Weapons Convention (CWC),² held from 7 to 18 April, reviewed the operation of the Convention since the First Review Conference in 2003 and provided recommendations for its effective future implementation. The Final Document adopted reaffirmed the strong commitment of the States parties to implement the Convention fully and effectively and the importance for it to achieve universality.

From 2 to 5 December, the Thirteenth Session of the Conference of the States parties to the CWC was held in The Hague. After reviewing the status of decisions adopted at its previous session, and the recommendations made at the Second Review Conference, it adopted the comprehensive Annual Report of the Organisation for the Prohibition of Chemical Weapons (OPCW) on 2007 implementation and approved the 2009 programme and budget.³

Significant advances were also made pursuant to the Action Plan on national implementation of the CWC. As of this writing, as required by the Convention, nearly all States parties have either established or designated a National Authority. This is considered a key element in its implementation.

¹ The Treaty text and status of adherence is available through the website of the United Nations Office for Disarmament Affairs (UNODA) at <http://www.un.org/disarmament>.

² Ibid.

³ The Annual Report, C-13/4, is available on the OPCW website at <http://www.opcw.org/documents-reports/annual-reports> (accessed 23 April 2009).

On 10 July, under the provisions of the CWC, a State party, which had requested anonymity, became the second possessor State to destroy its chemical weapons stockpile completely. Having destroyed 97 per cent of its stockpiles by the end of 2008, India was close to achieving this goal as well. Under the continued verification of OPCW inspectors, approximately 42 per cent of all declared chemical weapons stockpiles were destroyed by year's end. At the same time, the industry verification regime continued to be implemented in a consistent, stringent manner, with over 1,400 inspections conducted in approximately 80 States parties. Guinea-Bissau and Lebanon joined the Convention in 2008, bringing the total number to 185 States parties.

As a forum for consultation and cooperation related to the rights and obligations of States parties, the OPCW has continued to implement the CWC's provisions.

The threat of chemical and biological weapons as well as related materials and technology continued to concern the international community. At its plenary meeting in April, participants in the Australia Group's export control regime moved forward on their efforts to strengthen national measures for dual-use biological and chemical agents and equipment. The Group agreed on a number of important measures to deepen the implementation and enforcement of the national export control system. In recognition of the rapid international developments in the field of synthetic biology, members agreed to form a synthetic biology advisory body to ensure that the Group was kept abreast of, and could respond quickly and appropriately to, technological developments in this area.

Biological weapons

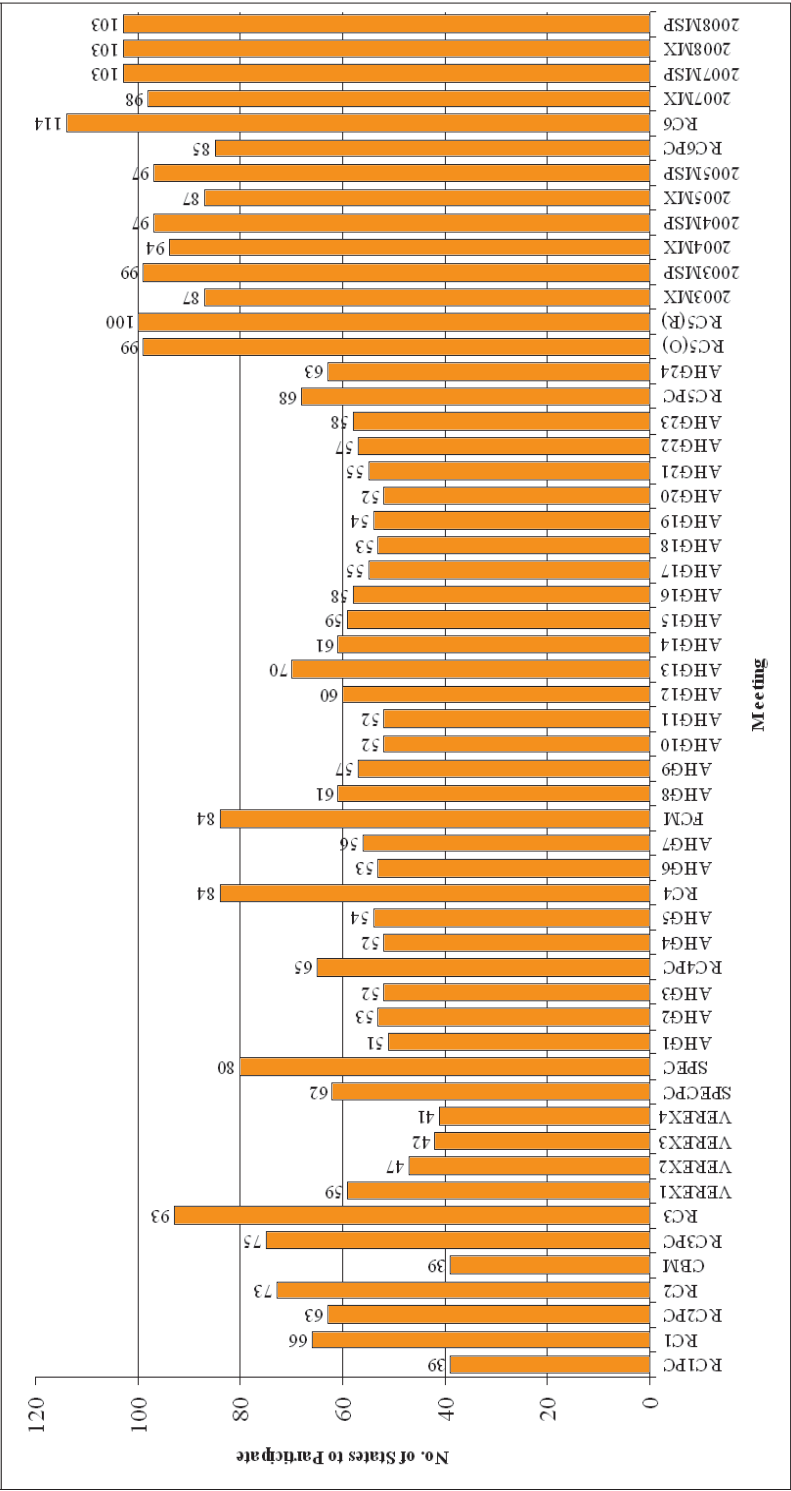
During 2008, the international community continued to focus on the increasingly important issue of biological weapons. By the end of the year, the States parties to the BWC were halfway through their current intersessional programme of annual meetings to discuss effective action on issues critical to implementing the Convention. The intersessional process was established as a result of the Sixth Review Conference held in 2006⁴ and will continue until the Seventh Review Conference scheduled for 2011. This second intersessional process built upon the work of an earlier set of meetings that ran from 2003 to 2005.⁵

The format of annual meetings—made up of sessions at both the expert and State party levels—provides space for delegations to interact, draws

⁴ See the *United Nations Disarmament Yearbook*, vol. 31 (2006), pp. 73-77, available online at <http://www.un.org/disarmament>.

⁵ *Ibid.*, see vol. 28 (2003), pp. 86-90, vol. 29 (2004), pp. 76-81 and vol. 30 (2005), pp. 78-83.

Figure I. Participation in BWC meetings^a



^a Abbreviations are as follows: RC = Review Conference (with (O) = original session, (R) = resumed session); RCPC = Review Conference precom; AHG = Ad Hoc Group; MSP = Meeting of States Parties; MX = Meeting of Experts; CBM = Ad Hoc Meeting of Scientific and Technical Experts to Finalise the Modalities for the Exchange of Information and Data; VEREX = Ad Hoc Group of Governmental Experts to Identify and Examine Potential Verification Measures from a Scientific and Technical Standpoint; FCM = Formal Consultative Meeting; SPEC = Special Conference; SPECPC = Special Conference precom.

upon the best international expertise and develops ties with stakeholder communities. The benefits derived from these meetings have resulted in levels of participation in BWC activities that have increased on an annual basis (see figure I). The meetings have proved helpful in bridging gaps between different viewpoints and highlighting common ground. During years characterized by setbacks and stalemates in other disarmament and non-proliferation areas, the States parties to the BWC continued to make steady progress and are currently working towards cementing their gains at the next review conference.

The meetings in 2008 considered two specific topics as mandated by the Sixth Review Conference:

1. National, regional and international measures to improve biosafety and biosecurity, including laboratory safety and security of pathogens and toxins; and
2. Oversight, education, awareness-raising and adopting and/or developing codes of conduct to prevent misuse in the context of advances in bio-science and bio-technology research.

In August, the Meeting of Experts provided an opportunity to share and discuss a wide range of issues on these topics. Common understandings were developed on how the issues could be implemented to pave the way for effective action.

2008 Meeting of Experts

From 18 to 22 August, a total of 103 States took part in the 2008 Meeting of Experts. This total included 96 States parties,⁶ four signatory States,⁷ and three States from outside the regime (which were granted observer status).⁸ The national delegations were joined by four institutions of the United

⁶ Albania, Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Benin, Botswana, Brazil, Brunei Darussalam, Bulgaria, Canada, China, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Holy See, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Lithuania, Malaysia, Malta, Mexico, Morocco, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zambia.

⁷ Egypt, Myanmar, Nepal and the Syrian Arab Republic.

⁸ Cameroon, Israel and Mauritania.

Nations⁹ and seven specialized agencies or other international organizations,¹⁰ including those dealing with cooperation and development, disarmament and non-proliferation, education and social issues, the environment, international humanitarian law, public and animal health, technology and unconventional weapons. At the invitation of the Chairman, and in recognition of the special nature of the topics under consideration, representatives of thirteen scientific, professional, academic and industry bodies participated as guests of the Meeting.¹¹ Fifteen non-governmental organizations (NGOs) and research institutes attended the meeting. In total, almost 500 individuals, including some 180 technical experts, gathered in Geneva to consider the two assigned topics. Such a large number and diverse range of participants allowed the Meeting of Experts to draw upon expertise from both the public and private sectors, as well as to benefit from independent, national, regional and international perspectives. This broad range of experts participated in formal and informal sessions, as well as events held in the margins of the Meeting.

The substantive work of the Meeting began with two formal sessions offering opportunities for States and international organizations to make general observations and introductory comments.¹²

The two topics on biosafety and biosecurity—one covering improvement through national, regional and international measures and the other on oversight of science, education, awareness-raising and codes of conduct—were addressed in seven working sessions. In a departure from past practices, all

⁹ UNODA, the United Nations Institute for Disarmament Research, the United Nations Environment Programme and the United Nations Security Council Resolution 1540 Committee.

¹⁰ The European Commission (EC), the International Centre for Genetic Engineering and Biotechnology, the International Committee of the Red Cross (ICRC), the Organisation for Economic Co-operation and Development, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization (WHO) and the World Organisation for Animal Health (OIE).

¹¹ American Biological Safety Association, the Asia-Pacific Biosafety Association, AstraZeneca Plc, the European Biosafety Association, GlaxoSmithKline, the InterAcademy Panel on International Issues and the International Biosafety Working Group, the International Network of Engineers and Scientists for Global Responsibility, the International Union of Biochemistry and Molecular Biology, the International Union of Pure and Applied Chemistry, the J. Craig Venter Institute, the National Academy of Sciences (United States) and the International Council for the Life Sciences.

¹² Twenty States, some on behalf of broader groups, made statements (China, Colombia, Cuba on behalf of the Group of the Non-Aligned Movement and Other States, France on behalf of the European Union, Georgia, Germany, India, Indonesia, Iran (Islamic Republic of), Japan, Libyan Arab Jamahiriya, Morocco, Nigeria, Norway, Pakistan, Peru, Republic of Korea, Russian Federation, Saudi Arabia and the United States) as well as one international organization, OIE. NGOs, research institutes and the private sector also had an opportunity to address delegations on the opening day with eleven organizations taking advantage of the opportunity. For this and all statements, presentations and documents of the BWC Conference, see <http://www.unog.ch> > Biological Weapons Convention > Meetings and Documents.

working sessions were open to the public and organized in such a way as to allow all participants to take an active part in the sessions.¹³ Each topic was broken down into three sub-topics (see table 1).

In addition, the Meeting of Experts held three panel discussions that focused on a specific aspect of the two main topics. The first, on 19 August, centred on the role of industry and the private sector in biosafety and biosecurity. The second, on 20 August, looked at risk assessment, management and communication concepts and techniques. The third, on 21 August, covered oversight of science and engagement of stakeholders.¹⁴

Numerous side events were also organized by professional, academic and other non-governmental groups throughout the meeting.¹⁵

Delegations also drew upon a variety of other resources. Thirty-five working papers were circulated during the meeting.¹⁶ For its part, the ISU issued a series of background papers entitled “Biosafety and biosecurity”, “Developments in codes of conduct since 2005”, “Oversight of science” and “Education, outreach and raising awareness”. It also introduced several Compendiums of National Approaches, an online tool that describes how States parties operationalize the legislation and regulations contained in the 2007 National Implementation Database¹⁷ as well as the measures developed to translate the obligations of the Convention into effective action. During the course of the meeting, the Chairman compiled a list of considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the discussions and resources available. As in previous years, this document was annexed to the report of the meeting.¹⁸

¹³ Thirty-five States parties, one observer State, seven international organizations, and six guests of the Meeting made presentations or statements on Topic 1. Twenty-two States parties, two international organizations, and two guests of the Meeting made presentations or statements on Topic 2.

¹⁴ For statements, presentation and documents of the BWC Conference, see <http://www.unog.ch> > Biological Weapons Convention > Meetings and Documents.

¹⁵ On 18 August, the Geneva Forum held an event entitled “Synthetic biology: engineering biology”. On 19 August, a collection of academic technical experts from Germany, the United Kingdom and the United States held an event entitled “Dual-Use at the cutting edge: what to do about oversight”. On 20 August, the International Biosafety Working Group held a breakfast meeting on biosafety and biosecurity, and the BioWeapons Prevention Project hosted a lunchtime event to introduce delegations to a cross-section of its network members. On 21 August, the InterAcademy Panel on International Issues and the United States National Academies of Science held a lunchtime event on the Second International Forum on Biosecurity. The Verification Research, Training and Education Centre (VERTIC) hosted a lunch event on 22 August entitled “National implementation measures for effective biosecurity and biosafety”.

¹⁶ For statements, presentation and documents of the BWC Conference, see <http://www.unog.ch> > Biological Weapons Convention > Meetings and Documents.

¹⁷ For further discussion, available at <http://www.unog.ch> > Biological Weapons Convention > Implementation.

¹⁸ See the Annex 1 of the “Report of the Meeting of Experts”, 8 September 2008, BWC/MSP/2008/MX/3.

Table 1. Number of statements and presentations made at the 2008 BWC Meeting of Experts

	Topic 1 <i>National, regional and international measures to improve biosafety and biosecurity, including laboratory safety and security of pathogens and toxins</i>			Topic 2 <i>Oversight, education, awareness-raising and adopting and/or developing codes of conduct to prevent misuse in the context of advances in bioscience and biotechnology research</i>		
	<i>Concepts and approaches</i>	<i>Capacity-building</i>	<i>Risk management</i>	<i>Oversight of science</i>	<i>Education and awareness-raising</i>	<i>Codes of conduct</i>
States	18	15	3	6	7	9
International organizations	4	3	0	1	1	0
Guests of the Meeting	6	0	0	2	0	0

Meeting of States Parties

From 1 to 5 December, the Fifth Meeting of State Parties was held in Geneva. Pursuant to the conclusions of the Meeting of Experts (above), the Chairman attempted to assist States parties in converting the sizeable amount of information generated there into specific common understandings. With that in mind, the Meeting of States Parties was themed “refinement, structure and focus”.¹⁹

Participating in the December meeting were representatives from 97 States parties,²⁰ five signatory States,²¹ one State not currently party,²² four international

¹⁹ Op. cit., footnote 14, “Report of the Meeting of States Parties”, BWC/MSP/2008/5.

²⁰ Albania, Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Holy See, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kenya, Kuwait, Latvia, Lebanon, Libyan Arab Jamahiriya, Lithuania, Malaysia, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom, United States, Uruguay, Viet Nam, Venezuela (Bolivarian Republic of), Yemen and Zimbabwe.

²¹ Burundi, Egypt, Haiti, Nepal and the Syrian Arab Republic.

²² Israel.

organizations²³ and 17 NGOs and research institutes.²⁴ The United Nations Office for Disarmament Affairs (UNODA) and the United Nations Institute for Disarmament Research also attended the meeting.

The level of common outlook and purpose exhibited by delegations across the geographic and political spectrum throughout the Meeting of the States Parties was noteworthy. The Meeting succeeded in delivering a comprehensive range of common understandings.

Biosafety and biosecurity

In the context of the BWC, the Meeting agreed: that biosafety refers to principles, technologies, practices and measures implemented to prevent the accidental release of, or unintentional exposure to, biological agents and toxins; and that biosecurity means the protection, control and accountability measures implemented to prevent the loss, theft, misuse, diversion or intentional release of biological agents and toxins and related resources as well as unauthorized access to, retention or transfer of such material.

It was established that the aims of dealing with biosafety and biosecurity were to contribute to: (a) preventing the development, acquisition or use of biological and toxin weapons; (b) implementing the BWC; and (c) fulfilling other international obligations and agreements, such as the revised International Health Regulations of the World Health Organization²⁵ and the provisions of United Nations Security Council resolution (UNSCR) 1540 (2004).²⁶ The report also recorded common understandings on how to realize these aims. The necessary components would include: (a) developing national biosafety and biosecurity frameworks; (b) defining the role of different national agencies and bodies; (c) building national, regional and international networks of relevant stakeholders; (d) taking better advantage of assistance already available; (e) improving bilateral, regional and international cooperation; (f) cooperation and assistance to build relevant capacity; and (g) enhancing the role played by the Implementation Support Unit.

Tools on biosafety and biosecurity would support: (a) accreditation; (b) certification; (c) audit or licensing for facilities, organizations or

²³ The EC, ICRC, the International Criminal Police Organization (INTERPOL), WHO and OIE.

²⁴ Al-Hakim Foundation, American Association for the Advancement of Science, Asia Pacific Centre for Military Law, Biological Weapons Prevention Project, De Paul University, Emergent Biosolutions, European Biosafety Association, International Network of Engineers and Scientists for Global Responsibility (INES), Landau Network-Centro Volta, Science Alliance, London School of Economics and Political Science, Norman Paterson School of International Affairs, University of Bradford, University of California at Berkeley, University of Hamburg, United States National Academy of Sciences and VERTIC.

²⁵ Further information available at <http://www.who.int/ihr/en/> (accessed 18 May 2009).

²⁶ See S/RES/1540 (2004), adopted by the Security Council on 28 April 2004.

individuals; (d) training requirements for staff members; (e) mechanisms to check qualifications, expertise and training; (f) national criteria for relevant activities; and (g) national lists of relevant agents, equipment and other resources. Measures should be practical, sustainable, enforceable, readily understood, developed with stakeholders, adapted for local needs, appropriate for agents being handled and suitable for work being undertaken. They should also avoid unduly restricting peaceful use and utilize risk assessment, management and communication approaches.

Finally, States parties need assistance in the following areas:

- To enact and improve relevant legislation;
- To strengthen laboratory infrastructure, technology, security and management;
- To conduct courses and provide training; and
- To help incorporate biosafety and biosecurity into existing efforts to address disease.

The report further recorded the importance of balancing “top-down” Government or institutional controls with “bottom-up” oversight by scientific establishments and scientists themselves. To this end, delegations welcomed the important contributions made to their work by the scientific community and academia, including national and international academies of science and professional associations as well as industry-led initiatives to address recent developments in science and technology. They also encouraged greater cooperation between scientific bodies within various States parties.

Education and awareness programmes

The States parties described the aims of oversight, education, awareness-raising and codes of conduct as ensuring that those working in the biological sciences:

- (a) Were aware of their obligations under the Convention and relevant national legislation and guidelines;
- (b) Had a clear understanding of the content, purpose and foreseeable social, environmental, health and security consequences of their activities; and
- (c) Were encouraged actively to address the threats posed by the potential misuse of biological agents and toxins as weapons, including for bioterrorism.

The following characteristics are needed in developing national oversight frameworks:

- (a) Prevent agents and toxins from being used as weapons;
- (b) Oversee relevant people, materials, knowledge and information;

- (c) Oversee the entire scientific life cycle;
 - (d) Cover the private and public sectors;
 - (e) Ensure they are proportional to risk;
 - (f) Avoid unnecessary burdens;
 - (g) Be practical and usable;
 - (h) Not to restrict permitted activities unduly;
 - (i) Involve stakeholders in all stages of design and implementation;
- and
- (j) Be harmonized regionally and internationally.

With regard to awareness-raising, official requirements for seminars, modules or courses in relevant scientific education and training programmes and continuing professional education should:

- Explain the risks associated with the malign use of biology;
- Cover moral and ethical obligations;
- Provide guidance on the types of activities which could be prohibited;
- Be supported by accessible teaching materials, train-the-trainer programmes, seminars, workshops, publications and audio-visual materials;
- Address leading scientists and managers as well as future generations of scientists; and
- Be integrated into existing national, regional and international efforts.

It is also important that the next steps for codes of conduct complement national legislative, regulatory and oversight frameworks; help guide science so it is not used for prohibited purposes; and further develop strategies to encourage voluntary adoption of codes.

The Meeting of States Parties also reviewed a report by the Chairman on efforts to expand the membership of the Convention, indicating States' intentions to join and report progress thereon, as well as point to problems and obstacles to such action, and measures to facilitate accession or ratification.

The report included an enumeration of activities undertaken by the Chairman and the ISU, such as communicating with the National Authorities of States that were members of the CWC but not the BWC, holding bilateral consultations with representatives of signatory or States not party, hosting events and round-table activities to strengthen interaction between States, and attending meetings with States currently outside of the Convention. The report also provided information on relevant activities undertaken by States parties, both individually and collectively, as well as by NGOs. Additionally, the

report listed requests made by signatories and States not party for assistance in joining the Convention.

While during the Meeting of States Parties it was recognized that progress had been made during 2008 as Cook Islands, Madagascar, United Arab Emirates and Zambia had joined the BWC, the Chairman suggested that efforts should continue. Looking to future activities, he identified eight States in which accession or ratification processes were advancing;²⁷ three States that indicated they had started the processes,²⁸ twelve States that indicated they were waiting for further information, assistance or had other priorities,²⁹ seven States that had yet to begin³⁰ and three States where no action was expected in the near future.³¹

In introducing the report on universalization activities to the Meeting, the Chairman outlined what he saw as the next steps towards universalization. He highlighted the need to coordinate activities better and suggested that relevant international and regional meetings include in their agendas an item on improving efforts to universalize the Convention. The Chair also underlined the importance of ensuring that necessary resources were available to make the aims of universalization a reality.³²

Work of the Implementation Support Unit (ISU)

The ISU presented its second annual report to the Meeting of States Parties. The report included a summary of the Unit's efforts to provide support for the administration of the Convention, national implementation, CBMs and universalization.

On the administrative side, the ISU formed the substantive Secretariat for BWC meetings, continued to maintain and develop its website, developed specific background resources for BWC meetings, engaged with international and regional organizations, maintained contact with scientific, professional, commercial and academic institutions, organized Convention-related events and participated in relevant meetings and events.

With regard to national implementation, the Unit facilitated communications between States and other providers on the provision of assistance; brokered the provision of assistance in implementing the BWC; updated the National Implementation Database; developed Compendiums of

²⁷ Burundi, Cameroon, Comoros, Cook Islands, Kiribati, Mozambique, Myanmar and Tuvalu.

²⁸ Côte d'Ivoire, Namibia and Nepal.

²⁹ Andorra, Angola, Central African Republic, Djibouti, Guyana, Haiti, Liberia, Malawi, Mauritania, Somalia, Samoa and United Republic of Tanzania.

³⁰ Chad, Eritrea, Guinea, Marshall Islands, Micronesia (Federated States of), Nauru and Niue.

³¹ Egypt, Israel and Syrian Arab Republic.

³² "Report of the Chairman on universalization activities", 28 November 2008, BWC/MSP/2008/4.

National Approaches; and collected and maintained details on national contact points.

As part of its responsibility in CBM's, the ISU prepared participation reminders to States, published the information submitted; maintained a restricted-access mechanism for electronic distribution of CBM information; provided routine administrative assistance and advice on participating in the CBM exercise; and conducted basic analysis of CBM data.

To promote universalization, the Unit supported the Chair in conducting outreach; gathered information from non-BWC States on the progress they were making towards joining the Convention; made available information about universalization; coordinated with States and organizations on universalization progress; promoted the BWC at the events it attended; and provided advice to States not party on joining the Convention.

The report also provided details submitted under the CBM process. In recent years, this international transparency exercise has seen an increase in submission levels (see figure II). Participation in the 2008 returns was slightly lower than in 2007.

The ISU report concluded by highlighting the three following areas of work that might be developed further over the coming years: (i) efforts to facilitate communication among and between States parties and relevant organizations; (ii) the ISU's clearing-house activities in relation to assistance under the Convention; and (iii) the development of traditional print materials for media outreach, education and awareness-raising. The ISU made concrete recommendations on how each of these areas might be evolved.³³

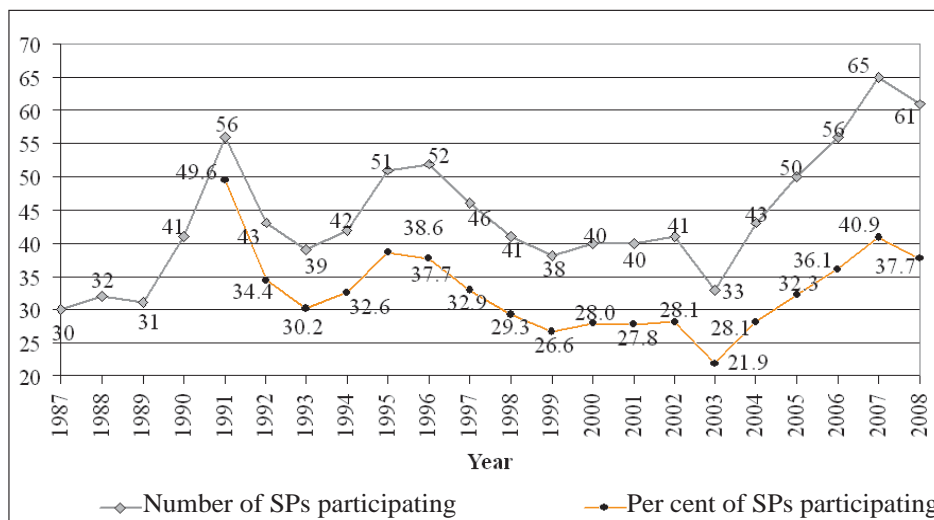
In addition to its report, the ISU released a background document on relevant scientific and technological developments. The document summarized information that was brought to ISU's attention during the course of its mandated activities. The background document included information on: (a) genomic technologies, including gene sequencing, gene synthesis, and gene silencing; (b) synthetic biology; and (c) the open-source publication of raw research data.³⁴

In discussions during the Meeting of States Parties, the ISU was encouraged to continue developing its efforts and a number of States parties offered the ISU additional support and assistance to optimize its capacity.

³³ "Report of the Implementation Support Unit", 28 November 2008, BWC/MSP/2008/3.

³⁴ "Background information on scientific and technological developments that may be relevant to the Convention—submitted by the Implementation Support Unit", BWC/MSP/2008/INF.1.

Figure II. CBMs participation since 1987 inception



Confidence-building measures (CBMs)

In 2008, a total of 61 States reported through this mechanism, representing 38 per cent of the BWC membership.³⁵ Figure III presents the percentages of State parties submissions for each of the CBM forms A to G.

Biological Incident Database

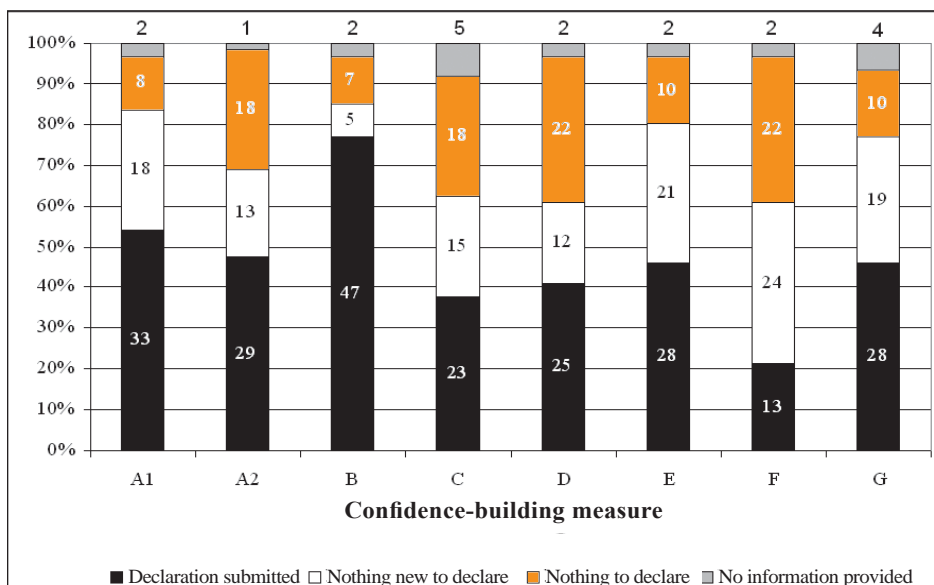
Since the adoption of the Global Counter-Terrorism Strategy,³⁶ the United Nations system has contributed to its implementation in two ways. First, departments, specialized agencies, funds and programmes have taken action within the rubric of their own workplans, both individually and in partnerships. Secondly, 24 entities of the United Nations system,³⁷ along with International

³⁵ Argentina, Armenia, Australia, Azerbaijan, Bahrain, Belarus, Belgium, Bulgaria, Canada, Chile, China, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Kazakhstan, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Malta, Mexico, Morocco, Netherlands, New Zealand, Nigeria, Norway, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Turkey, Ukraine, United Kingdom, United States and Uzbekistan.

³⁶ See “The United Nations Global Counter-Terrorism Strategy” of 20 September 2006, A/RES/60/288. This and all subsequent General Assembly resolutions are available in the six official languages at <http://www.un.org/Depts/dhl/resguide/gares1.htm>.

³⁷ Counter-terrorism Committee Executive Directorate, Department of Peacekeeping Operations, Department of Political Affairs, Department of Public Information, Department of Safety and Security, Expert Staff of 1540 Committee, International Atomic Energy Agency, International Civil Aviation Organization, International Maritime Organization, International Monetary Fund, INTERPOL, Monitoring Team of 1267

Figure III. 2008 CBMs information summary



Criminal Police Organization (INTERPOL), have collaborated through the Counter-Terrorism Implementation Task Force.³⁸ UNODA participated in both. One activity requested by the Counter-Terrorism Strategy was the creation of a single comprehensive database for reporting on biological incidents. In the context of UNODA's workplan, and in conjunction with Member States, work is under way to ensure that the database is complementary to that being contemplated by INTERPOL on biocrimes. Currently, no such international comprehensive data resource exists in this area.

Since July 2007, UNODA has been consulting with Government experts and representatives of several international organizations on the scope and feasibility of such a database. In April, UNODA started to develop the software platform for the Biological Incident Database (BID) to provide a secure web-based data-entry tool for reporting incidents. This system is currently available for pilot use by interested Member States, as was reported by the Secretary-General in July.³⁹

Committee, UNODA, Office of the High Commissioner for Human Rights, Office of Legal Affairs, OPCW, Special Rapporteur on the promotion and protection of human rights while countering terrorism, United Nations Development Programme, United Nations Educational, Scientific and Cultural Organization, United Nations Interregional Crime and Justice Research Institute, United Nations Office on Drugs and Crime, World Customs Organization, WHO.

³⁸ For further information on the United Nations action to counter terrorism, see <http://www.un.org/terrorism/strategy-counter-terrorism.shtml>.

³⁹ See the report of the Secretary-General entitled "United Nations Global Counter-Terrorism Strategy: activities of the United Nations system in implementing the Strategy" of 7 July

The database is a collection of biological incidents that are categorized as unusual but natural, accidental or deliberate outbreak of diseases. Member States provide the data. Cooperation with INTERPOL has been established to coordinate work in relation to the biocrime database they are contemplating. The BID could be considered, inter alia, an international tool to raise awareness and build capacity with respect to preparedness and risk assessment. It could also assist in consequence management by providing opportunities to analyse lessons learned.

On 23 October, in the margins of the First Committee session, UNODA and the NGO Committee on Disarmament, Peace and Security organized a presentation and panel discussion on the work undertaken in establishing the BID.⁴⁰

During the next implementation phase, interaction with Member States will be intensified and the database will be populated with initial reports of biological incidents. This will begin a test phase to identify and facilitate the implementation of possible improvements and suggestions by Member States. At the same time, search and retrieval tools will be designed to exploit data and research capabilities.

Update of the roster of experts and laboratories

In 2008, UNODA continued to update the roster of experts and laboratories whose services are available to the Secretary-General for the timely and efficient investigation of reports of the possible use of chemical and bacteriological (biological) and toxin weapons. This update focused on technical capabilities and was based on specifically developed data request forms. It allowed for the identification of existing gaps in certain areas of expertise available in the roster and further requests were made to the Member States to provide such expertise.

Over the past year, information received has been augmenting the roster with 96 biological experts and 34 chemical experts from 23 countries, as well as 29 analytical laboratories. Two Member States also have designated national focal points for experts, and one Member State a focal point for laboratories. The data, which is now available in the roster, would also allow Member States, in coordination with UNODA, to design and organize special training courses for the experts.

2008, A/62/898. This and all subsequent United Nations documents are available in the six official languages at <http://ods.un.org>.

⁴⁰ The panel discussion has been produced in *UNODA Occasional Papers No. 15*, available at <http://www.un.org/disarmament/HomePage/ODAPublications/OccasionalPapers/PDF/OP15.pdf>.

Technical guidelines and procedures

Under the existing mandates, UNODA continued to work on technical guidelines and procedures for relevant investigations based on the results of the work of the meetings of specialized experts held in 2007. UNODA focused on specific operational procedures to be used in fact-finding missions during an actual investigation and field activities.

To ensure preparedness for possible investigation of cases of alleged use of chemical and biological weapons, UNODA started to track information and collect lessons learned that could be useful for future investigations of alleged use, in particular involving biological weapons. The information for compilation, analysis and assessment is derived from United Nations documents on previous investigations, relevant activities of other international organizations such as the World Health Organization and public domain sources of relevant data.

The Secretary-General's mechanism to carry out prompt investigations in response to allegations brought to his attention concerning the possible use of chemical and bacteriological (biological) and toxin weapons was developed in the late 1980s. Triggered by a request from any Member State, the Secretary-General is authorized to launch an investigation including dispatching a fact-finding team to the site of the alleged incident(s) and to report to all United Nations Member States. This is to ascertain in an objective manner facts of alleged violations of the 1925 Geneva Protocol, which bans the use of chemical and biological weapons.

General Assembly, 2008

63/88. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

Introduced on an annual basis, this year the resolution welcomed the successful launching of the 2007-2010 intersessional process between the Sixth and Seventh BWC Review Conferences. It acknowledged the efforts, which were aimed at promoting common understanding and effective action on agreed upon topics at the Sixth Review Conference, and urged States parties to continue to participate actively in the intersessional process. It also urged States parties to continue to work closely with the Implementation Support Unit of the Conference on Disarmament Secretariat and Conference Support Branch of UNODA in fulfilling its mandate.

Introduced by: Hungary (17 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (29 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 193-195.

Chemical weapons

“The (Chemical Weapons) Convention is the first multilateral treaty to ban—with international verification—an entire category of weapons of mass destruction. It is encouraging to know that, as of 30 September, more than 41 per cent of the total stockpiles of chemical agents declared by six possessor States have been verifiably destroyed. I call upon all possessor States to complete their destruction according to the required deadlines.”⁴¹

BAN KI-MOON, UNITED NATIONS SECRETARY-GENERAL

Second Review Conference of CWC

From 7 to 18 April, the Second Review Conference of the Conference of States Parties to Review the Operation of the Chemical Weapons Convention (CWC) was convened in The Hague.⁴² The Conference: (a) reviewed the

⁴¹ The Secretary-General’s message highlighting significant advances in implementing the Chemical Weapons Convention at the States parties meeting in Vienna of 2 December 2008 is available through the website of UNODA at <http://www.un.org/disarmament/HomePage/SG/sgstatements.shtml>.

⁴² A total of 114 States parties participated: Afghanistan, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Eritrea, Estonia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malaysia, Malta, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United States, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia and Zimbabwe. Two signatory States: Guinea-Bissau and Israel; and three non-signatory States: Angola, Iraq and Lebanon attended the Conference. Additionally, five international organizations, specialized agencies and other international bodies: United Nations, Council of the European Union, Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO), League of Arab States and the International Committee of the Red Cross; and 28 NGOs: Arms Control Association, Accademia delle Scienze di Bologna, CBW Events, Danish Institute of International Studies, Department of Peace Studies of the University of Bradford, Federation of American Scientists, Green Cross International Legacy Programme, Harvard Sussex Program, International Centre for Ethnomedicine and Drug Development, International Federation of University Women, INES, Netherlands Institute of International Relations—Clingendael, Organisation for Defending the Sardasht Victims of Chemical Weapons, Richbone Initiative Foundation, Scientists’ Working Group on Biological and Chemical Weapons, Society for Chemical Weapons Victims Support, Stockholm International Peace Research Institute (SIPRI), Solidarity Development Organizations, the Pugwash Conferences on Science and World

operation of the Convention since the First Review Conference, which was held in 2003; (b) provided an opportunity for Member States to renew their commitments to the objectives and purposes of the Convention; (c) presented the opportunity to assess the challenges and provide strategic advice for the future. The Conference, chaired by Waleed Ben Abdel Karim El Khreiji (Saudi Arabia), was able unanimously to adopt a final document report containing an in-depth review of the Convention's implementation and proposed future guidance.⁴³

In his message to the Conference, the United Nations Secretary-General stressed that the Convention was undisputedly one of the world's most successful disarmament treaties, with near-universal membership. He recognized the progress and positive role played by the OPCW and noted that the Action Plan on universality and national implementation, recommended by the First Review Conference in 2003, had been effective both in promoting adherence to the Convention and in implementation assistance. In his capacity as depositary, the Secretary-General urged all Governments that had not yet done so to ratify or accede to the Convention without delay. He further stressed that all States parties had the obligation to destroy their existing chemical weapons and production facilities, noting that the possessor States must destroy their stockpiles completely before the final 29 April 2012 deadline, established pursuant to the Convention.⁴⁴

In his opening statement, the Director-General of the OPCW recalled its core objectives, including complete chemical disarmament. In this connection, he reported that 26,538 metric tons of Category 1 chemical weapons, which represented over 38 per cent of the total declared stockpiles, had been destroyed under OPCW verification. Fifty-two per cent of the Category 2 chemical weapons had also been completely eliminated from all stockpiles. The 65 chemical weapons production facilities declared to the OPCW by 12 States parties had all been inactivated, with 94 per cent of them either being destroyed or converted for peaceful purposes. As a second core objective, he noted that the non-proliferation of chemical weapons was a long-term fundamental goal of the Convention, equally crucial to the OPCW's ultimate success. In this field, he highlighted the substantial progress made by its industry verification regime through data monitoring and on-site inspections, as envisaged in Article VI of the Convention.

Affairs, the Royal Society, VERTIC, American Chemistry Council, Bangladesh Chemical Industries Corporation, Association of the Dutch Chemical Industry, European Chemical Industry Council, International Union of Pure and Applied Science, Indian Chemical Council and the Italian Federation of the Chemical Industry attended.

⁴³ "Report of the Second Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention of 7 to 18 April 2008", RC-2/4, is available at <http://www.opcw.org> (accessed 27 April 2009).

⁴⁴ The Secretary-General's message is available on the UNODA website at <http://www.un.org/disarmament/HomePage/SG/sgstatements.shtml>.

The Director-General further stressed that assistance and protection against the use or threat of use of chemical weapons and international cooperation in the field of chemical activities for peaceful purposes had also been defined by States parties as one of the core objectives, which would provide additional opportunities for promoting cooperation between States parties. He noted that the prospects of realizing these core objectives were, to a considerable degree, linked to the ability to attain universal adherence to the Convention and full and effective implementation by States parties, as per the provision of Article VII. He reported that significant progress had been made in pursuance of the Action Plan on national implementation. Since the First Review Conference, the number of States parties that had enacted legislation had increased from approximately 50 to the current 81. In addition, another 44 States parties had laws in place that covered some key areas of the Convention.

During the general debate, participants expressed their commitment to the objective and purpose of the Convention as an essential legal tool, substantially contributing to the cause of international peace and security. States parties affirmed that the Convention set standards for both disarmament and non-proliferation, given its non-discriminatory and multilateral verification regime. Delegations assessed the achievements in the various areas of operation of the Convention, and identified steps that would be needed to ensure its continued relevance in the years to come. At the Conference, States parties reaffirmed their strong commitment to achieving universal adherence to the CWC, completing the destruction of chemical weapons, further strengthening the verification measures and promoting the use of chemistry for peaceful purposes.

The report adopted by the Second Review Conference reaffirmed, *inter alia*, that the complete destruction of chemical weapons was essential for the realization of the object and purpose of the Convention. The Conference noted the significant progress made by the six possessor States in destroying their chemical weapons. The Conference also commended Albania for completely destroying its entire stockpile, as well as the progress made by those States parties that were close to achieving complete destruction of theirs. It reaffirmed the importance of the obligation of the possessor States parties to complete the destruction of their chemical weapons stockpiles within the final extended deadlines (April 2012), as established by the Conference at its Eleventh Session. In this connection, it welcomed the statements of possessor States reiterating their commitment to doing so. The Conference further noted that the OPCW had established an effective verification system to achieve the CWC's non-proliferation and confidence-building aims. It highlighted that after more than 3,000 OPCW inspections carried out at over 1,080 sites in 80 States parties, not one case of non-compliance was reported. The Conference re-emphasized the continuing relevance and importance of the provisions

contained in Article X on assistance and protection against chemical weapons for States parties, as well as in Article XI on international cooperation to promote peaceful uses of chemistry as fundamental tools for the objectives and purposes of the CWC.

The Conference again emphasized the importance of achieving CWC universality, and full and effective national implementation. In this context, it strongly urged the remaining 12 States not party to ratify or accede to the Convention “as a matter of urgency and without preconditions”. Finally, the Conference noted the role that the Scientific Advisory Board (SAB) continued to play in keeping the Director-General abreast of scientific and technological progress and their impact on effective implementation of the Convention.

Thirteenth Session of the Conference of the States Parties

From 2 to 5 December, the Thirteenth Session was held in The Hague with Minoru Shibuya (Japan) elected as Chairperson.⁴⁵

In his message to the Conference, the Secretary-General reiterated the importance of completely destroying all declared chemical weapons stockpiles within the extended final deadlines. He recommitted the United Nations to work with the OPCW and the international community to promote

⁴⁵ A total of 126 States parties participated: Afghanistan, Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Holy See, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People’s Democratic Republic, Latvia, Lesotho, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malaysia, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Samoa, San Marino, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia and Zimbabwe; one signatory State: Israel; two non-signatory States: Iraq and Lebanon. Lebanon acceded to the CWC on 20 November 2008. The Convention entered into force for Lebanon on 20 December 2008; and seven approved NGOs: Association of the Dutch Chemical Industry, Green Cross International Legacy Programme, Harvard Sussex Program, Indian Chemical Council, Norman Paterson School of International Affairs at Carleton University, SIPRI and T.M.C. Asser Instituut were in attendance. Other participants included seven international organizations, specialized agencies and other international bodies attended the Conference: United Nations, Preparatory Commission for the CTBTO, EUROJUST, European Union Council Secretariat, League of Arab States, North Atlantic Treaty Organization and the Organization of American States. Forty-nine statements were made during the general debate, including two from observer States: Israel and Lebanon.

the universality and full implementation of the Convention and the decisions taken at the Second Review Conference, held in April.⁴⁶

In his opening statement, the Director-General provided an overview of the OPCW activities for the previous year, that included: (a) progress in the areas of chemical demilitarization and verification; (b) non-proliferation and industry inspections; (c) challenge inspections and inspections of alleged use; (d) international cooperation and assistance; (e) implementation of Article VII on national implementation; (f) universality of the Convention; and (g) administrative and financial matters. Pursuant to the Second Review Conference follow-up, the Director-General noted that the OPCW Secretariat had prepared a number of documents, one of which referred to the long-term strategy to address the relationship with the various stakeholders. He further noted that the OPCW Secretariat would submit to the Executive Council its views on options to enhance the interaction among the SAB, States parties and the policymaking organs.⁴⁷

During the general debate, participants expressed strong support for the CWC, noting that the achievement of its objectives was a collective effort involving the States parties and the OPCW Technical Secretariat. Delegations underscored the importance of reaching universality and welcomed the new States parties. They called upon the 10 remaining States not party to ratify or adhere to the CWC without delay and stressed that effective national implementation was crucial to achieving its overall success. In that connection, it was noted that despite steady progress on national implementation, more efforts were needed. The Conference called upon those States parties that had neither adopted their national implementing legislation nor set up a National Authority to do so as soon as possible. Some delegations stressed the need to improve the industry verification system and that the destruction of declared chemical weapons stockpiles remained the primary objective of the OPCW. Delegations called upon possessor States to take the necessary measures to comply with the established final deadline of April 2012. Participants also noted the significant advances made by some possessor States parties in destroying their declared chemical weapons stockpiles and congratulated one State party (which had requested anonymity) on having completely destroyed its stockpile. Delegations further noted that the OPCW would be increasingly required to deal with emerging challenges to continue contributing to international peace and security. New threats from non-State actors and the potential for misuse of chemicals, as well as the need to enhance cooperation

⁴⁶ The Secretary-General's message highlighting significant advances in implementing Chemical Weapons Convention at the States parties meeting in Vienna of 2 December 2008 is available through the website of UNODA at <http://www.un.org/disarmament/HomePage/SG/sgstatements.shtml>.

⁴⁷ Opening Statement by the Director-General to the Conference of the States Parties at its Thirteenth Session, 2 December 2008, C-13/DG.9, is available at <http://www.opcw.org> (accessed 27 April 2009).

with the chemical industry, were some of the issues that delegations identified as needing special attention in the future.

The Conference adopted the OPCW programme and budget,⁴⁸ which appropriates a total 2009 expenditure of approximately EUR 74,500,000. It also adopted a decision on the implementation of obligations under Article VII, namely national implementation measures. The Conference requested the Technical Secretariat to continue to keep a current progress report on the external server of the OPCW and to provide its annual report on the status of implementation of Article VII obligations to the Executive Council at its fifty-eighth session.⁴⁹

Organisation for the Prohibition of Chemical Weapons (OPCW)

The Executive Council of the OPCW held three regular sessions, in March, June, and October. At the end of the March session, it elected Oksana Tomová (Slovakia) as Chairperson until May 2009. The Council promotes effective implementation of and compliance with the CWC. It also supervises the activities of the Technical Secretariat, cooperates with the National Authority of each State party and facilitates consultations and cooperation among States parties, at their request.

In his opening statements to each session of the Council, the Director-General elaborated, *inter alia*, aspects of CWC compliance and related activities undertaken by the Secretariat. He also submitted numerous reports to the Council, either in fulfillment of various Convention requirements or in response to requests by the Council or the Conference. At its March session, the Council welcomed the Director-General's initiative to launch OPCW's "Programme to Strengthen Cooperation with Africa on the CWC" aimed to address the specific needs of that continent in promoting universality and implementation of the Convention.⁵⁰

On 29 April, a ceremony to commemorate the Day of Remembrance for All Victims of Chemical Warfare was held at OPCW Headquarters. The solemn event was attended by representatives of OPCW member States and other international organizations, including representatives from the International Court of Justice, the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Court.⁵¹ In his message to the ceremony, the United Nations Secretary-General stressed that "achieving

⁴⁸ Ibid., Decision on the Programme and Budget of the OPCW for 2009, 5 December 2008, C-13/DEC.5.

⁴⁹ Ibid., Decision on the Implementation of Article VII Obligations, 5 December 2008, C-13/DEC.7.

⁵⁰ For further information, see <http://www.opcw.org/regional-focus/africa> (accessed 27 April 2009).

⁵¹ For further information, see <http://www.opcw.org/news/news/article/29-april-2009-day-of-remembrance-for-all-victims-of-chemical-warfare> (accessed 27 April 2009).

complete elimination of chemical weapons and universal adherence to the CWC are genuine ways of honoring the memory of all victims of chemical warfare”. He further stressed that the United Nations will continue to work together with the OPCW and the international community to promote the full implementation and universality of the Convention.⁵²

On 15 October, in his statement to the First Committee, the Director-General of the OPCW informed United Nations Member States of the progress achieved in implementing the Convention, including developments in chemical disarmament and initiatives towards its full implementation and universality. Drawing attention to the Final Report of the Second Review Conference in April, he highlighted the renewed commitment by the States parties to the goals of the CWC.

On 3 November, the Director-General provided an overview of OPCW activities since his 2006 report to the General Assembly under the agenda item “Cooperation between the United Nations and the OPCW”.⁵³ He stressed that the cooperation between the two organizations was vital to achieving global peace and security. In this context, he highlighted that an annual resolution adopted by the General Assembly on the implementation of the CWC was another manifestation that such cooperation had contributed to strengthening the norms against the development, production, stockpiling and use of chemical weapons. He also highlighted cooperation with UNODA in connection to the implementation of the UNSCR 1540 (2004).

In his address, the Director-General referred to the importance of developing the industry verification regime in a responsive manner, to ensure the long-term validity of the Convention’s non-proliferation objectives. He also stressed the importance of achieving universality and full implementation at the national level as a necessity for States parties to be properly equipped to detect, pursue and prosecute any breach of the Convention by nationals on their own territory. He further drew attention to the OPCW’s international cooperation and assistance programmes, noting that the African region receives special attention and that steady progress had been achieved in this regard.

From 28 to 30 November, the Tenth Annual Meeting of OPCW National Authorities was held at the OPCW headquarters in The Hague.⁵⁴ The meeting was specifically designed for personnel of national authorities that have daily involvement with issues surrounding CWC implementation at that level. Each

⁵² The full text of the Secretary-General’s message of 29 April 2008 is available at <http://www.un.org/disarmament/HomePage/SG/sgstatements.shtml>.

⁵³ “Implementation of the convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction” of 2 December 2009, A/RES/63/48, is available in Part 1 of the *United Nations Disarmament Yearbook*, vol. 32 (2009), pp. 51-53, available online at <http://www.un.org/disarmament>.

⁵⁴ A total of 190 participants from 92 States parties attended the meeting.

year, the Meeting of National Authorities includes a thematic segment. In 2008, it was devoted to the role of industry in implementing the Convention. In his opening statement at the meeting, the Director-General noted that, as at the end of November, 177 of the 184 States parties had established national authorities, a requirement under the Convention and a key element in its implementation.⁵⁵ He urged the remaining seven States parties to do so as early as possible and stressed the crucial role played by national authorities to achieve the objectives and purposes of the Convention. At the meeting, the technical secretariat also provided information on recent declarations and verification initiatives related to Article VI. Participating national authorities shared their implementation experiences and regional groups discussed ways and means to foster regional and subregional cooperation in implementing the Convention.

On 1 December, France, holding the Presidency of the European Union, sponsored a one-day meeting for national authorities at OPCW Headquarters. The meeting consisted of two sessions. The first focused on the provisions regarding the import and export of scheduled chemicals, Article X submissions and legal aspects related to implementation of the Convention. An expert from the 1540 Committee of the Security Council gave a presentation on complementary implementation of the CWC and UNSCR 1540. He emphasized that when a ratifying State adopted legislation to implement the CWC, the requirements of UNSCR 1540 were substantially met in the chemical area. He further noted, upon request, that synergies were to be found through dialogue and assistance.

The second session was devoted to preparing and handling industry inspections, enhancing capacity-building through chemical industry training and advancing the “Responsible Care Programme”.⁵⁶ The involvement of the chemical industry resulted in more exchanges of views, which could lead to the further development of existing or future programmes of cooperation.

General Assembly, 2008

63/48. Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

Introduced annually, this year’s resolution emphasized that the Second Review Conference welcomed, eleven years after its entry into force, that the Convention remained a unique multilateral agreement banning an entire category of

Introduced by: Poland (20 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (29 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 48-50.

⁵⁵ A list of States parties with national authorities is available at <http://www.opcw.org/contact/> (accessed 13 May 2009).

⁵⁶ For more information on the Programme, see <http://www.responsiblecare.org> (accessed 27 April 2009).

WMD in a non-discriminatory and verifiable manner under strict and effective international control. It underlined that implementation of the Convention made a major contribution to international peace and security through the elimination of existing chemical weapons stockpiles and the prohibition of the acquisition or use of chemical weapons, and provided for assistance and protection in the event of use, or threat of use, of chemical weapons and for international cooperation for peaceful purposes in the field of chemical activities.

The resolution welcomed OPCW activities in relation to assistance and protection against chemical weapons and emphasized the continuing relevance and importance of the provisions of article X of the Convention, the importance of article XI provisions relating to the economic and technological development of States parties, while recalling that the full, effective and non-discriminatory implementation of those provisions contributed to universality and reaffirming the undertaking of the States parties to foster international cooperation for peaceful purposes in the field of chemical activities of the States parties and the importance and contribution of that cooperation to the promotion of the Convention as a whole. Finally, it reaffirmed that the provisions of the Convention be implemented without hampering the economic or technological development of States parties and international cooperation in chemical activities not prohibited under the Convention.

63/53. Measures to uphold the authority of the 1925 Geneva Protocol

This biennial resolution called upon those States that continued to maintain reservations to the Geneva Protocol to withdraw them. It also requested the Secretary-General to submit to the General Assembly at its sixty-fifth session an implementation report on the resolution.

Introduced by: Indonesia, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries (17 Oct.)

GA vote: 174-0-4 (2 Dec.)

1st Cttee vote: 160-0-3 (31 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 65-67.

Export controls

Australia Group

From 14 to 18 April, the Australia Group⁵⁷ held its annual plenary meeting in Paris. At the plenary meeting, the members shared information on proliferation attempts by States of concern and non-State actors. The Group

⁵⁷ Participants in the Australia Group include the European Commission and 40 Member States: Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Republic of Korea, Latvia, Lithuania, Luxembourg, Malta, Netherlands,

discussed the detection of such attempts and counter-measures, including the enhancement and coordination of licensing and customs controls.

In response to rapid international developments in the field of synthetic biology, Group members agreed to form a synthetic biology advisory body to ensure that the Group be kept abreast of, and be able to respond quickly and appropriately to technological developments in this area. Several changes to its chemical and biological control lists were proposed, adopted or referred for further consideration.

The Australia Group continued to enhance cooperative measures to deal with Intangible Technology Transfers (ITT), an area of increasing priority in the defence against the proliferation of chemical and biological weapons capabilities. As a means of countering precarious ITT, members exchanged information on national measures for screening visa applications.

The Group also continued to ensure that its control lists keep pace with technological and industry developments. As a result, the Group's lists were used as a benchmark for controls on chemical and biological agents and equipment. These control lists were also increasingly used as a guide for international action in this area, including to support and apply relevant Security Council resolutions.⁵⁸

The Australia Group continued to promote its controls and practices through outreach to non-members and various international bodies. The Group's plenary reviewed outreach efforts and priorities, and agreed to continue an active programme throughout 2008 to 2009. No new members were admitted last year. Informative and cooperative outreach to domestic industry and academic sectors was also emphasized as a continuing priority for its members.⁵⁹

New Zealand, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom and the United States.

⁵⁸ The Australia Group 2008 Annual Plenary Press Release, http://www.australiagroup.net/en/agm_apr200.html.

⁵⁹ For further information on the Australia Group, see <http://www.australiagroup.net> (accessed 27 April 2009).

chapter III

Conventional weapons issues

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Conventional weapons issues

“New conventional-weapon issues are emerging, while old problems still demand solutions. The fact that conventional arms continue to kill many thousands of people every year is often overlooked, except, of course, by the States and individuals suffering most from this bloodshed.”¹

BAN KI-MOON, UNITED NATIONS SECRETARY-GENERAL

Developments and trends, 2008

CONCERNS OVER THE DEVASTATING EFFECTS of conventional weapons underscored sustained international efforts on curbing the illicit trade in small arms and light weapons (SALW), regulating the export and import of arms, prohibiting anti-personnel landmines (APLs) and cluster munitions as well as ensuring the secure and safe stockpiling of surplus conventional ammunition.

The United Nations continued to keep its focus on issues related to SALW, which was the subject of an open debate in the Security Council in April. For the first time, the debate was broadened beyond merely the illicit trade in SALW—reflecting the increased recognition that effective policy measures should be comprehensive and cross-cutting. The Secretary-General’s report on the issue laid the groundwork for this approach, focusing on the interconnections between arms regulation, trade, human rights, development, health, crime and armed violence prevention.²

In July, the General Assembly convened its Third Biennial Meeting of States (BMS) on the implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA). In an unprecedented development, the Third BMS produced a substantive outcome document containing recommendations on the “way forward” for strengthening its implementation. This development was hailed by the international community as an important step towards enhancing the usefulness of such global meetings. Another major development was the decision by the General Assembly to convene a conference to review the progress made in the implementation of the PoA,

¹ The Secretary-General’s remarks to the Disarmament Commission in New York of 7 April 2008 are available on the website of the United Nations Office for Disarmament Affairs (UNODA) at <http://www.un.org/disarmament/HomePage/SG/sgstatements.shtml>.

² See the report of the Secretary-General on small arms of 17 April 2008, S/2008/258. This and all subsequent United Nations documents are available in the six official languages at <http://ods.un.org>.

no later than 2012.³ The issue of convening such a conference had been left open as States could not reach an agreement on it during the 2006 Review Conference.

Sustained efforts within the framework of the Oslo Process resulted in the conclusion of the Convention on Cluster Munitions (see appendix II) on 30 May at the Dublin Diplomatic Conference. This legally binding agreement “prohibits the use and stockpiling of cluster munitions that cause unacceptable harm to civilians and secure adequate provision of care and rehabilitation to survivors and clearance of contaminated areas”. The Convention, which was opened for signature in Oslo on 3 December, will enter into force six months after ratification by 30 States.

Launched by General Assembly resolution 61/89, the process of examining the feasibility, scope and draft parameters for a comprehensive, legally binding instrument establishing common international standards for the import, export and transfer of conventional arms attracted considerable attention of the international community. A Group of Governmental Experts (GGE), established for this purpose, held three meetings in 2008, taking into consideration over 100 submissions from Member States. The report of the Group reflected the complexity of the problem as well as the different motivations by States for conventional arms production and acquisition and recommended follow-up efforts to achieve the goal set out in the resolution. The General Assembly decided later to establish an open-ended working group, which would provide interim reports on its work over the next three years.

With regard to the United Nations Register of Conventional Arms, the number of reports in 2008 dropped significantly. At the same time, a positive trend was observed with respect to a growing number of States that provided optional information on international transfers of SALW. In addition to the Register, Member States also contributed to another confidence-building measure in military matters, namely the United Nations Standardized Instrument for Reporting Military Expenditures, where the number of reporting States remained stable throughout 2008.

Meetings of States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Mine Ban Convention) and to 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 (CCW)⁴ took place in Geneva in November.

³ See A/RES/63/72, operative paragraph 14. For the text of the resolution, see Part I of the *United Nations Disarmament Yearbook*, vol. 33 (2008), p. 135. This and all subsequent General Assembly disarmament resolutions are available on the UNODA website at <http://disarmament.un.org/vote.nsf>.

⁴ Ibid.

After thorough analysis, the Meeting on the Mine Ban Convention approved 15 requests by States parties to extend the 10-year deadline for clearance and destruction of APLs. The Ninth Annual Meeting on the CCW reviewed issues related to implementing: (a) its plan of action for universalization; (b) a compliance mechanism; (c) a sponsorship programme; and (d) a proposal for the establishment of an Implementation Support Unit.

In another important development, progress was made in the area of conventional ammunition with the successful conclusion of the GGE's General Assembly-mandated work to consider further steps to enhance cooperation on issues related to surplus stockpiles of conventional ammunition. The Group recommended the development, within the United Nations system, of technical guidelines to manage stockpiles of conventional ammunition.

Small arms and light weapons

Third Biennial Meeting of States to consider the implementation of the Programme of Action on small arms at the national, regional and global level

Pursuant to resolution 62/47 of 5 December 2007, the Third BMS was held from 14 to 18 July, under the chairmanship of Dalius Čekuolis (Lithuania). Member States, international and regional organizations, specialized agencies and non-governmental organizations (NGOs) participated in the Meeting. Throughout ten plenary sessions, Member States considered four main themes: (i) international cooperation, assistance and national capacity-building; (ii) illicit brokering; (iii) stockpile management; and (iv) SALW tracing as well as issues relevant to PoA implementation.

Pursuant to resolution 62/47 of 5 December 2007, the segment dedicated to tracing of illicit SALW was, in effect, the first Meeting of States to consider the implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (International Tracing Instrument or ITI).⁵ This segment satisfied the recommendation contained in paragraph 37 of the International Tracing Instrument, which stipulated that States would meet on a biennial basis to consider national reports on ITI implementation. Under the chairmanship of Maged Abdelaziz (Egypt), States noted that laws, regulations and administrative procedures related to ITI implementation had been integrated into many national processes, in accordance with paragraph 24 of the instrument, and that a number of States had shown progress towards

⁵ The text of the International Tracing Instrument is available at <http://disarmament.un.org/cab/docs/International%20instrument%20English.pdf>.

strengthening their national implementation. The outcome of the Meeting was annexed to the report of the Third BMS.⁶

At the time the Third BMS was convened, 109 States had submitted their national reports on the implementation of the PoA.⁷ At that time, the United Nations Institute for Disarmament Research (UNIDIR) analysed the national reports submitted by States from 2002 to 2008 in a draft report entitled “Implementing the United Nations Programme of Action on Small Arms and Light Weapons”.⁸

Member States highlighted the associated implementation challenges, constraints and opportunities in addressing the issues of: (a) international cooperation; (b) assistance and capacity-building; (c) illicit brokering; and (d) stockpile management. Recognizing the aforementioned themes as essential to the PoA’s full and effective implementation, States agreed to outline concrete substantive measures aimed at enhancing its implementation. Accordingly, the major accomplishment of the Third BMS was the adoption, for the first time, of a report that contained a substantive outcome for each theme considered, including recommendations for the “way forward”.

The success of the Third BMS may be attributed to a number of factors, including: (a) early and thorough preparations; (b) extensive consultations carried out by the Chair-designate, with the assistance of other members of the BMS Bureau; (c) the Meeting format, which did away with the general exchange of views and focused discussions instead on a limited number of themes; (d) the willingness of States to overcome the failed 2006 Review Conference and to produce an outcome document pointing the way to effectively implement the PoA; and (e) the use of facilitators for States to achieve consensus on the recommendations of the outcome document.

Despite the efforts of the Chair and the facilitators to bring about a consensual outcome of the Meeting, the report of the Third BMS was

⁶ See the report of the Third Biennial Meeting of States of 20 August 2008, A/CONF.192/BMS/2008/3.

⁷ Andorra, Algeria, Angola, Argentina, Armenia, Australia, Austria, Bahrain, Belarus, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Chile, China, Colombia, Congo, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, India, Iceland, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Malaysia, Mali, Malta, Mauritius, Mexico, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, United States, Uruguay and Zimbabwe.

⁸ See <http://disarmament.un.org/cab/bms3/1BMS3Pages/1thirdBMS.html>.

adopted through a recorded vote with 134 States voting in favour⁹ and two abstentions.¹⁰

International Tracing Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons

The United Nations Office for Disarmament Affairs (UNODA) continued its series of regional workshops to promote and help States build capacity to implement the International Tracing Instrument. Three regional workshops were convened throughout 2008 in Lomé from 17 to 18 April for States of West and Central Africa;¹¹ in Seoul from 27 to 28 May for States of Asia and the Pacific;¹² and in Rio de Janeiro from 11 to 12 for States of Latin America and the Caribbean.¹³

Participants noted the usefulness of the workshops in raising awareness of the ITI and of the actions that States needed to carry out in order to fulfil

⁹ Voting in favour were: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Lao People's Democratic Republic, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mexico, Monaco, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zambia.

¹⁰ Iran (Islamic Republic of) and Zimbabwe abstained from the vote.

¹¹ The following States participated in the workshop: Benin, Burkina Faso, Cameroon, Congo, Côte d'Ivoire, Gabon, Ghana, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Democratic Republic of the Congo, Senegal, Sierra Leone and Togo. For further information, see <http://disarmament.un.org/cab/Markingandtracing/Lomeworkshopindex.html>.

¹² The following States participated in the workshop: Australia, Bangladesh, China, India, Indonesia, Japan, Kazakhstan, Myanmar, Nepal, Pakistan, Philippines, Republic of Korea, Solomon Islands, Sri Lanka, Tajikistan, Thailand and Viet Nam. For further information, see <http://disarmament.un.org/cab/Markingandtracing/Seoulworkshopindex.html>.

¹³ The following States participated in the workshop: Argentina, Barbados, Brazil, Chile, Costa Rica, Cuba, Dominican Republic, Ecuador, France, Guatemala, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Trinidad and Tobago and Uruguay. For further information, see <http://disarmament.un.org/cab/Markingandtracing/RioWorkshopPresentation.html>.

their commitments under that instrument. They highlighted the various challenges of its implementation and the importance of international cooperation and assistance in overcoming such obstacles, with a particular mention on training relevant officials to use technical tools. Participants agreed on recommendations to strengthen ITI implementation in the specific region targeted by each workshop.¹⁴

General Assembly, 2008

63/72. The illicit trade in small arms and light weapons in all its aspects

Building on past resolutions, this year several revisions were introduced. Among other things, the resolution underlined the need for national, regional and international efforts to prevent, combat and eradicate the illicit manufacture, transfer and circulation of SALW that caused humanitarian and socio-economic consequences and threatened peace, reconciliation, safety, security, stability and sustainable development. It encouraged States to implement the GGE's recommendations as well as the PoA measures highlighted in the report adopted at the Third BMS, and to build national capacity for PoA implementation. It also decided that the next BMS should be held for one week in New York, no later than in 2010, when at that time and within that framework, the meeting of States should also be convened to consider the International Tracing Instrument. Moreover, the resolution encouraged States, whenever possible, to submit their national reports by the end of 2009, to use the United Nations Development Programme (UNDP) reporting template and to include progress made on implementing the measures highlighted in the report of the Third BMS. The resolution also called upon all States to implement the International Tracing Instrument, including through their national reports, and encouraged States to voluntarily increase the use of these reports to communicate information on assistance needs, available

Introduced by: Japan (21 Oct.)

GA vote: 181-1-0; 177-0-2, o.p. 4; 176-1-1, o.p. 13 (2 Dec.)

1st Cttee vote: 166-1-0; 164-0-2, o.p. 4; 164-1-1, o.p. 13 (29 Oct.)

For text, sponsors, and voting pattern, see *Yearbook*, Part I, pp. 135-142.

¹⁴ The workshops were organized in close collaboration with the International Criminal Police Organization and were supported by experts from the United States Bureau of Alcohol, Tobacco, Firearms and Explosives, the Bonn International Center on Conversion, the Central American Programme on Small Arms Control, the Economic Community of West African States and its Small Arms Programme, the Firearms and Explosives Control Police Station of Rio de Janeiro, the Groupe de Recherche sur la Paix et la Sécurité, the Organization of American States, the Small Arms Survey, the United Nations Office on Drugs and Crime, Viva Rio and a large number of officials from national Governments. Financial support for the workshops was provided by the European Union and the Governments of the Czech Republic, Estonia, Japan, Norway and the Republic of Korea.

resources and mechanisms, and encouraged those States able to assist, to use them as well.

Furthermore, it stressed the importance of designating an early Chair of the fourth biennial meeting of States, and encouraged the responsible regional group to do so by October 2009. The resolution encouraged States to identify in advance, relevant priorities in illicit SALW trade, including implementation challenges and opportunities, as well as any follow-up to the Third BMS. It decided to convene a one week open-ended GGE meeting, no later than in 2011, to address key implementation challenges and opportunities, including on international cooperation and assistance, in addition to a two-week conference, no later than in 2012, to review progress made on PoA implementation. Finally, the resolution encouraged interested States and international, regional and other relevant organizations able to do so, to convene regional meetings on advancing PoA and International Tracing Instrument implementations.

First Committee. After voting in favour of the draft resolution, the **Islamic Republic of Iran** emphasized the great importance it attached to combating SALW trafficking. It believed that the applied procedure and method of work on the draft outcome of the Third BMS fell short of the Assembly's standards and principles, including transparency and inclusiveness and hoped that that would not be repeated in future meetings on the issue. **Cuba** believed that the text appropriately reflected a clear strategy for preventing, combating and eradicating illicit SALW trafficking and that the key to the successful implementation of the Programme lay in maintaining a multidimensional and balanced approach in which actions at the national, regional and international levels are complementary and mutually reinforcing.

After voting against the draft, the **United States** explained that while it remained fully committed to implementing the PoA, which it believed was most effectively done at the national, subregional and regional levels, it did not view a perpetual series of costly meetings as a requirement to achieve that goal nor to advance the objectives of the draft resolution.

63/66. Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them

Substantively unchanged from the previous session, this annual resolution once again encouraged the international community to support the 2006 Economic Community of West African States Convention, and the States in the region to facilitate the functioning of national commissions to combat illicit proliferation of SALW and to collaborate with civil society organizations in these efforts.

Introduced by: Mali, on behalf of the members of the Economic Community of West African States (21 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (29 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 111-114.

Security Council, 2008

On 30 April, the Security Council¹⁵ held an open debate on the threat posed by the illicit flow of small arms to international peace and security and examined means of intensifying the fight against their illegal proliferation. UNODA introduced the report of the Secretary-General on small arms¹⁶ and speakers from almost 50 States joined in the discussion.

The report examined various aspects of the small arms issue, with an emphasis on the negative impact that illicit SALW had on security, human rights and social and economic development, particularly in areas of crisis and post-conflict situations. It stressed the need for collaboration between the Council and the General Assembly to curb illicit arms and ammunition flows to those areas and encouraged synergies among various bodies involved in the small arms issue, including the Security Council, the General Assembly and the Peacebuilding Commission.

The report contained twelve recommendations, including: (a) integrating, where relevant, national small arms action plans into peacebuilding efforts, broader poverty reduction strategies and human security frameworks; (b) strengthening practical cooperation among relevant sanctions monitoring groups of the Security Council, peacekeeping missions, Member States and their investigative authorities; (c) prioritizing the destruction of surplus ammunition stockpiles in peacekeeping operations; (d) applying more regularly the Security Council's practice of linking arms embargoes exceptions with security sector reform; and (e) encouraging States to enhance their efforts to verify end-user certificates.

Coordinating Action on Small Arms (CASA) mechanism¹⁷

In 2008, a counter-terrorism aspect of the small arms issue was added to CASA, as the United Nations Counter-Terrorism Committee Executive Directorate joined the mechanism. Additionally, in his report to the Security Council, the Secretary-General declared that reviving CASA was one of his priorities in the field of disarmament for the year.

During the Third BMS, CASA launched a comprehensive information management system entitled the "Programme of Action–Implementation Support System" (PoA-ISS).¹⁸ The PoA-ISS aims to disseminate information,

¹⁵ See SC/9316, available on the website of the United Nations News Centre at <http://www.un.org/News/>.

¹⁶ See the report of the Secretary-General on small arms of 17 April 2008, S/2008/258.

¹⁷ The CASA mechanism was established in 1998 as a United Nations tool to formulate and implement a multidisciplinary and coherent approach to the problem of SALW proliferation. Collaborative initiatives carried out under the CASA framework include fact-finding missions, field projects, seminars and workshops to assist in the implementation of the United Nations PoA. For further information, see <http://www.un-casa.org/>.

¹⁸ See <http://www.poa-iss.org/> (accessed 17 July 2009).

facilitate information exchange and provide Internet-based tools to assist States, intergovernmental organizations and civil society in implementing the PoA and related instruments. Through a Small Arms Advisory Network, the PoA-ISS also provides an online community for knowledge and experience sharing among its 500-plus registered users. In the outcome document of the Third BMS, Member States welcomed the establishment of the PoA-ISS and were encouraged to support and make full use of it.¹⁹

Additionally, CASA launched a project to develop international standards for small arms control (ISACS), which emulates similar United Nations initiatives related to mine action and disarmament, demobilization and reintegration. The two-year project envisaged a participatory and inclusive process to identify internationally accepted standards for SALW control. In this regard, from 24 to 25 November a broad-based consultation on developing international small arms control standards was organized in Geneva to establish a basis for the contents and methodology of the ISACS process.

In July, the first phase of the CASA project to support the Sri Lanka National Commission Against the Proliferation of Illicit Small Arms and Light Weapons was successfully concluded. The project enabled Sri Lanka to put in place a functioning national commission to: (a) develop a firearms record-keeping system; (b) carry out a survey of its SALW situation; and (c) develop a national action plan.

In the area of studies and action-oriented research, UNIDIR, UNDP, the United Nations Office on Drugs and Crime and the Small Arms Survey produced an analysis of the national reports submitted by States from 2002 to 2008, which served as a background document for the Third BMS.

Conventional arms ammunition

Group of Governmental Experts to consider further steps to enhance cooperation with regard to the issue of conventional ammunition stockpiles in surplus

The GGE conducted its work in three one-week sessions throughout 2008. The first session was held in Geneva from 14 to 18 January and the second and third sessions were held in New York from 30 March to 4 April and from 7 to 11 July, respectively. The Group examined a wide range of issues relating to conventional ammunition stockpiles and adopted a report²⁰ with a

¹⁹ See the report of the Third Biennial Meeting of States of 20 August 2008, A/CONF.192/BMS/2008/3.

²⁰ See the report of the Secretary-General on problems arising from the accumulation of conventional ammunition stockpiles in surplus of 28 July 2008, A/63/182.

set of recommendations on measures that could be undertaken to address the problem at the national, regional and global levels.

The GGE stressed that the problem of the accumulation of conventional ammunitions stockpiles in surplus was largely a result of inadequate stockpile management policies and practices that consequently, must be considered within the broader context of stockpile management. The GGE also highlighted the fact that inadequately located and poorly managed ammunition stockpiles posed an excessive risk for two main reasons. Firstly, they could become unstable and threaten public safety with explosions or contamination, and secondly, unsecured and poorly managed stockpiles of ammunition may be easily diverted for illicit use, which can increase fatalities arising from various forms of armed violence.

The GGE's recommendations emphasized the need for greater international cooperation and assistance to address the problem of the accumulation of conventional ammunition stockpiles in surplus. The Group proposed that: (a) national stockpile management staff be educated and trained; (b) technical guidelines be developed to assist States in improving their national stockpile management capacities; and (c) knowledge resource management on ammunition and technical issues within the United Nations system be improved to ensure that States have ready access to appropriate technical expertise and guidance for the safe and secure storage of ammunition and the disposal of surplus stockpiles.

Acting on the recommendations of the Group, UNODA formulated a project for the development of technical guidelines for the stockpile management of conventional ammunition, which is expected to commence in 2009 with the support of donors. The technical guidelines would be available for States to use on a voluntary basis, to improve their national stockpile management capacity, prevent the growth of conventional ammunition surpluses and mitigate risks.

General Assembly, 2008

63/61. Problems arising from the accumulation of conventional ammunition stockpiles in surplus

Last introduced in 2006, this year the resolution took note of the Member States' views on the risks regarding the accumulation of conventional ammunition stockpiles in surplus and on national ways of strengthening controls on conventional ammunition. It welcomed the GGE report,

Introduced by: Germany (22 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: 172-0-0 (31 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 90-92.

established pursuant to resolution 61/72,²¹ to consider further steps to enhance cooperation with regard to this issue and encouraged States to implement the recommendations therein. The resolution also encouraged States in a position to do so to contribute, on a voluntary and transparent basis, to the development within the United Nations of technical guidelines for the stockpile management of conventional ammunition to assist States in improving their national stockpile management capacity, preventing the growth of conventional ammunition surpluses and addressing wider risk mitigation.

First Committee. After voting in support of the draft resolution, the **Bolivarian Republic of Venezuela** stressed that each State must determine when its accumulation of conventional ammunition stockpiles was in surplus. It believed that the illicit traffic in ammunition was intrinsically linked to the traffic in weapons and that marking ammunition would help to prevent its diversion to criminal activities and the black market. While voting in favour, **Pakistan** emphasized that the onus to take the lead in conventional arms control and disarmament was on the major military Powers.

63/62. Consolidation of peace through practical disarmament measures

The resolution reiterates all the main elements of the previous resolution. It encouraged Member States, including the Group of Interested States, to lend their support to the Secretary-General, relevant international, regional and subregional organization, in accordance with Chapter VIII of the United Nations Charter, and NGOs in responding to requests by Member States, to collect and destroy SALW in post-conflict situations. It then requested the Secretary-General to submit to the Assembly's sixty-fifth session a report on the implementation of practical disarmament measures, taking into consideration the activities of the Group of Interested States in that regard.

First Committee. After voting in favour of the draft resolution, three States took the floor in explanation. **Pakistan** underlined that the reference to ammunition in the third preambular paragraph went beyond the scope of the PoA and noted that the focus should be on strengthening existing mechanisms rather than on creating new ones. The **Islamic Republic of Iran** disagreed with the tenth preambular paragraph, by which the General Assembly would welcome the reports of the Biennial Meetings of States to Consider the Implementation of the PoA as it believed that the applied procedure and method of work on the draft outcome of that Meeting fell short of General Assembly

Introduced by: Germany (22 Oct.)

GA vote: 182-0-0; 176-0-1, "and third" in p.p. 10 (2 Dec.)

1st Cttee vote: 164-0-0; 159-0-2, "and third" in p.p. 10 (30 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 93-98.

²¹ Text of the resolution is available in the *United Nations Disarmament Yearbook*, vol. 31 (2006), pp. 390-391, available online at <http://www.un.org/disarmament>.

standards and principles. Exercising its right to reply, **Lithuania** pointed out that 740,000 people were killed each year and that the Final Outcome Document of the Biennial Meeting of States led to tangible actions that saved lives. It was proud of that result and owed it to the thousands of individuals from countries, international, regional and subregional organizations, civil society and academic institutions. Lithuania found it unfortunate that someone had chosen to overlook that sacrifice and commitment and found it convenient to place blame on procedures.

Transparency in conventional arms transfers and military expenditures

Conference on Disarmament

On the basis of the organizational framework agreed upon on 5 February, the Conference on Disarmament (CD) held initially two informal meetings, respectively on 15 and 28 February, followed by a 12 August session on “Transparency in Armaments”. Under the guidance of I. Gusti Agung Wesaka Puja (Indonesia),²² the discussion was structured according to the list of issues that were raised in 2007.²³ During the discussions, seemingly few attempts were made to elaborate further on what was achieved in 2007.

Israel’s initiative to ban arms transfers to terrorists remained the most sensitive issue. The discussions revealed considerable divergences of views, particularly with Algeria and the Syrian Arab Republic warning of potentially politicizing the issue.

Pakistan underscored the usefulness of transparency in armaments as a tool to acquire a picture of the destabilizing effects of conventional armaments build-up. However, it was critical of the existing United Nations Register on Conventional Arms and the United Nations Standardized Instrument for Reporting on Military Expenditures as they did not prevent the transfer of technology to conflict-prone regions and could not assure the principle of equal and undiminished security for all at the lowest level of armament. Additionally, they did not help to rectify asymmetries in conventional arsenals.

A number of delegations were of the view that transparency in armaments remained important, and while there was no opposition to the idea of appointing a Special Coordinator or even establishing an Ad Hoc Committee, it was deemed essential to remain focused on an agreed programme of work, based primarily on the four core CD issues, namely nuclear disarmament, a Fissile Material Cut-off Treaty, the prevention of an arms race in outer space and negative security assurances.

²² See CD/1846.

²³ See annex VII of document CD/1827.

United Nations Register of Conventional Arms

UNODA continued its efforts to enhance familiarity with and promote participation in the Register. It also continued to raise funds for organizing regional workshops. During the 2008 session of the First Committee, it prepared and distributed among delegations a fact sheet on the Register and conducted a side event on promoting transparency in international arms transfers. On 13 May, UNODA made a presentation and provided background material to the second session of the GGE to examine the feasibility of a legally binding instrument on the import, export and transfers of conventional arms. In March, it made a presentation at a regional policy seminar on “Implementing Arms Transfer Control Commitments”, which was held in Moscow.

In cooperation with Member States, UNODA conducted a pilot project to explore the feasibility of transmitting reports to the Register online, using electronic reporting forms. Entitled “Electronic Filing of National Reports in the United Nations Register of Conventional Arms”, the pilot informed UNODA of some of the related difficulties and constraints and provided valuable information for the planned overhauling and upgrading of the United Nations Register database that would enable quick and detailed information searches.

Annual report on the Register for the calendar year 2007

The sixteenth consolidated report issued by the Secretary-General and the two addenda for the calendar year 2007²⁴ contained data and information provided by 91 Governments on imports and exports in the seven categories of conventional arms covered by the Register.²⁵ Information on arms exports was provided by 33 countries, 45 reports contained information on imports and 39 States submitted “nil” reports. Additional background information was included in 57 submissions, 26 of which contained data on national military holdings, and 19 on procurement through national production. A composite table, listing all the replies received by the Secretary-General and indicating which reply contained data on imports and exports of conventional arms, and what kind of background information was included, is annexed to this chapter.²⁶

In 2008, the number of States that complemented their reports to the Register with international SALW transfers data increased to 48. Table 1

²⁴ See the report of the Secretary-General on the Conventional Arms Register of 14 July 2008, A/63/120 and Adds.1, 2 and 3.

²⁵ The seven categories are: battle tanks; armoured combat vehicles; large-calibre artillery systems; combat aircraft; attack helicopters; warships; and missiles and missile launchers.

²⁶ The Register is available on the UNODA website at <http://www.un.org/disarmament/convarms/Register/HTML/RegisterIndex.shtml>.

reflects regional participation and table 2 presents information on States that provided data on international SALW transfers.

Table 1. Regional participation of Member States in the United Nations Register of Conventional Arms: calendar years 2001-2007

	2001	2002	2003	2004	2005	2006	2007
African States (total: 53)	17	17	9	16	16	15	8
Asian States (total: 53)	32	31	34	33	29	26	21
Eastern European States (total: 23)	21	22	20	21	21	22	22
Latin American and Caribbean States (total: 33)	26	24	21	18	21	20	11
Western European and Other States (total: 30)	30	29	30	29	30	30	29
Total	126	123	115	117	117	113	91

Table 2. United Nations Register of Conventional Arms: Participation of Member States in reporting transfers of small arms and light weapons, calendar years 2003-2007

Calendar year	2003	2004	2005	2006	2007
Total no. of reports to the Register	115	117	117	113	91
No. of States reporting SALW transfers	5	5	4	37	48
1. Albania				yes	yes
2. Antigua and Barbuda				yes	nil
3. Argentina					nil ^a
4. Armenia					yes
5. Australia					yes
6. Bangladesh				yes	yes
7. Bosnia and Herzegovina				yes	yes
8. Brunei Darussalam					yes
9. Canada				yes	yes
10. Chile					yes
11. Colombia					yes
12. Croatia					yes

Calendar year	2003	2004	2005	2006	2007
Total no. of reports to the Register	115	117	117	113	91
No. of States reporting SALW transfers	5	5	4	37	48
13. Cyprus				yes	nil
14. Czech Republic				yes	yes
15. Denmark				yes	yes
16. El Salvador					nil
17. Fiji					nil
18. Finland		yes			
19. France		yes	yes	yes	yes
20. Georgia				yes	yes
21. Germany				yes	yes
22. Ghana					nil
23. Greece				yes	yes
24. Haiti				yes	
25. Hungary				yes	yes
26. Indonesia					yes
27. Italy					yes
28. Jamaica				yes	
29. Japan		PNP ^b	PNP ^b	PNP ^b	PNP ^b
30. Latvia	yes			yes	yes
31. Liechtenstein				yes	yes
32. Lithuania				yes	yes
33. Luxembourg					yes
34. Mali				nil	
35. Malta					nil
36. Mexico				yes	yes
37. Montenegro					yes
38. Netherlands	yes	yes	yes	yes	yes
39. New Zealand				yes	yes
40. Norway					yes
41. Panama				yes	

<i>Calendar year</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
<i>Total no. of reports to the Register</i>	<i>115</i>	<i>117</i>	<i>117</i>	<i>113</i>	<i>91</i>
<i>No. of States reporting SALW transfers</i>	<i>5</i>	<i>5</i>	<i>4</i>	<i>37</i>	<i>48</i>
42. Philippines				nil	
43. Poland	yes	yes	yes	yes	yes
44. Portugal				yes	yes
45. Republic of Korea				yes	yes
46. Republic of Moldova				nil	nil
47. Romania					yes
48. Saint Lucia				nil	
49. Senegal				yes	
50. Slovakia				yes	yes
51. Slovenia					yes
52. Swaziland				nil	nil
53. Sweden	yes			yes	yes
54. Switzerland				c	
55. Togo				nil	nil
56. Trinidad and Tobago				yes	
57. Turkey				yes	yes
58. Ukraine					yes
59. United Kingdom	yes	yes	yes	yes	yes

^a In 2008 Argentina also reported military holdings of SALW.

^b Japan reported procurement of SALW through national production (PNP) for calendar year 2004-2007.

^c In 2007 Switzerland notified its inability to report transfers of SALW under the current reporting system.

Objective information on military matters, including transparency of military expenditures

UNODA continued its efforts to raise awareness of and promote transparency in military matters. During the 2008 session of the First Committee, it prepared and distributed among delegations a fact sheet on the Standardized Instrument for Reporting Military Expenditures. In view of the forthcoming Governmental review of the operation and further development of the Instrument in 2010, efforts were made in cooperation with the co-sponsors

of the resolution to start preparation for the review—as mandated by General Assembly resolution 62/13.²⁷

United Nations Standardized Instrument for Reporting Military Expenditures

The 2008 report of the Secretary-General²⁸ on this matter contained official data provided by 77 Governments on their national military expenditures for the latest available fiscal year.²⁹ It included 8 “nil” reports and 3 States reporting their military expenditures for the first time. Regional participation is reflected in the following table.

Table 3. Regional participation of Member States in the United Nations Standardized Instrument for Reporting Military Expenditures: 2002-2008

	2003	2004	2005	2006	2007	2008
African States (total: 53)	4	4	1	4	2	5
Asian States (total: 53)	16	16	17	16	15	12
Eastern European States (total: 22)	16	20	19	19	19	21
Latin American and Caribbean States (total: 33)	14	10	12	15	15	12
Western European and Other States (total: 30)	26	29	28	26	28	27
Total	76	79	77	80	79	77

²⁷ See A/RES/62/13. For the text of the resolution, see Part I of the *United Nations Disarmament Yearbook*, vol. 32 (2007), p. 1.

²⁸ The Secretary-General requested Member States to submit by 30 April their annual reports on their military expenditures for the latest fiscal year for which data was available, preferably using to the extent possible the reporting format recommended in resolution 35/42 of 12 December 1980, or as appropriate, any other format developed in conjunction with similar reporting on military expenditures to other international or regional organizations.

²⁹ Full data provided by States are reflected in the report of the Secretary-General of 3 July 2008, A/63/97 and Add.1 and 2, available online at http://www.un.org/disarmament/convarms/Milex/html/Milex_SGReports.shtml.

General Assembly, 2008

63/69. Transparency in armaments

The current biennial resolution welcomed the Secretary-General's report on the Register, including the 2006 and 2007 returns of Member States and noted the focused discussions on transparency in armaments held by the CD in 2007 and 2008. Furthermore, it requested the Secretary-General, with the assistance of a GGE to be convened in 2009 on the basis of equitable geographical representation and within available resources, to report on the continuing operation and further development of the Register, taking into account the work of the CD, the views of Member States and his previous reports on the topic, with a view to taking a decision at its sixty-fourth session.

First Committee. After abstaining from the vote, three States took the floor to explain their positions. **Lebanon** stated that while it valued the Register as a confidence-building measure and early warning mechanism, it cited weaknesses, including that only half of the Member States had provided it with information. Lebanon also believed that to make the Register more balanced and comprehensive, it was necessary to widen its scope to include advanced conventional weapons, weapons of mass destruction (WMD), including nuclear weapons, and advanced technology with military applications. The **Syrian Arab Republic** drew attention to the fact that the draft resolution did not consider the special situation in the Middle East. It pointed to Israel's superiority in high-tech and lethal conventional weapons as well as its capacity to manufacture and stockpile other advanced weapons, including nuclear weapons. The **Islamic Republic of Iran** explained its position of advocating a more comprehensive approach to transparency in armaments. It stated that transparency in conventional arms without transparency in WMD was imbalanced and lacked comprehensiveness, in particular in the sensitive region of the Middle East, where the only non-party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) continued to develop nuclear weapons and other kinds of WMD.

Introduced by: Netherlands
(22 Oct.)

GA vote: 160-0-22; 157-0-22, o.p. 2;
158-0-22, o.p. 3; 157-0-22, o.p. 4;
158-0-22, o.p. 5 (b); 158-0-22, o.p. 5;
158-0-22, o.p. 7 (2 Dec.)

1st Cttee vote: 144-0-21; 143-0-20,
o.p. 2; 143-0-21, o.p. 3; 143-0-21,
o.p. 4; 143-0-21, o.p. 5 (b); 143-0-21,
o.p. 5; 143-0-21, o.p. 7 (30 Oct.)

For text, sponsors and voting pattern,
see *Yearbook*, Part I, pp. 121-131.

63/57. Information on confidence-building measures in the field of conventional arms

Last introduced in 2005, this year the resolution welcomed the establishment of the electronic database containing information provided by Member States, and requested that the Secretary-General keep it updated and assist requesting Member States in organizing seminars, courses and workshops to enhance knowledge on new developments in this field. It also decided to include this item in the provisional agenda of its sixty-fifth session.

Introduced by: Argentina (21 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (21 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 77-78.

Convention on Certain Conventional Weapons

Group of Governmental Experts of the High Contracting Parties to the CCW

In Geneva from 7 to 13 November 2007, the States parties to the CCW decided that the GGE would be mandated to negotiate a proposal urgently addressing the humanitarian impact of cluster munitions, while striking a balance between military and humanitarian considerations.³⁰ The States parties further tasked the Group to: (a) make every effort to rapidly negotiate the proposal and report its progress to the next Meeting of the High Contracting Parties in November 2008; and (b) meet not less than three times for a total of up to seven weeks. Moreover, the States parties also decided that the work of the GGE would be supported by military and technical experts.³¹

Although the States parties had decided that the GGE would meet four times in 2008, respectively, in January, July, September and November,³² the dynamics that prevailed over the negotiations on cluster munitions compelled the Group's Chairperson,³³ in consultation with the regional groups, to convene an additional session in April.³⁴ Therefore, in keeping with the seven-week period, the July session was shortened by one week and the GGE met in 2008 for a total of five sessions.

Throughout the sessions, the GGE Chair was assisted by the Chairperson of the meetings of the Military and Technical Experts,³⁵ as well as by five

³⁰ Further information on CCW is available at: <http://www.unog.ch/disarmament/>.

³¹ See CCW/MSP/2007/5, para. 37.

³² Sessions were as follows: 14 to 18 January, 7 to 11 July, 1 to 5 September and 3 to 7 November.

³³ Bent Wigotski (Denmark).

³⁴ The session was held from 7 to 11 April 2008. See CCW/GGE/2008-I/3, para. 17.

³⁵ Lars C. Fynbo (Denmark).

Friends of the Chair.³⁶ He also conducted meetings in different settings, including small working groups and a number of informal consultations.

Striking a balance between humanitarian concerns and military necessity was a difficult challenge. It became clear that minimizing the hazards caused by cluster munitions would require a comprehensive approach. The negotiations also revealed the technical complexity and political sensitivity of the process. Last but not least, the challenging and complex negotiations were under pressure from and dependent upon the development of the Oslo Process, which had successfully resulted in the Convention on Cluster Munitions—with a strong humanitarian focus. Most of the CCW States parties were invited to participate and took part in the negotiations outside the CCW.

Building on the political momentum and substantive foundation set by the 2007 GGE, which studied cluster munitions in all their aspects, the States parties focused on cluster munitions elements as the major cause for the unacceptable humanitarian impact caused by this weapon system. During the course of the year, the draft protocol slowly gained shape and by the third session, the Chair submitted a paper on cluster munitions that listed the elements identified by the States as those most essential for the draft Protocol.³⁷

It appeared possible for the Group to make progress on some less controversial and divisive issues, such as most definitions, victim assistance, international cooperation and assistance, and stockpile management. However, discussions on the other elements, including the definition on cluster munitions, the core provisions on international humanitarian law, the scope of the prohibitions and restrictions, the issue of transfers, and others revealed a considerable divergence of views and approaches.

By the fifth session of negotiating the new instrument, the Group encountered much difficulty in fulfilling its mandate to strike a balance between military and humanitarian considerations. On 3 November, the Chair produced a text³⁸ before the opening of the final plenary meeting of the Group that was seen widely to be tilted too much toward military considerations. The Convention on Cluster Munitions adherents not only felt that humanitarian considerations were inadequately reflected, but that the Chair had not listened to their points of view sufficiently. The International Committee of the Red Cross (ICRC), the United Nations Mine Action Service (UNMAS) and civil society also expressed concerns over some aspects of the text, which exposed serious

³⁶ Jim Burke (Ireland) on Definitions; Ryuichi Hirano (Japan) on Protection of Civilians, the Civilian Population and Civilian Objects; Julio Fontes Laranjeira (Brazil) on Storage and Destruction and on Transfers; Markus Reiterer (Austria) on Victim Assistance (replaced later by Anesa Kundurovic (Bosnia and Herzegovina)); and Craig MacLachlan (Australia) on Cooperation and Assistance (replaced later by Angela Robinson (Australia)).

³⁷ See CCW/GGE/2008-III/2.

³⁸ See CCW/GGE/2008-V/WP.1.

deficiencies in the protection of civilians. The complexity of the matter escalated in a joint statement on behalf of some 25 delegations stressing that the current text did not meet the humanitarian standards and would only serve to justify the continued use of those weapons. A number of delegations also tabled amendments and proposals, including the text of a draft Protocol prohibiting the transfer of cluster munitions.

The Group adopted its procedural report³⁹ which stipulated that at its final plenary meeting on 12 November, the GGE had not concluded its negotiations on the Chairs' text⁴⁰ and recommended to the Meeting of the High Contracting Parties that possible further negotiations take place in 2009, without prejudice to any present or future proposals made by delegations.

Meeting of the High Contracting Parties to the CCW

The Meeting of the High Contracting Parties was held from 13 to 14 November.⁴¹ Despite the outcome of the GGE's work, the Meeting finished on a fairly positive note due to the number of solid decisions taken by the Conferences of the High Contracting Parties to Amended Protocol II and Protocol V, and to a compromise solution for continuation in 2009 of the Group's work on cluster munitions. It adopted its report, which included all the decisions for the 2009 series of activities.⁴²

The most tangible action was that surrounding the work of the CCW on cluster munitions. In an open and inclusive style, the Chair succeeded to come out with a renewed mandate for the GGE, as follows:

(i) The GGE would continue its negotiations, taking into account document the provisional programme of work submitted by the chair on 30 October⁴³ and other present and future proposals by delegations, to address urgently the humanitarian impact of cluster munitions, while striking a balance between military and humanitarian considerations;

(ii) The Group should make every effort to conclude its negotiations as rapidly as possible and report to the next Meeting of the High Contracting Parties;

(iii) The Group's work would be supported by military and technical experts; and

(iv) The GGE would meet for up to two weeks in 2009, from 16 to 20 February 2009 and subsequently, if required, from 14 to 17 April 2009.⁴⁴

³⁹ CCW/GGE/2008-V/2.

⁴⁰ Op. cit., footnote 38.

⁴¹ Zamir Akram (Pakistan) chaired the Meeting.

⁴² See CCW/MSP/2008/4.

⁴³ Op. cit., footnote 38.

⁴⁴ See CCW/MSP/2008/4.

Other issues considered by the Meeting of the High Contracting Parties were impacted by the fate of the new protocol on cluster munitions that shifted the focus to negotiating a new mandate for the GGE. Nonetheless, the following were included: (a) the report on the implementation of the Plan of Action to promote CCW universality; (b) the report on the activities of the CCW Sponsorship Programme; (c) the CCW compliance mechanism whereby States parties were requested to submit annually national compliance reports and to nominate national experts for inclusion in the Pool of Experts; (d) the issue of mines other than anti-personnel mines, which was decided to be considered under the overall responsibility of the future Chairperson-designate; (e) the proposal to establish an Implementation Support Unit (ISU), on which a number of delegations commented favourably. It was also noted that the increased work relating to the CCW and its Protocols could benefit from a strengthened UNODA, Geneva Branch. Some delegations requested that additional information on ISU functioning be provided, particularly with respect to cost implications. It was decided that the issue would be taken up for decision at the 2009 Meeting;

The Meeting decided to designate Babacar Carlos M'baye (Senegal) as Chairperson of the 2009 Meeting of the High Contracting Parties and appointed Gustavo Ainchil (Argentina) as GGE Chairperson.

The Meeting also took the following decisions on 2009 dates and duration of CCW activities: (a) the first 2009 GGE session would be held from 16 to 20 February; (b) the second session from 14 to 17 April; (c) the Group of Experts of the High Contracting Parties to Amended Protocol II would meet from 20 to 21 April; (d) the Meeting of Experts of the High Contracting Parties to Protocol V would be convened from 22 to 24 April; (e) the Third Conference of the High Contracting Parties to Protocol V would be held from 9 to 10 November; (f) the Eleventh Annual Conference of the High Contracting Parties to Amended Protocol II would meet on 11 November; and (g) the Meeting of the High Contracting Parties to the Convention would be held from 12 to 13 November.

Protocol V on explosive remnants of war

The year 2008 marked the commencement of implementing the relevant decisions by the First Conference of the High Contracting Parties to the Protocol on establishing an implementation mechanism for cooperation, consultation and assistance among the States parties. At the first-ever Meeting of Experts, several substantive aspects of implementing Protocol provisions at the national level were considered. Tools were also developed by the experts to assist States parties in complying with the Protocol as well as with some

of the decisions of the First Conference. Subsequently, in November the tools were approved by the Second Conference of the High Contracting Parties.

CCW Protocol V Meeting of Experts

On 5 November 2007, the First Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War (ERW) decided to establish an informal mechanism for information exchange and cooperation among the States parties, which would also act as a tool to facilitate Protocol compliance and implementation.⁴⁵ Consequently, the Protocol V Meeting of Experts took place from 2 to 4 July, the first of its kind—setting the standards for future such annual meetings. The President-designate of the Second Conference⁴⁶ presided over the opening and closing of the Expert Meeting, but the substantive discussions were chaired by the coordinators responsible for each of the five main topics identified by the First Conference.⁴⁷

Clearance. The experts studied the challenges in implementing the clearance responsibilities, pursuant to Article 3, as well as in establishing a Protocol V cooperation and assistance forum to support States parties in fulfilling them. The main aims of the discussion were: (a) to start establishing a global picture of the ERW situation; (b) to identify challenges associated with ERW clearance, which is one of the main obligations under the treaty; and (c) to provide a forum for States in need of assistance to present their national ERW status and priorities, to report on established programmes and implementation progress and to appraise their needs for support.

Cooperation and assistance and requests for assistance. The experts evaluated the mechanism for requesting assistance, including the accessibility to the ERW database, established by the First Conference of the High Contracting Parties. To facilitate the work, the Coordinator conducted a number of informal consultations, in different settings, before, during and after the Meeting of Experts. They discussed: (a) the Coordinator's proposal to set up a web-based information system for Protocol V (WISP.V), within the current website of the United Nations Office at Geneva, to facilitate connecting needs with resources; and (b) the creation of Formats for Request for Assistance to be used as a template for the submission by States seeking assistance to the ERW database.

Victim assistance. Essential to Protocol implementation, the experts' discussion generated a wealth of knowledge brought about by the experience amassed from implementing the Anti-Personnel Landmines Convention. To

⁴⁵ See CCW/P.V/CONF/2007/1.

⁴⁶ Edvardas Borisovas (Lithuania).

⁴⁷ Coordinators: Dijana Plestina (Croatia) on clearance; Gyula Somogyi (Hungary) on cooperation and assistance, and requests for assistance; Markus Reiterer (Austria) on victim assistance; Venkatesh Varma (India) on generic electronic template and national reporting; and Marcel Mulder (Netherlands) on generic preventive measures.

facilitate the work and model the final outcome, the Coordinator: (a) organized various consultations throughout the course of the year; (b) elaborated and circulated a questionnaire on victim assistance,⁴⁸ to better canvass the situation, get an overview of its magnitude and acquire information on States' undertakings to improve the situation of ERW victims; (c) organized a seminar; and (d) produced a paper on the possible elements and common approaches to victim assistance, which served as a basis to elaborate a Plan of Action on Victim Assistance under Protocol V.

*Generic Electronic Template.*⁴⁹ With regard to Article 4, the experts evaluated the template for recording and retaining information. It was adopted on a trial basis by the First Conference, where it was revised and finalized before the Second Conference.

National reporting. The experts stressed the fact that national reporting was a central pillar critical to implementing Protocol V in all its aspects. It promoted a culture of compliance, a consciousness about its obligations at various levels within High Contracting Parties and a framework for international cooperation. Against this background the Meeting engaged in a process of evaluating the Reporting Mechanism, including the reporting formats.

Generic preventive measures. The experts discussed measures to reduce the likelihood of munitions from becoming ERW. They mainly focused on: (a) munitions manufacturing management; (b) munitions management; (c) training; (d) transfer; and (f) future production. Since a large amount of literature and good practices already existed on this topic, the Coordinator concluded that States parties should have the political will for implementation. As no particular instrument was identified as a sole reference, States had the option to implement the existing standards as best suited their national interests.

The five Coordinators reported to the Second Conference of the High Contracting Parties to Protocol V on the work of the Meeting of Experts and introduced recommendations on all of the aspects they had discussed.⁵⁰

Second Conference of the High Contracting Parties to CCW Protocol V on Explosive Remnants of War

The States parties to Protocol V continued from 2007 to consider ways to further enhance the Protocol's implementation mechanism. The Second Conference met from 10 to 11 November and noted that an additional 12

⁴⁸ An electronic version of the questions is available at the CCW Protocol V Meeting of Experts webpage at: <http://www.unog.ch/disarmament>.

⁴⁹ See CCW/P.V/CONF/2008/5.

⁵⁰ The Meeting of Experts did not adopt a report at the end of its session due to the informal nature of its activities.

States parties had notified, since the previous year, their consent to be bound by the Protocol.⁵¹ The President of the Conference⁵² assisted by two Vice-presidents,⁵³ received the reports conveyed by the five Coordinators⁵⁴ who transmitted the results of the discussions held during the July Meeting of Experts.

The evaluation of the previous year's operation revealed that the new States parties would need sufficient time to review the effectiveness of their national implementation measures. Twenty-seven States parties submitted national reports currently housed in the database, accessible through the Protocol V webpage established last year.⁵⁵ Additionally, Senegal submitted a voluntary report—an encouraging sign reflecting the ease of submission by potential States parties.

Based on the Coordinators' reports and the recommendations contained therein, the Second Conference decided to:

- Adopt the Plan of Action on Victim Assistance as a political tool for effectively addressing, on a voluntary basis, the problems of ERW victims.
- Continue the consideration of victim assistance in the context of the Meetings of Experts and the Conferences of the High Contracting Parties to Protocol V. In this respect the Conference also decided to invite all States parties, which have not yet done so, to respond to the questionnaire⁵⁶ presented by the Coordinator to further improve the common knowledge basis and exchange experience on how best to address the problems of ERW victims.
- Continue the consideration of clearance, removal or destruction of ERW in the context of the Meetings of Experts and the Conferences of the High Contracting Parties to Protocol V. The Conference invited all States parties, to share their national experience in dealing with present or past ERW contamination, focusing on the challenges associated with the clearance, removal or destruction of ERW of specific types of munitions

⁵¹ Belarus, Guatemala, Guinea-Bissau, Iceland, Jamaica, Madagascar, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation and Tunisia (CCW/P.V/CONF/2008/12, annex VIII).

⁵² Edvardas Borisovas (Lithuania).

⁵³ Caroline Millar (Australia) and Hamid Ali Rao (India).

⁵⁴ Coordinators: Dijana Pleština (Croatia) on clearance; Gyula Somogyi (Hungary) on cooperation and assistance, and requests for assistance; Michael Schoiswohl (Austria) on victim assistance; Venkatesh Varma (India) on generic electronic template and national reporting; and Marcel Mulder (Netherlands) on generic preventive measures.

⁵⁵ Australia, Austria, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Estonia, Finland, France, Germany, Holy See, Hungary, India, Ireland, Liechtenstein, Lithuania, Malta, Netherlands, New Zealand, Norway, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland and Ukraine.

⁵⁶ See CCW/P.V/CONF/2008/2, annex I.

or submunitions. It also invited States, in need of assistance, to bring their cases to the attention of the High Contracting Parties to Protocol V, both by ensuring their presence in the ERW database and by using the relevant form to request assistance at the Meetings of Experts.

- Change the reporting format of form “G” to bring it into conformity with Part 3 “Generic Preventive Measures” of the Technical Annex to Protocol V in order to give more guidance and promote consistency and detail. The Conference also decided to keep under review the Reporting Mechanism, including the Reporting Formats.
- Adopt the revised Article 4 Generic Electronic Template⁵⁷ and keep under review its adequacy and usefulness as a tool for recording and retaining information pertinent to the implementation of Article 4.
- Approve the Formats for Request for Assistance to be used as a template for ERW database submissions by States seeking assistance in dealing with ERW.⁵⁸
- Further develop the concept for a WISP.V. Specifically, the 2009 Meeting of Experts should further consider its establishment and prepare a comprehensive proposal for consideration and final adoption by the Third Conference of the High Contracting Parties to Protocol V.
- Link the available materials on generic preventive measures, as contained in documents by the United Nations or other organizations, to the Protocol V website. It also decided to invite the Coordinator to undertake open-ended consultations to identify how best to use the existing theory and practice, and to develop possible recommendations for further progress in the field of preventive technical measures. France’s proposal⁵⁹ on this issue would be used as a starting point.

The Second Conference adopted its report,⁶⁰ which contained the mandate for 2009 activities, including the designation of the President of the Third Conference in 2009,⁶¹ the two Vice-presidents,⁶² the appointment of the Coordinators responsible for each substantive issue⁶³ and the decision on the dates and duration of the 2009 Meeting of Experts.⁶⁴

⁵⁷ See CCW/P.V/CONF/2008/12, annex III.

⁵⁸ Ibid., annex V.

⁵⁹ See CCW/P.V/CONF/2008/7.

⁶⁰ See CCW/P.V/CONF/2008/12.

⁶¹ Hamid Ali Rao (India).

⁶² Representatives of Australia and Slovenia.

⁶³ Coordinators: Renata Alisauskiene (Lithuania) on clearance; Gyula Somogyi (Hungary) on cooperation and assistance, and requests for assistance; Angela Robinson (Australia) on victim assistance; Henrik Markuš (Slovakia) on generic electronic template and national reporting; and Jean-Christophe Le Roux (France) on generic preventive measures.

⁶⁴ From 22 to 24 April 2009 in Geneva.

Tenth Annual Conference of the High Contracting Parties to CCW Amended Protocol II

On 12 November in Geneva the Tenth Annual Conference of High Contracting parties to the CCW Amended Protocol II on Mines, Booby-traps and Other Devices⁶⁵ successfully revitalized the activities under that Protocol. The most important outcome of the Conference was the decision to establish an informal open-ended group of experts to be overseen by the President of the Eleventh Annual Conference.

The Amended Protocol II Group of Experts was originally set up by the First and Second Annual Conferences,⁶⁶ and worked back-to-back at that time. Since the Group was only mandated for a short period of time, it dramatically reduced the Conference's duration to one day. The newly created Group of Experts would meet from 20 to 21 April 2009 to: (a) review the operation and status of the Protocol; (b) consider matters arising from States parties' reports and the development of technologies to protect civilians against indiscriminate effects of mines; and (c) address the issue of improvised explosive devices. The work of the Group will be considered by the Eleventh Annual Conference.⁶⁷

Furthermore, the Conference considered matters arising from reports by High Contracting Parties, in accordance with paragraph 4 of Article 13 of Amended Protocol II.⁶⁸ Of the 92 States parties, only 45 submitted annual reports or updates.⁶⁹ An appeal for universality was adopted on the occasion of the Protocol's tenth anniversary of entering into force. The appeal also called upon all States that had not yet done so to take all measures to accede to Amended Protocol II as soon as possible.⁷⁰ The Conference adopted its final document⁷¹ and decided to nominate the office holders of the Eleventh Annual Conference to be held in 2009.⁷²

In an effort to encourage more accessions to the CCW and its Protocols and continue to implement the 2006 Plan of Action to Promote Universality,

⁶⁵ President: Jürg Streuli (Switzerland), Vice-Presidents: Cheng Jingye (China), Valery Semin (Russian Federation) and Johann Kellerman (South Africa).

⁶⁶ In 1999 and 2000.

⁶⁷ See CCW/AP.II/CONF.10/2.

⁶⁸ Ibid, annex I (Agenda item 10).

⁶⁹ Australia, Austria, Belarus, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, China, Croatia, Czech Republic, Ecuador, Estonia, Finland, France, Germany, Greece, Guatemala, Holy See, Hungary, India, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Morocco, Norway, Pakistan, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom and United States.

⁷⁰ Op. cit., footnote 67, annex II.

⁷¹ Ibid.

⁷² President: Jānis Mažeiks (Latvia), Vice-Presidents: representatives of China, Venezuela (Bolivarian Republic of) and Germany.

a UNODA–European Union (EU) joint project on regional outreach was launched at a special event held in 2007.⁷³

To that effect, a series of regional seminars was organized by UNODA, funded by the EU and supported by ICRC, UNIDIR and UNMAS in the following six regions:⁷⁴

- From 11 to 12 March for Latin America and the Caribbean (Santo Domingo, Dominican Republic)
- From 21 to 22 April for West and East Africa (Lomé, Togo)
- From 24 to 25 April for the Horn of Africa, the Great Lakes region and Southern Africa (Lomé, Togo)
- From 24 to 25 September for Central Asia (Almaty, Kazakhstan)
- From 19 to 20 November for the Middle East and the Mediterranean (Rabat, Morocco)
- From 17 to 18 December for South and South-East Asia and the Pacific (Kathmandu, Nepal)

The main goal of the seminars was to support the universalization of the CCW and encourage new accessions to the Convention by States not yet parties by providing a forum for the respective Governments to learn more about the Convention, including region-specific issues and recent developments.

The regional seminars helped participating Governments to understand the dynamics and complexities that exist under the Convention as well as the potential benefits in joining it. They sparked interest in efforts to engage with the Convention and its activities, especially with the support of the CCW Sponsorship Programme.⁷⁵ Since the outreach seminars were convened, the number of adherents to the Convention steadily increased.

In addition to the regional seminars, actions aimed at promoting the universalization of the Convention and its Protocols were undertaken by the Secretary-General, the Presidents of the Annual Conferences of Protocol V and Amended Protocol II and the Chairperson of the Annual Meeting of the High Contracting Parties to the Convention. These further helped those States that had already become parties to the CCW to reflect on adherence efforts to other Protocols that they had not yet adhered to. A number of 2008 accessions stemmed from new treaty actions taken by States parties to one or more of the CCW Protocols.

⁷³ Event was held on 19 October 2007 in New York.

⁷⁴ See *UNODA Occasional Papers No. 17: Promoting the Universality of the Convention on Certain Conventional Weapons*, available online at <http://www.un.org/disarmament/HomePage/ODAPublications/OccasionalPapers/index.shtml>.

⁷⁵ The Sponsorship Programme provides assistance for national officials to participate in CCW-related activities in Geneva.

General Assembly, 2008

63/85. 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

Introduced annually, this year's resolution introduced several new elements. Among other things, it emphasized the importance of universalizing Protocol V on Explosive Remnants of War and welcomed the commitment of States parties for its effective implementation. It also welcomed the decisions by the First Conference of the High Contracting Parties to establish a comprehensive information exchange framework in addition to holding the first Meeting of Experts as a mechanism for cooperation among States parties. The resolution further welcomed the additional ratifications, acceptances or accessions to the Convention, as well as the consents to be bound by the Protocols along with the commitment by States parties to continue to address the humanitarian problems caused by specific types of munitions to minimize their humanitarian impact.

Introduced by: Sweden (21 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (29 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 182-184.

The resolution expressed support for the GGE's work to address the humanitarian impact of cluster munitions, while striking a balance between military and humanitarian considerations, and to rapidly negotiate the proposal and report on the progress made to the next Meeting of the High Contracting Parties in November 2008. It noted with appreciation that 2008 marked the twenty-fifth anniversary of the Convention's entry into force, as well as the tenth anniversary of Amended Protocol II. It also noted that conferences may be convened to examine amendments to the Convention or its Protocols, to examine additional protocols on other categories of conventional weapons not currently covered or to review the scope and application of the Convention and the Protocols to examine any proposed amendments or additional protocols.

Anti-personnel mines

Ninth Meeting of the States Parties to the Mine Ban Convention

The Ninth Meeting of the States Parties to the Mine Ban Convention was chaired by Jürg Streuli (Switzerland) in Geneva from 24 to 28 November. In keeping with past practice, intersessional work to prepare for the Meeting was conducted in Standing Committees from 2 to 6 June in Geneva.

The opening ceremony featured statements by Switzerland's Minister of Foreign Affairs, Micheline Calmy-Rey and ICRC Vice President and a

landmine survivor, Song Kosal. A total of 95 States parties,⁷⁶ 2 signatories⁷⁷ and 20 States not parties⁷⁸ participated at the Meeting together with a number of international organizations and institutions, as well as NGOs, most of them under the umbrella of the International Campaign to Ban Landmines (ICBL).⁷⁹

The most significant challenge confronting the Meeting was in relation to implementing Article 5. For the first time ever, the States parties had to assess and decide—if necessary by a majority vote—whether or not to grant requests for extensions to 15 States parties⁸⁰ that were unable to meet their mine clearance deadline.

The issue had been under consideration for some time, and specific steps had been taken throughout the year in terms of clarifying the goals and establishing appropriate procedures. Consequently, all requests, submitted earlier in 2008, were examined by a group of States parties under the authority of the President of the Eighth Meeting of States Parties,⁸¹ taking into account advice from external experts from the United Nations, ICRC and ICBL. The report of the former President and the requests by the 15 States were considered by the States parties at an informal session of the Meeting.

While most of the cases did not pose any significant problem, one was particularly contentious. As a result of intensive informal consultations that were held until the last day of the Meeting, it was possible to avoid a vote and grant the extensions. Taking into account the analyses presented by the President of the Eighth Meeting of the States Parties on the requests submitted

⁷⁶ Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Burundi, Cambodia, Canada, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Ecuador, El Salvador, Equatorial Guinea, Estonia, Ethiopia, France, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Holy See, Honduras, Hungary, Indonesia, Iraq, Ireland, Italy, Japan, Jordan, Kenya, Kuwait, Latvia, Liechtenstein, Lithuania, Montenegro, Mozambique, Netherlands, Nicaragua, Niger, Nigeria, Norway, Palau, Paraguay, Peru, Philippines, Portugal, Qatar, Republic of Moldova, Romania, Rwanda, Senegal, Serbia, Slovakia, Slovenia, South Africa, Spain, Sudan, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Yemen, Zambia and Zimbabwe.

⁷⁷ Marshall Islands and Poland.

⁷⁸ Armenia, Azerbaijan, China, Egypt, Finland, Georgia, India, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Micronesia (Federated States of), Mongolia, Morocco, Oman, Pakistan, Saudi Arabia, Singapore, Sri Lanka, United Arab Emirates and Viet Nam.

⁷⁹ See APLC/MSP.8/2007/INF.1 for a list of all delegations and delegates to the Ninth Meeting.

⁸⁰ Bosnia and Herzegovina, Chad, Croatia, Denmark, Ecuador, Jordan, Mozambique, Nicaragua, Peru, Senegal, Thailand, United Kingdom, Venezuela (Bolivarian Republic of), Yemen and Zimbabwe.

⁸¹ Mired Raad Al-Husseini (Jordan).

under Article 5 of the Convention, and the requests themselves, the last plenary meeting took separate decisions on each of the cases and granted mine clearance deadline extensions to all requesting States. Three of the States were entitled to interim periods for assessing the remaining scope of the challenge before requesting additional extension. Under threat of rejection, one State agreed to provide, no later than June 2010, the States parties with a detailed explanation of how demining was proceeding and the implications for future demining as well as to regularly report on progress made. Some States were also encouraged to complete demining in less time than they were granted.

The implementation of Article 4 proved to be another pointed issue. The Meeting focused, in particular, on three cases of failure to comply with obligations to destroy or ensure the destruction of stockpiled APLs. Non-compliance with Article 4 represented a serious challenge as stockpile destruction was essential for the implementation of the Convention's comprehensive ban on APLs and helped to ensure no future use or victims. To cope with the problem and prevent future cases of non-compliance with this specific obligation, the Meeting welcomed a proposal by the Co-Chairs of the Standing Committee on Stockpile Destruction⁸² on appropriate steps to ensure full implementation of Article 4.⁸³

The Meeting also took a decision on the President of the Second Review Conference⁸⁴ and on dates and duration of Mine Ban Convention activities in 2009, as follows:

- Meetings of the Standing Committees: from 25 to 29 May in Geneva;
- First preparatory meeting: on 29 May in Geneva;
- Second preparatory meeting: from 3 to 4 September in Geneva;
- Second Review Conference: from 30 November to 4 December in Cartagena, Colombia.

Also identified were Standing Committee Co-Chairpersons and Co-Rapporteurs as follows:

(i) Mine Clearance, Mine-Risk Education and Mine-Action Technologies: Argentina and Australia (Co-Chairs); Greece and Nigeria (Co-Rapporteurs);

(ii) Victim Assistance and Socio-Economic Reintegration: Belgium and Thailand (Co-Chairs); Peru and Turkey (Co-Rapporteurs);

(iii) Stockpile Destruction: Italy and Zambia (Co-Chairs); Bulgaria and Indonesia (Co-Rapporteurs); and

⁸² Representatives of Lithuania and Serbia.

⁸³ APLC/MSP.9/2008/WP.36.

⁸⁴ Susan Eckey (Norway) was designated.

(iv) General Status and Operation of the Convention: Chile and Japan (Co-Chairs); Ecuador and Slovenia (Co-Rapporteurs).⁸⁵

General Assembly, 2008

63/42. Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction

By its seventh preambular paragraph, the annual resolution recalled that at the Eighth Meeting of the States Parties to the Convention, the international community monitored progress on implementation of the Convention and supported continued application of the Nairobi Action Plan 2005-2009, and established priorities to achieve further progress towards ending, for all people and for all time, the suffering caused by APLs. It also reiterated its invitation and encouragement to all interested States, the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant NGOs to participate in the Ninth Meeting of the States Parties, to be held in Geneva from 22 to 28 November 2008, and in the intersessional work programme established at the first meeting and further developed at subsequent meetings of the States parties.

Introduced by: Jordan (21 Oct.)

GA vote: 163-0-18 (2 Dec.)

1st Cttee vote: 151-0-19 (29 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 25-28.

First Committee. Before taking action on the vote, several States took the floor. The **Lao People's Democratic Republic** explained it would vote in favour as it supported the Mine Ban Convention's humanitarian endeavours and shared concerns regarding APL. However, it needed additional time and resources to prepare the necessary conditions for accession to the Convention. Although **Cuba** fully shared the legitimate humanitarian concerns associated with the indiscriminate and irresponsible use of APLs, it would abstain as it had been subject to almost 50 years of a policy of continued hostility and aggression from the military super-Power. As a result, it was not possible for that country to renounce the use of mines in preserving its sovereignty and territorial integrity, in keeping with the legitimate right to self-defence recognized in the Charter of the United Nations.

After voting in favour of the draft resolution, four States explain their positions. **Singapore** stated its support for international efforts to resolve the humanitarian concerns over APLs and pledged to continue working with members of the international community towards finding a durable and truly global solution. **Sri Lanka** also supported its humanitarian objectives. **Morocco** welcomed the adoption of the resolution as a positive signal to

⁸⁵ See APLC/MSP.9/2008/4 and Corr.1.

the Ottawa Convention. Although not a party to the Treaty, it reaffirmed its commitment. **Benin** fully supported the spirit and the letter of the Mine Ban Convention and called for its universalization. Furthermore, it believed that the international community should invest more in mine clearance to prevent the exacerbation of post-conflict humanitarian perils.

After abstaining, several States spoke in explanation. **Egypt** stated that the Convention lacked balance between the humanitarian concerns related to APLs production and use and their legitimate military use in border protection, and did not acknowledge the legal responsibility of States for their removal, particularly on the territory of other States, making it almost impossible for many States to meet their demining requirements alone. That was complemented by the weak international cooperation system of the Convention, which remained limited in its effect and dependent on the will of donor States. **Pakistan** cited its security compulsions and the need to guard long borders that were not protected by any natural obstacle. As landmines formed an important part of its self-defence strategy, Pakistan could not agree to the demands for the complete APL prohibition until viable alternatives were available. The **Islamic Republic of Iran** stated that the Ottawa Convention focused on humanitarian concerns while not adequately taking into account the legitimate military requirements of many countries, particularly those with long land borders that used APLs as an effective means to defend their territories and ensure the minimum security requirements of their borders. The **Republic of Korea**, pointing to the unique security situation on the Korean peninsula, explained that it was compelled to give priority to its security concerns and was unable to currently accede to the Convention. **Lebanon** supported the noble human values of the Convention, but was not at that time a party to it for reasons of legitimate force majeure that had to do with its national security. **India** remained committed to increased international cooperation and assistance in mine clearance and the rehabilitation of mine victims, but supported the approach in Amended Protocol II that addressed the legitimate defence requirements of States, especially those with long borders. The availability of a cost- and militarily-effective alternative to perform the defensive role of APLs would facilitate the goal of their complete elimination.

Cluster munitions

Convention on Cluster Munitions (CCM)

On 23 February 2007, 46 States gathered in Oslo at the invitation of the Government of Norway, where they signed the Oslo Declaration,⁸⁶ which contained commitments to complete an international treaty on cluster munitions. The States that signed the Declaration aimed by 2008 to conclude

⁸⁶ Available on the website of the Council on Foreign Relations at <http://www.cfr.org/publication/12795/> (accessed 21 July 2009).

a legally binding international instrument prohibiting the use and stockpiling of cluster munitions that caused unacceptable harm to civilians and secure adequate provision of care and rehabilitation to survivors and clearance of contaminated areas.

Following the conclusion of the Declaration, the original signatories intensified their efforts towards negotiating such an agreement. Their activities took place in parallel with efforts being made on cluster munitions under the CCW framework. Further meetings of what became known as the “Oslo Process” were held in 2007: in Lima from 23 to 25 May and in Vienna from 5 to 7 December at which time the supporting States had almost doubled in number. Conferences in 2008 were held in Wellington from 18 to 22 February and a “Diplomatic Conference” in Dublin from 19 to 30 May.

In close partnership with the United Nations, ICRC and civil society participants under the banner of the Cluster Munition Coalition (CMC),⁸⁷ on 30 May in Dublin, representatives of 107 Governments adopted the CCM (see appendix II). On 3 December, the CCM was opened for signature at a ceremony in Oslo, and subsequently open for signature at United Nations Headquarters.

The States⁸⁸ at the core of the Oslo Process envisaged the Wellington Conference as the penultimate development towards adopting a treaty at a May Diplomatic Conference in Dublin. Previously, work had proceeded on the basis of an evolving Chairs’ discussion papers at the Lima and Vienna Conferences.⁸⁹ There, core-group States incorporated proposals made by various delegations according to the assessment of their overall acceptability. This approach was continued at the Wellington Conference⁹⁰ where a Conference Declaration was developed as the mechanism by which States would move closer to a formal process of treaty negotiations in Dublin in May.

Drafts of the CCM and Wellington Declaration were both made available prior to the respective meetings.⁹¹ The draft Convention text was supplemented in the final phase of the Wellington Conference by a compendium prepared by the Chair—it comprised all of the various non-papers presented in Wellington containing proposals on the draft Convention text.⁹² Draft rules of procedure for the Dublin Diplomatic Conference were circulated on 21 February in Wellington.

⁸⁷ See <http://www.stopclustermunitions.org/> (accessed 22 July 2009).

⁸⁸ Austria, Holy See, Ireland, Mexico, New Zealand, Norway and Peru.

⁸⁹ Chairs’ discussion papers available at http://www.clusterconvention.org/pages/pages_vi/vib_osloprocess_documents.html (accessed 22 July 2009).

⁹⁰ Don MacKay (New Zealand) chaired the Conference.

⁹¹ See <http://www.mfat.govt.nz/clustermunitionswellington/conference-documents/index.php> (accessed 22 July 2009).

⁹² See Compendium of Proposals submitted by delegations during the Wellington Conference Addendum 1, available at www.mfat.govt.nz/clustermunitionswellington/conference-documents/WCCM-Compendium-v2.pdf (accessed 22 July 2009).

Between the Vienna and the Wellington Conferences, two Meetings of the CCW Experts' Group on Cluster Munitions took place, albeit without much progress in fulfilling their mandate. Other activities on cluster munitions during the first part of 2008 included a regional conference of 22 Latin American and Caribbean States hosted by Mexico, in Mexico City from 16 to 17 April and the ICRC convened a workshop for ASEAN States in Bangkok from 23 to 24 April. In civil society, CMC coordinated a Global Day of Action in more than 50 countries on 19 April.

On 19 May, the opening of the Diplomatic Conference in Dublin⁹³ included statements from the United Nations Secretary-General (in a video message)⁹⁴ and a senior UNDP representative. The main issues facing the Conference were: (a) the definition of cluster munitions; (b) the need for a transitional period before new obligations under the draft treaty would take effect; and (c) the issue of military interoperability, that is, the extent to which States opting to become party to the new Convention would be affected in operating in military alliances with non-party States possessing cluster munitions.

Other substantive but less controversial areas of the Convention included: (a) victim assistance; (b) cluster munitions clearance, stockpile storage and destruction; (c) international assistance; and (d) cooperation and transparency measures. These were largely settled by the end of the first week of the Dublin meeting.

All outstanding issues were successfully resolved and the 107 participating States adopted the draft Convention by consensus. Consequently, the Oslo Process culminated in the development of a new instrument that prohibits cluster munitions causing unacceptable harm to civilians, and provides support for victims and affected communities.

Further efforts by the CCW Group of Experts to fulfil its mandate on cluster munitions continued in Geneva from 7 to 25 July, 1 to 5 September and 3 to 7 November, respectively, and was extended into 2009 from 3 to 7 November.

During the Signing Conference in Oslo from 3 to 4 December, 94 States signed the CCM, four of which simultaneously ratified it.⁹⁵ The Convention has since been opened for all States to sign at United Nations Headquarters⁹⁶ in New York.

⁹³ Dáithí O'Ceallaigh (Ireland) presided over the Conference.

⁹⁴ Secretary-General's video message to the Diplomatic Conference on Cluster Munitions of 19 May 2008 is available on the UNODA website at <http://www.un.org/disarmament/HomePage/SG/sgstatements.shtml>.

⁹⁵ Norway, Ireland, Sierra Leone and Holy See.

⁹⁶ The status of adherence is available on the UNODA website at <http://disarmament.un.org/TreatyStatus.nsf>.

General Assembly, 2008

63/71. Convention on Cluster Munitions

Introduced for the first time, the resolution noted that the Convention on Cluster Munitions would be opened for signature at Oslo on 3 December 2008, and would remain open for signature thereafter at United Nations Headquarters in New York until its entry into force. By that resolution, the Assembly, bearing in mind the tasks entrusted to the Secretary-General pursuant to the terms of the Convention, requested the Secretary-General to render the necessary assistance and provide the services needed to fulfil the tasks entrusted to him by the Convention.

Introduced by: Ireland, on behalf of the members of the Core Group of the Oslo Process (22 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (30 Oct.)

For text and sponsors, see *Yearbook*, Part I, p. 134.

First Committee. After the action, ten States took the floor to explain their positions. **Israel** remained unconvinced of the value in discussing cluster munitions in other forums. Furthermore, it believed that independent initiatives conducted outside the scope of the United Nations had the potential to undermine serious negotiations that were held in mandated forums. **Singapore** supported all initiatives against the indiscriminate use of cluster munitions, especially when directed at innocent and defenceless civilians. At the same time, it believed that humanitarian considerations must be balanced with a State's legitimate security concerns and the right to self-defence. **India** supported further consideration of this issue by the GGE as part of the CCW process, in accordance with its mandate to strike a balance between military necessity and humanitarian considerations. The **Russian Federation** believed that the problem of cluster munitions should be resolved gradually within the framework of existing international multilateral disarmament mechanisms and with the participation of principal manufacturers and users of such weapons. It saw the CCW as the appropriate forum since it had shown in practice its capacity to reach balanced decisions on the basis of expert opinion, while taking adequate account of the interests of all concerned parties. **Egypt** stated that although it joined the consensus, that should not be interpreted as support for the substantive content of the Convention or the process that led to its conclusion outside the United Nations framework. The **Republic of Korea** was unable to take an active stance on the Convention, due to the unique security situation on the Korean peninsula. However, in an effort to join the global endeavour to reduce humanitarian suffering from cluster munitions, it had been actively participating in consultations on cluster munitions within the CCW framework.

China joined the consensus but explained that it did not recognize the Dublin Convention, nor did it participate in its negotiating process. China emphasized that it supported efforts within the framework of the United Nations, especially in the context of the CCW, and negotiations on reducing

the humanitarian effects of cluster munitions. **Pakistan** joined the consensus, inter alia, because of the procedural nature of the text. However, it remained convinced that the Convention, albeit useful, continued to be an extra–United Nations mechanism, which represented a tendency that did not redound to the benefit of multilateralism—the process should supplement, and not supplant, the CCW process. **Belarus** joined the consensus because it shared the humanitarian concerns, in particular their use against non-combatants and civilian infrastructure, in violation of the principles of international humanitarian law. It stated that the development of new international instruments should take place in a phased and open manner and believed that the CD remained the most acceptable forum to achieve agreement on the issue. **Morocco** clarified that in joining the consensus it did not define its national position, and underscored that a convention on cluster munitions merited in-depth consideration in the context of the CCW and in the relevant mandated forums, so as to achieve an instrument balanced between humanitarian aspects and military considerations.

Towards an arms trade treaty

By operative paragraph 2 of resolution 61/89 entitled “Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms”, the General Assembly requested the Secretary-General to establish a GGE, to examine, commencing in 2008, the feasibility, scope and draft parameters for a comprehensive, legally binding instrument establishing common international standards for the import, export and transfer of conventional arms, and to transmit the Group’s report to the Assembly for consideration at its sixty-third session.⁹⁷

Pursuant to that request, the Secretary-General established a GGE comprising experts from 28 countries,⁹⁸ chaired by Roberto García Moritán (Argentina). It met for three sessions at United Nations Headquarters, from 11 to 15 February, 12 to 16 May and 28 July to 8 August respectively.

During the course of its work, the GGE considered the feasibility, scope and draft parameters of a potential treaty. In its report,⁹⁹ the GGE noted that the question of feasibility had both political and technical dimensions, which impacted on the security concerns of all States. It also noted that treaty feasibility would be dependent on establishing: (a) collectively agreed upon

⁹⁷ See the *United Nations Disarmament Yearbook*, vol. 31 (2006), pp. 130-131, available online at <http://www.un.org/disarmament>.

⁹⁸ Algeria, Argentina, Australia, Brazil, China, Colombia, Costa Rica, Cuba, Egypt, Finland, France, Germany, India, Indonesia, Italy, Japan, Kenya, Mexico, Nigeria, Pakistan, Romania, Russian Federation, South Africa, Spain, Switzerland, Ukraine, United Kingdom and United States.

⁹⁹ See the Secretary-General’s report on establishing an arms trade treaty of 26 August 2008, A/63/334.

objectives; (b) practical applicability; (c) resistance to political abuse; and (d) potential for universality. The Group underscored that the key to answering the question of feasibility lay in the clear definition of the fundamental goals and objectives of a potential treaty.

On the issue of scope, the GGE noted that no single existing instrument contained an all-encompassing list of options raised in Member States submissions. In this regard, the Group considered the seven categories of the United Nations Register of Conventional Arms, SALW and whether categories, such as ammunition, explosives, components, defence services, technology related to the manufacture of weapons and ammunition should be included. With regard to types of activities, the Group considered: exports, imports, transfers, re-exports, transit, trans-shipment, licensing, transportation, technology transfer and manufacturing and foreign licensed production, as well as countering illegal re-exports, unlicensed production and transfers, illicit arms brokering, and transfers of arms to non-State actors. Also mentioned were stockpiles and production of conventional weapons.

On the issue of draft parameters, the GGE agreed that principles enshrined in the United Nations Charter would be central to any potential treaty. It also discussed, with differing views, the applicability of existing international human rights law and international humanitarian law. The GGE also pointed out that a potential arms trade treaty would have to take into account other possible parameters, such as General Assembly resolutions and the Guidelines for international arms transfers adopted by the Permanent Members of the Security Council in 1991 and the Disarmament Commission in 1996. The GGE also raised the need to address the following thematic aspects: terrorism and organized crime; regional stability; socio-economic development; unlawful transfers to non-State actors; unauthorized re-export; unlicensed production; illicit brokering; right to manufacture and import; end use/end-user assurances; diversion; and compliance with Security Council arms embargoes and other international obligations as necessary conditions for transfers.

Noting the complexity of the issues of conventional arms, the GGE recommended further consideration of the issues, within the United Nations framework, in an open and transparent manner to achieve, on the basis of consensus, a balance that would benefit all. Further to the GGE's recommendation, by operative paragraph 3 of resolution 63/240, adopted on 24 December, the General Assembly decided to establish an open-ended working group (OEWG) that would meet in six sessions from 2009 to 2011, to further consider the elements, contained in paragraph 27 of the report,¹⁰⁰ where consensus could be developed for inclusion in an eventually legally

¹⁰⁰ Ibid.

binding arms trade treaty, and transmit an initial report to the Assembly at its sixty-fourth session.

General Assembly, 2008

63/240. Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms

Last tabled in 2006, this year the resolution underwent several substantive changes. It endorsed the report of the GGE, taking into account the views of Member States, and encouraged all States to implement and address, on a national basis, the relevant recommendations. It commended States to consider how to achieve implementation to prevent the diversion of conventional arms from the legal to the illicit market, where they could be used for terrorist acts, organized crime and other criminal activities, and called upon States in a position to do so to render assistance upon request.

Introduced by: Argentina (21 Oct.)

GA vote: 133-1-19; 129-1-19, o.p. 3; 131-1-19, o.p. 4; 130-1-20, o.p. 5 (24 Dec.)

1st Cttee vote: 145-2-18; 141-1-19, o.p. 3; 142-1-18, o.p. 4; 141-1-19, o.p. 5 (31 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 196-202.

It also decided to establish an OEWG, inter alia, to meet for a one-day organizational session in New York by 27 February 2009 to agree on organizational arrangements, including the dates and venues for its future substantive sessions. The Secretary-General was also requested to transmit to the OEWG Member States' replies along with the GGE report, and to render the working group all necessary assistance, including the provision of essential background information and relevant documents.

First Committee. Before voting in favour of the draft resolution, six States took the floor to explain their support. The **United Kingdom** stated that it was remarkable that, while extensive and complex regulations for WMD had been developed, in terms of production capabilities and the weapons themselves, nothing remotely similar existed at the international level for conventional weapons and that that situation must not be allowed to continue. **Australia** welcomed the consensus report of the GGE, including the recommendation to engage in further discussions. **Japan** asserted its understanding that, as a result of prior consultations between the Secretariat and Member States, the Secretariat would absorb additional expenditures for the 2009 OEWG and no additional expenditure in the programme budget for the biennium 2008-2009 would be incurred. **Mexico** strongly supported the draft but regretted that, as per the Secretariat, the draft resolution had budgetary implications that could not be absorbed. Mexico therefore requested the Secretariat to make additional efforts to absorb those costs. **Uruguay** hoped that the draft arms trade treaty would enter a decisive phase leading to the adoption of a legally binding

instrument to allow the reduction of the human costs of weapons proliferation, prevent unscrupulous arms dealers from taking advantage of the weakest link in the supply chain, ensure that all arms exporters worked under the same standards, and prevent weapons and ammunition from being transferred when there was a risk that they would be used to commit violations of international law, international human rights law and international humanitarian law. **Nigeria** saw the draft as a positive move towards fashioning a universal and legally binding instrument to control and eliminate the illicit trade in and circulation of weapons.

Before abstaining from the vote, **Libyan Arab Jamahiriya**, on behalf of Bahrain, Egypt, Kuwait, the Libyan Arab Jamahiriya, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, United Arab Emirates and Yemen, stated its belief that haste to achieve a treaty would lead to a weak text that lacked objectivity, balance and universality and, to the detriment of developing countries, would be susceptible to politicization. It also found it strange that with the challenges facing the NPT and other disarmament instruments, there was an effort to create another regime aimed at perpetuating the competitiveness of weapon-producing countries, without striking a balance between States that produce conventional weapons and those that import them for self-defence.

After the vote, seven States explained their abstentions. The **Bolivarian Republic of Venezuela** believed that it was more effective to strengthen the existing mechanisms for preventing, combating and eliminating the diversion of conventional weapons to illicit activities. **China** believed that follow-up discussions on measures to be taken should be conducted in the context of the GGE report so as to regulate the arms trade and prevent the diversion of conventional weapons from legal to illicit channels and to adhere to the principle adopted by the GGE on the need to build consensus and not prejudge the outcome of discussions. **India** supported a step-by-step approach that emphasized consensus-building, not just on elements but on an agreed framework that would lead to legally binding instruments developed in the United Nations that were objective, balanced, non-discriminatory and capable of securing the broadest possible adherence of the main producers, recipients and users of conventional weapons. **Pakistan** asserted that the draft sought to predetermine the result of the proposed OEWG's work by suggesting that the outcome would be an arms trade treaty. The draft resolution also failed to take into account the GGE recommendation that further consideration of the matter should be on the basis of consensus. The **Russian Federation** was not fully convinced that an even broader format would enable a consensus when it eluded the relatively small group of experts representing 28 States. Nevertheless, it would not object to the establishment of an OEWG if its mandate was based on the recommendations of the GGE's final report and on the principle of consensus. **Belarus** believed that the mandate of the working

group should include holding discussions on the potential parameters and scope of an arms trade treaty. Additionally, taking into account the interests of all potential parties to the treaty from the very beginning of the negotiations could contribute to its universality and future feasibility. It regretted that the draft did not include a direct reference to the fact that the OEWG should adopt its decisions on the basis of consensus. The **Islamic Republic of Iran** considered the comprehensive implementation of the PoA a priority and was concerned that a premature move towards an arms trade treaty would lead to undermining its effective implementation.

Voting in favour of the draft, four States took the floor in explanation. **Singapore** firmly believed that further consideration of a common international standard for the control of imports, exports and transfers of conventional arms must be conducted on a step-by-step basis in an open and transparent manner with further deliberations and decision-making conducted on the basis of consensus. **Cuba** believed that the draft took into account the primary considerations and proposals put forward by its delegation, particularly in reaffirming the principles and purposes of the United Nations Charter, international law and the inherent right to self-defence of all States. Moreover, the draft would establish an OEWG to consider matters on which consensus could be reached by all States on an equal footing. The **United Republic of Tanzania** supported the draft in recognition of the final preambular paragraph, which included SALW in the category of conventional arms. It did so with the understanding and hope that, during the sixty-fourth session, the phrase “small arms and light weapons” would be included at the end of operative paragraph 7 of the draft. **Morocco** welcomed the establishment of an OEWG, which it saw as an appropriate framework for addressing the complex and universal problem. That underscored the maturity of the idea of an arms trade treaty and confirmed the political will of member countries to become part of the process.

After casting its vote against the draft, the **United States** asserted that the only way to achieve a balanced and effective international mechanism for controlling conventional arms trade was on the basis of consensus. It reiterated its support of promoting responsibility in arms transfers and reducing the destabilizing trade in illicit arms, but stated that it did not believe that a global arms trade treaty would accomplish that goal. Furthermore, while the GGE called for time to reflect before starting any follow-on work at the United Nations, the draft rushed towards convening an OEWG. Additionally, it saw nowhere in the draft, protections to allow States to participate in a process that touched directly on a most sensitive and important part of the United Nations Charter: the right of individual Members to self-defence.

Export controls

Wassenaar Arrangement

A wide-ranging review of the Wassenaar Arrangement's (WA) overall function and its contribution to regional and international security and stability took place at its fourteenth plenary meeting, from 2 to 3 December in Vienna.¹⁰¹

The Plenary noted the substantive and useful contributions made by participating States to the WA¹⁰² through information sharing on regional issues of concern. To effectively address current and future challenges to regional and international security and stability, the Plenary agreed to conduct a focused effort on, and to include as an agenda item for future meetings, the issue of destabilizing accumulations of conventional arms.¹⁰³

Concerning the acquisition of man-portable air defence systems (MANPADS) by unauthorized users, the Plenary stressed: (a) the importance of effective implementation of the WA Elements; (b) the need to continue to monitor the situation closely; and (c) the need for continued discussions to strengthen export controls on MANPADS.

The WA continued to keep pace with advances in technology, market trends and international security developments, such as the threat of acquisition of military and dual-use goods and technologies by non-State actors. The Plenary agreed to a significant number of amendments to the control lists, including some in technically complex and challenging areas, such as on low-light level and infrared sensors. Particular attention has been given to items of potential interest to terrorists, namely charges and devices containing certain explosives. The participating States also worked actively to make the existing control text more easily understood and "user-friendly" for commercial exporters and licensing authorities.

The Plenary reiterated that the WA was open, on a global and non-discriminatory basis, to those States that comply with the agreed criteria. In this regard, the WA continued to undertake outreach dialogue

¹⁰¹ The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies was established on the basis of the Initial Elements adopted in July 1996.

¹⁰² The participating States are: Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slovenia, Slovakia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom and United States.

¹⁰³ See the Public Statement of the 2008 Plenary Meeting of the Wassenaar Arrangement on export controls for conventional arms and dual-use goods and technologies, available at http://www.wassenaar.org/publicdocuments/2008/docs/Public_Statement_Plenary_2008.pdf (accessed 22 July 2009).

with non-participating States and international organizations to promote and share the Arrangement's best practices on export controls. In 2008, outreach activities included post-plenary briefings, interaction with industry and bilateral outreach to China, Israel and Belarus.

General Assembly, 2008

63/54. Effects of the use of armaments and ammunitions containing depleted uranium

By the terms of the resolution, the General Assembly expressed its appreciation to the Member States and international organizations that submitted their views to the Secretary-General on this item and invited them again, particularly those that had not done so, to communicate their views on the effects of the use of armaments and ammunitions containing depleted uranium. It also requested the Secretary-General to request relevant international organizations to update and complete their studies and research of the effects these armaments and ammunitions have on human health and the environment, with particular encouragement for affected States to facilitate, as necessary.

Introduced by: Indonesia, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries (22 Oct.)

GA vote: 141-4-34 (2 Dec.)

1st Cttee vote: 127-4-34 (31 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 68-70.

First Committee. Before voting in favour of the draft, **Cuba** and **Indonesia**, on behalf of the Movement of Non-Aligned Countries, asserted that International Atomic Energy Agency (IAEA), World Health Organization (WHO) and United Nations Environment Programme (UNEP) had all stated the need for additional research on the immediate and/or long-term health or environmental effects of depleted uranium munitions. As the draft reflected the legitimate concern of the international community on the possible impacts of the use of armaments and ammunitions containing depleted uranium it hoped that all delegations would support the draft.

After voting in support of the draft resolution, two States explained their votes. **Japan** commended WHO, IAEA and UNEP for carrying out studies and activities on ammunitions containing depleted uranium and called upon all relevant international organizations to continue on-site studies and information collection for submission to the Secretary-General, as appropriate, on the possible effects of depleted uranium munitions on the human body and the environment. **Netherlands** felt that the basis for the research and discussions could have been formulated in a more neutral way by speaking of possible consequences instead of potential harmful effects.

Voting against the draft resolution, the **United States** spoke also on behalf the United Kingdom and France. It stated that in calling for further action by the Secretary-General and United Nations Member States, based

on the potential harmful effects of the use of depleted uranium munitions on human health and the environment, the draft resolution ignored investigations by WHO, UNEP, IAEA and others that had been unable to document long-term environmental or health effects attributable to the use of those munitions.

Annex
Composite table of replies of Governments
for the United Nations Register of Conventional Arms:
calendar year 2007

State	Data on exports	Data on imports	Background information		
			Military holdings	Procurement through national production	International transfers of SALW
1. Albania	nil	nil			yes
2. Antigua and Barbuda	nil	nil			nil
3. Argentina ^a	yes	nil	yes	nil	nil
4. Armenia	nil	nil			yes
5. Australia	yes	yes	yes	yes	yes
6. Austria	yes	yes			
7. Bangladesh	nil	yes			yes
8. Belarus	yes	nil			
9. Belgium	yes	yes	yes		
10. Belize	nil	nil			
11. Bhutan	nil	nil			
12. Bosnia and Herzegovina	yes	nil			yes
13. Brazil	nil	yes	yes	yes	
14. Brunei Darussalam	nil				yes
15. Bulgaria	yes	yes	yes	nil	
16. Canada	yes	yes	yes	yes	yes
17. Chile	nil	yes			yes
18. China	yes	yes			
19. Colombia		yes			yes

State	Background information				
	Data on exports	Data on imports	Military holdings	Procurement through national production	International transfers of SALW
20. Croatia	nil	yes			yes
21. Cyprus	nil	yes			nil
22. Czech Republic	yes	yes			yes
23. Denmark	nil	yes			yes
24. Djibouti	nil	nil			
25. El Salvador	nil	nil			nil
26. Estonia	nil	nil	yes		
27. Fiji	nil	nil			nil
28. Finland	yes	yes	yes	yes	
29. France	yes	nil	yes	yes	yes
30. Georgia	nil	yes			yes
31. Germany	yes	yes	yes	yes	yes
32. Ghana	nil	nil			nil
33. Greece	yes	yes	yes	yes	yes
34. Grenada	nil	nil			
35. Guatemala	nil	nil			
36. Hungary	yes	yes	yes		yes
37. Iceland	nil	nil			
38. India	nil	yes			
39. Indonesia	nil	yes			yes
40. Ireland	nil	yes			
41. Israel	yes	yes			
42. Italy	yes	yes	yes	yes	yes
43. Japan ^b	nil	nil	yes	yes	
44. Jordan	nil	yes			
45. Kenya	nil	nil			
46. Kyrgyzstan	nil	nil			
47. Latvia	nil	yes			yes

State	Data on exports	Data on imports	Background information		
			Military holdings	Procurement through national production	International transfers of SALW
48. Lebanon ^c	nil	nil			
49. Liechtenstein	nil	nil			yes
50. Lithuania	nil	yes	yes		yes
51. Luxembourg	nil	nil			yes
52. Maldives	nil	nil			
53. Malta	nil	nil			nil
54. Mauritius	nil	nil			
55. Mexico	nil	yes			yes
56. Monaco	nil	nil			
57. Mongolia	nil	nil			
58. Montenegro	yes	nil			yes
59. Namibia	nil	nil			
60. Nauru	nil	nil			
61. Netherlands	yes	yes	yes	yes	yes
62. New Zealand	yes	yes	yes		yes
63. Norway	nil	nil		yes	yes
64. Pakistan	nil	yes			
65. Palau	nil	nil			
66. Poland	yes	yes	yes	yes	yes
67. Portugal	nil	yes			yes
68. Republic of Korea	nil	yes			yes
69. Republic of Moldova ^d	nil	nil			nil
70. Romania	yes	yes	yes		yes
71. Russian Federation	yes	yes			
72. Samoa	nil	nil			
73. San Marino	nil	nil			
74. Serbia	nil	nil			
75. Singapore	nil	yes			

State	Data on exports	Data on imports	Military holdings	Background information	
				Procurement through national production	International transfers of SALW
76. Slovakia	yes	yes	yes	nil	yes
77. Slovenia	yes	yes			yes
78. South Africa	yes	yes			
79. Spain	yes	yes	yes	yes	
80. Suriname	nil	nil			
81. Swaziland	nil	nil			nil
82. Sweden	yes	nil	yes		yes
83. Switzerland	yes	yes	yes		
84. Tajikistan	nil	nil			
85. The former Yugoslav Republic of Macedonia	nil	nil			
86. Togo	nil	nil			nil
87. Turkey ^e	yes	yes	yes	yes	yes
88. Ukraine	yes	nil			yes
89. United Kingdom ^f	yes	yes	yes	yes	yes
90. United States	yes	yes	yes	yes	
91. Viet Nam	nil	nil			

^a Argentina also provided information on its holdings of SALW.

^b Japan provided a paper on its policies on the control of arms export as well as information on SALW procurement through national production.

^c Lebanon submitted an explanation in a note verbale, saying that the Lebanese authority considered that the United Nations Register should also include weapons of mass destruction, not only conventional arms.

^d The Republic of Moldova also provided annual information on SALW identified as a surplus and/or as seized and destroyed by the National Army of the Republic of Moldova.

^e Turkey also provided annual information on SALW identified as surplus and/or as seized and destroyed.

^f The United Kingdom provided a paper on its defence equipment procurement, import and export policies as well as information on SALW destroyed by the Ministry of Defence between 1 January and 31 December 2007.

chapter IV

Regional disarmament

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Regional disarmament

“Regional approaches to nuclear disarmament and non-proliferation have a long and distinguished history. The Antarctic Treaty and the Outer Space Treaty broke new ground by designating vast geographic areas for peaceful uses only. The Tlatelolco Treaty established the world’s first nuclear-weapon-free zone in a populated area and inspired similar zones in the South Pacific, South-East Asia, Africa, and Central Asia. Today, the regional or territorial approach to disarmament covers most of our planet. Virtually the entire Southern Hemisphere is now nuclear-weapons free. This progress has been remarkable.”¹

BAN KI-MOON, UNITED NATIONS SECRETARY-GENERAL

Developments and trends, 2008

THE YEAR 2008 BROUGHT NOTEWORTHY DEVELOPMENTS to the area of disarmament. With respect to nuclear-weapon-free zones (NWFZs), a significant advance came with the ratification of the Central Asian Nuclear-Weapon-Free Zone (CANWFZ) Treaty by Turkmenistan, Tajikistan and Kazakhstan by their respective parliaments. These ratifications were particularly meaningful as they paved the way for the Treaty’s 2009 entry into force.

In his report to the Security Council,² the Secretary-General noted that throughout the past decade a strengthened relationship between the United Nations and regional organizations had evolved, including a deepening recognition of their growing significance on maintaining international peace and security. Throughout the year, regional organizations continued to address disarmament and non-proliferation issues. Initiatives pursued at the regional and subregional levels included those aimed at curbing the spread of weapons of mass destruction (WMD), tackling the illicit trade in small arms and light weapons (SALW), establishing confidence- and security-building measures and promoting NWFZs.

¹ Secretary-General’s remarks to the extraordinary session of the Organization for the Prohibition of Nuclear Weapons in Latin America and the Caribbean of 4 August 2008 are available on the website of the United Nations Office for Disarmament Affairs (UNODA) at <http://www.un.org/disarmament/HomePage/SG/sgstatements.shtml>.

² See the report of the Secretary-General on the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security of 7 April 2008, S/2008/186. This and all subsequent United Nations documents are available in the six official languages at <http://ods.un.org>.

In accordance with the request made in the statement of the President of the Security Council of 28 March 2007,³ the Secretary-General's report included specific proposals on how the United Nations could support Chapter VIII arrangements on cooperation and coordination with regional organizations. In describing the diverse collaboration channels, the report also outlined the challenges and opportunities presented by partnerships between the United Nations and regional organizations.

To support endeavours in the field of non-proliferation and disarmament, the report recommended that the United Nations and intergovernmental, regional and subregional organizations increase cooperation in three areas: counter-terrorism; Security Council resolutions (UNSCR) 1540 (2004) and 1673 (2006)⁴ implementation; and illicit trafficking in SALW.

The United Nations Office for Disarmament Affairs (UNODA) also took a step forward on 18 August, when the new office for the Regional Centre for Peace and Disarmament in Asia and the Pacific opened in Nepal. The event marked the successful relocation of the Centre from New York to Kathmandu, following the adoption of resolution 62/52 by the General Assembly.⁵

UNODA partnered with the European Union (EU) in organizing a series of six regional seminars to promote the universality of the Convention on Certain Conventional Weapons Which May Be Deemed Inhumane or to Have Indiscriminate Effects (CCW)⁶ and its annexed Protocols. Participants were invited to examine the specifics of their countries' situations, including information and other assistance related to accession and implementation. Subsequently, several participating States in the regions acceded to the CCW and its Protocols, while a number of others announced their intentions to initiate national accession processes.

Nuclear-weapon-free zones

With the ratification of the CANWFZ Treaty by their parliaments, on 19 April, 12 November and 11 December, respectively, Turkmenistan, Tajikistan and Kazakhstan paved the way for the Treaty's formal entry into force.⁷ The CANWFZ is particularly significant in that it will be first NWFZ

³ See the statement by the President of the Security Council of 28 March 2007, S/PRST/2007/7.

⁴ S/RES/1540 (2004) was adopted by the Security Council on 28 April 2004 and S/RES/1673 (2006) on 27 April 2006. See also S/RES/1810 (2008) in appendix IV of this volume.

⁵ See "United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific" of 15 January 2008, A/RES/62/52. This and all subsequent General Assembly disarmament resolutions are available on the UNODA website at <http://disarmament.un.org/vote.nsf>.

⁶ The Treaty text and status of adherence are available on the website of UNODA at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

⁷ Each State mentioned deposited its instruments of ratification in 2009 and on 21 March 2009 the CANWFZ entered into force. The Treaty text and status of adherence is available on

located entirely in the northern hemisphere, where nuclear weapons had previously existed. In its resolution 63/63, the General Assembly underlined that the establishment of the NWFZ zone constituted an important step towards strengthening the nuclear non-proliferation regime and ensuring regional and international peace and security. (For further information, see p. 157).

On 4 August, the Secretary-General addressed an Extraordinary Session of the Organization for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) in Mexico City. He noted that it had been almost 40 years since his predecessor, U Thant, attended the first session of OPANAL's General Conference and was honoured to be the second Secretary-General to do so. The Secretary-General also highlighted the timeliness of the Session as preparations continued for the fortieth anniversary celebrations of the Treaty of Tlatelolco⁸ in 2009.

His statement noted that the Treaty of Tlatelolco established the world's first NWFZ in a populated area, inspiring similar zones in the South Pacific, South-East Asia, Africa and Central Asia. He emphasized the important contributions made by the regional approaches to nuclear disarmament and non-proliferation, and stressed that there was still much work to be done before the shared goal of a nuclear-weapon-free world could be achieved.⁹

General Assembly, 2008

63/63. Establishment of a nuclear-weapon-free zone in Central Asia

Last introduced in 2006, the resolution welcomed the 2009 convening of an international conference on uranium tailings, to be held in Bishkek, and called upon the United Nations specialized agencies and other stakeholders to participate in that conference. It also decided to include in the provisional agenda of its sixty-fifth session the item entitled "Establishment of a nuclear-weapon-free zone in Central Asia".

Introduced by: Kyrgyzstan (29 Oct.)

GA vote: 141-3-36 (2 Dec.)

1st Cttee vote: 128-3-36 (29 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 99-101.

First Committee. After voting in favour of the draft, **Japan** on behalf of Austria, Ireland, Liechtenstein, Malta, New Zealand, Sweden, Switzerland and itself stated that a forward-looking approach was important for the Treaty and for strengthening peace and stability in the region. It also encouraged the five Central Asian States to keep countries with an interest in the process informed about developments in future consultations.

the UNODA website at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

⁸ Op. cit., footnote 1. The Treaty text and status of adherence are available on the UNODA website at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

⁹ The full text of the Secretary-General's address of 4 August 2008 is available on the UNODA website at <http://www.un.org/disarmament/HomePage/SG/sgstatements.shtml>.

After abstaining, **Italy** stated that it welcomed the decision of the five Central Asian States to establish an NWFZ in their region and encouraged those countries to continue Treaty consultations.

The **United States**, speaking on behalf of the three States that voted against the draft, France, the United Kingdom and itself, was concerned about the inadequacy of consultations in the development of the Treaty, on article 12 in particular, which indicated that existing Treaty obligations of the States parties would not be affected by the terms of the Treaty.

63/65. Nuclear-weapon-free southern hemisphere and adjacent areas

The resolution, *inter alia*, welcomed the signing of the Semipalatinsk Treaty on 8 September 2006 and urged all relevant States to cooperate in resolving outstanding issues for its full implementation. The resolution also affirmed its conviction of the important role the zones play in strengthening the nuclear non-proliferation regime and encouraged the competent authorities of the NWFZ treaties to provide assistance to the States parties and signatories to those treaties to facilitate the accomplishment of the goals. Additionally, by operative paragraph 6, it called upon all States to consider relevant proposals, including those reflected in its resolutions on the establishment of an NWFZ in the Middle East and South Asia.

Introduced by: Brazil (14 Oct.)

GA vote: 171-3-7; 168-2-9, o.p. 6 (2 Dec.)

1st Cttee vote: 161-3-8; 157-2-8, o.p. 6 (28 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 105-110.

First Committee. After abstaining from the vote, both **India** and **Pakistan** disagreed with the call in operative paragraph 6 for an NWFZ in South Asia as it contravened the well-established principle that such zones be established freely among the States of the region concerned and also failed to acknowledge the reality on the ground.

63/38. Establishment of a nuclear-weapon-free zone in the region of the Middle East

Introduced on an annual basis, the resolution, *inter alia*, called upon all countries of the region that had not done so, pending the establishment of the zone, to agree to place all their nuclear activities under the International Atomic Energy Agency safeguards. It also requested the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, and to seek their views on the measures outlined in the study annexed to his report of 10 October 1990 or other relevant measures, and to submit to the General

Introduced by: Egypt (16 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (28 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 8-11.

Assembly's sixty-fourth session a report on the implementation of the present resolution.

First Committee. Before joining consensus, the **Islamic Republic of Iran** took the floor to explain its position. It stated that the adherence to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) by all parties directly concerned was a prerequisite for establishing an NWFZ in the Middle East. However, as all Member States in the region, except for Israel, have become parties to the Treaty, that State remained the only impediment to realizing such a zone in the Middle East.

After joining consensus, **Israel** explained that the establishment of an NWFZ should emanate from within the region and that, unlike NWFZs in other regions, there were continuing threats against Israel's existence. It continued that those threats were exacerbated by the irresponsible behaviour of certain States concerning regional export of WMD-related technologies and the discrepancies between non-proliferation commitments and actual behaviour.

63/56. Mongolia's international security and nuclear-weapon-free status

Last introduced in 2006, once again the resolution invited Member States to continue to cooperate in taking the necessary measures to consolidate and strengthen Mongolia's independence, sovereignty and territorial integrity, the inviolability of its borders, its independent foreign policy, its economic security and its ecological balance, as well as its nuclear-weapon-free status. It also requested the Secretary-General and relevant United Nations bodies to continue to provide assistance, and to report to the General Assembly at its sixty-fifth session on implementation.

Introduced by: Mongolia (28 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (28 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 74-76.

First Committee. After joining consensus, **India** noted the steps Mongolia had taken to reinforce a nuclear-weapon-free status and the support and security assurances that it had received from Member States, particularly those that possess nuclear weapons. It fully respected Mongolia's choice and was willing to respond whenever required with every possible support and commitment to Mongolia's nuclear-weapon-free status.

Disarmament and arms regulation at regional levels

Though most of the work in disarmament was in pursuing multilateral goals, it continued to be true that the responsibility remained with individual States to adopt policies and laws that were focused on achieving such goals. This was not only a challenge for individual States, but also for regions.

Africa

The year was characterized by an increased involvement of the African Union (AU) and other African subregional organizations in SALW-related matters. The results were noticeable in efforts to coordinate the continent's response to SALW proliferation and misuse. In particular, following the Mombasa meeting from 9 to 10 June, the AU set up a Steering Committee comprising all regional and subregional organizations engaged in the issue.

At the subregional level, in West Africa, its member States of the Economic Community of West African States (ECOWAS)¹⁰ moved towards the SALW Convention's entry into force.¹¹ The ECOWAS Small Arms Control Programme (ECOSAP) continued to assist West African countries in practical disarmament activities, specifically in building the capacity of the National Small Arms Commissions and civil society to control illicit SALW flow in West Africa. From 26 to 29 October, ECOWAS member States adopted in Praia, Cape Verde, a Political Declaration and a Regional Action Plan against Drug Trafficking and Related Organized Crime in West Africa. It aims to serve as a framework for regional law enforcement coordination and cooperation against a wide range of trafficking activities.

Focusing on States not party to the CCW, UNODA in partnership with the EU, conducted two regional seminars in Lomé to promote the universality of the Convention. The first was held for West and East Africa, from 21 to 22 April, and the second for the Horn of Africa, Great Lakes region and Southern Africa, from 24 to 25 April. The benefits and impact of accession were debated and the specific needs of each country were examined.

In East Africa, including the Horn of Africa, State members of the Nairobi Protocol worked to implement it as well as the provisions of the Nairobi Declaration.¹² In particular, the Regional Centre on Small Arms (RECSA) provided States in the region with electronic marking machines to facilitate the accurate marking of all State-owned firearms.¹³

In Central Africa, Economic Community of Central African States (ECCAS) member States, with the support of the United Nations and the EU, began drafting a legal instrument to control SALW in the subregion.

¹⁰ The 15 West African States that constitute ECOWAS are Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo.

¹¹ To date, seven of the nine States required for entry into force have ratified the ECOWAS Convention on Small Arms and Light Weapons, their Ammunition, and other Related Materials: Niger, Burkina Faso, Mali, Senegal, Sierra Leone, Togo and Nigeria.

¹² The Nairobi Protocol, adopted on 5 May 2006, required ratifying countries to incorporate provisions into their national laws to protect civilian populations from gun violence. Nairobi Declaration, adopted 24 October 2008, is available at <http://www.ohchr.org/Documents/Countries/NairobiDeclarationEn.pdf> (accessed 15 June 2009).

¹³ For further information on RECSA, see <http://www.recsasec.org/> (accessed 15 June 2009).

United Nations Regional Centre for Peace and Disarmament in Africa (UNREC)

In accordance with the priorities expressed by Member States during the Consultative Mechanism on revitalization of UNREC,¹⁴ the Centre continued to focus on conventional arms, progressively broadening its scope of activities while strengthening relationships with regional and civil sector organizations involved in peace and security-related issues.

UNREC participated in the subregional meeting on the implementation of the Nairobi Protocol held in Uganda from 17 to 22 August, which was organized by the African Centre for Security Studies. As a result, discussions with RECSA ensued on enhancing cooperation and undertaking joint activities in 2009. It also participated in the first AU-Regions Steering Committee for regional and subregional entities working on SALW, which took place in the United Republic of Tanzania from 24 to 26 November.

In close collaboration with ECCAS, and within the framework of the United Nations Standing Advisory Committee on Security Questions in Central Africa (UNSAC),¹⁵ UNREC served as the Secretariat of UNSAC.

The 27th Ministerial Meeting of UNSAC was held from 13 to 15 May in Luanda, Angola. Discussed was the implementation of the “Sao Tome initiative”, which called for the elaboration of a code of conduct for armed and security forces in Central Africa and a legally binding instrument on SALW. A draft code prepared by UNREC was examined. It was agreed that member States would submit written comments with a view to adoption at the next Ministerial Meeting.

At its 27th Ministerial Meeting, the Committee agreed to examine working papers on its origins, mandate and achievements, as well as future perspectives.

The Centre’s capacity-building programme for civil society was aimed at assisting mostly West African organizations. The Centre published a training manual to assist in delivering courses to others.¹⁶ With support from ECOSAP and the West Africa Action Network on Small Arms (WAANSA), UNREC conducted training sessions in four zones within the ECOWAS region. The

¹⁴ See the Consultative Mechanism on the revitalization of the United Nations Regional Centre for Peace and Disarmament in Africa adopted its final recommendations on 12 June 2007. See the letter dated 5 July 2007 from the Permanent Representative of Senegal to the Secretary-General, of 1 October 2007, A/62/167.

¹⁵ The Standing Advisory Committee is a subregional grouping of 11 United Nations Member States that are also members of the Economic Community of Central African States. Conceived as an instrument of preventive diplomacy, it was created to develop confidence-building measures and to encourage arms limitation and development in the Central African subregion.

¹⁶ Access to the Training Manual available at <http://unrec-satcra.org/unrec/cappa/manuelenglish.pdf> (accessed 16 June 2009).

first phase of a proposed programme in East Africa was discussed with RECSA and the East African Action Network on Small Arms.

In the area of security sector reform, the UNREC continued to carry out capacity-building activities for armed forces and members of parliament. It organized a seminar from 11 to 13 March in Togo on a legal framework for interventions of armed forces within a democratic context. In collaboration with the African Security Sector Network, it also organized a subregional workshop entitled “Parliamentary oversight of security: an interactive needs assessment of the defence and security commissions of Benin and Togo”, which assisted in evaluating effective security sector oversight requirements for expertise, human resources and logistics.

Additionally, the Centre participated in a workshop organized by the United Nations Office for West Africa (UNOWA) on linkages between security and elections, which resulted in a specific recommendation requesting UNOWA to develop, in partnership with UNREC and ECOWAS, a regional Code of Conduct on the use of security and armed forces during an electoral period.

General Assembly, 2008

63/80. United Nations Regional Centre for Peace and Disarmament in Africa

Introduced on an annual basis, this year the resolution took note of the Secretary-General’s report, in which he stated that an increase in the Regional Centre’s human and operational capacity would enable it to discharge its mandate fully and respond more effectively to African assistance requests. However, it was deeply concerned that despite the 2006 decision by the AU’s Executive Council that called upon member States to make voluntary contributions to the Centre, no such funds had been received to ensure its operations.

Introduced by: Nigeria, on behalf of the States Members of the United Nations that are members of the Group of African States (27 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (30 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 167-169.

The resolution noted the implementation of the Consultative Mechanism’s recommendations for the Reorganization of the United Nations Regional Centre for Peace and Disarmament in Africa to fund the Centre’s operating costs and three new posts from the Organization’s regular budget. It also noted with appreciation the Regional Centre’s efforts to align its actions with the priorities identified in those recommendations. The resolution welcomed the Regional Centre’s undertaking of new initiatives and projects in the fields of security sector reform and practical disarmament measures and urged States members of the AU to make voluntary contributions to the Regional Centre’s

trust funds in conformity with the decision taken by the Executive Council of the African Union, in Khartoum, in January 2006.

First Committee. Before joining consensus, the **United States** explained that while it supported the efforts of nations to work among themselves to solve regional problems, it continued to believe that the Centres' funding should come, as it had since they were created, from voluntary contributions.

After the action, **Canada** took the floor to explain that although it had joined the consensus, it remained concerned by the procedural steps followed to provide core funding from the regular budget, as the Centre was established on the basis of voluntary funding. Furthermore, it was the role of the Fifth not the First Committee to make recommendations on allocations of the regular budget resources.

Economic Community of Central African States (ECCAS)¹⁷

From 14 to 18 May 2007, at the 25th Ministerial Meeting of the United Nations Standing Advisory Committee on Security Questions in Central Africa, a decision was taken to develop a legal instrument for the Central African region for the control of SALW. Pursuant to that decision, the ECCAS Secretariat produced a report identifying the main elements of such an instrument.¹⁸ At the 27th Ministerial Meeting of UNSAC, the Committee endorsed the report's principal recommendations.¹⁹ They included: proceeding to draft the legal instrument, with a view to adoption in 2010; and to develop a Small Arms Unit within the ECCAS Secretariat. The Unit's remit would be to campaign for the ratification of the SALW instrument, and to focus on SALW trade-related issues in the subregion.

Two other major initiatives were launched by ECCAS in 2008. The first was to draft a programme that promoted cross-border cooperation throughout the subregion, enhancing the management of border security and trafficking issues. Reflecting the decisions of the 13th ECCAS Heads of State meeting, this initiative aligned with the 2007 borders programme adopted by the AU.²⁰ The second initiative involved the development of a United Nations programme of action on security sector reform. This is an initiative issue for long-term stability in the subregion as it would aim to restore a population's trust in its security and to professionalize the security services.

¹⁷ ECCAS is comprised of the following 10 States: Angola, Burundi, Cameroon, Central African Republic, Chad, Congo, Democratic Republic of the Congo, Equatorial Guinea, Gabon and Sao Tome and Principe.

¹⁸ The report can be found in the letter dated 15 June 2007 from the Permanent Representative of Sao Tome to the Secretary-General, of 29 June 2007, A/62/96.

¹⁹ Further information on the Ministerial Meeting available on the UNODA website at http://www.un.org/disarmament/disarmsec/UNSAC/Ministerial_Meetings.shtml.

²⁰ The meeting was held from 30 to 31 October 2007 and the AU adopted the programme while convening from 4 to 7 June 2007.

Economic Community of West African States (ECOWAS)

The year witnessed significant progress for the ECOWAS SALW Convention.²¹ With the ratifications of Mali, Senegal and Togo, the total number of States parties increased to seven.²² In June, the Plan of Action for the implementation of the Convention was adopted by Governmental experts in Lomé, along with a Five-Year Priority Activity Programme—to be implemented from 2009 to 2014.

The key principle under the ECOWAS Moratorium,²³ as well as in the newly adopted Convention, was the prohibition of arms transfers, with a possibility of exemptions in some specific cases. Exemption management and the SALW subregional control system remained the cornerstones of the ECOWAS policy. On 18 June in Lomé, Governmental experts adopted the Standardized Form for the Exemptions Request, as the core element in the development of a database to manage the exemption process.

Throughout the year, the ECOWAS Commission continued to tackle SALW proliferation. The ECOWAS Small Arms Unit was upgraded to one of the three divisions of the Department for Peacekeeping and Regional Security and the Commission approved a plan to bolster its technical and human resources capacity. To further harmonization among National Small Arms Commissions, the Unit planned a first coordination meeting among them and ECOWAS National Units, ECOWAS Zonal Bureaus and Special representatives of the President of the ECOWAS Commission.²⁴

In 2008, ECOSAP finalized small arms surveys in Benin, Cape Verde, Guinea-Bissau, Mali and Togo, and validated those in Cape Verde and Mali. Additionally, ECOSAP continued to build the capacity of National Small Arms Commissions by providing office equipment and, in post-conflict countries, office staff. It contributed to WAANSA capacity-building in ECOWAS member States.

Regional Centre on Small Arms in the Great Lakes Region, the Horn of Africa and Bordering States (RECSA)

During 2008, disarmament programmes were carried out in RECSA member States, notably:

²¹ The ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and other Related Materials was adopted on 14 June 2006 in Abuja, Nigeria, by the Authority of the Heads of States and Government as a means to contribute to the promotion of subregional peace and security through the control of SALW transfer in the ECOWAS.

²² Burkina Faso, Gambia, Mali, Niger, Senegal, Sierra Leone and Togo.

²³ ECOWAS Moratorium on the Importation, Exportation and Manufacture of Light Weapons was adopted in 1998 and renewed in 2001.

²⁴ Initially scheduled for December 2008, the meeting took place in Ouagadougou, Burkina Faso, in February 2009.

- Burundi—Disarmament is being undertaken by the Commission for Civilian Disarmament and Prevention of Proliferation of Small Arms and Light Weapons;
- Democratic Republic for Congo—The disarmament, demobilization and reintegration (DDR) programme is being supported by the Government, World Bank and 13 Donors and the Multi-Country Demobilization and Reintegration Programme;
- Rwanda—Rwanda Demobilization and Reintegration Programme;
- Sudan—The DDR programme is being supported by the United Nations Development Programme (UNDP); and
- Uganda—Disarmament took place among pastoral groups in the Karamoja Region.

It continued to support the destruction of surplus and obsolete SALW in its member States. After a March joint assessment mission of a RECSA–Mines Advisory Group conducted in Rwanda, 160 tons of ammunition were destroyed on 24 July.

In February, the RECSA Secretariat commissioned national studies within its membership to help develop a regional SALW strategy for a 2009 launching. It aimed to identify national and regional obstacles in implementing the Nairobi Declaration and the Nairobi Protocol, and to offer recommendations for a more effective approach.

RECSA also supported its Member States in acquiring electronic marking machines for the identification and traceability of SALW. In parallel, regional SALW training courses in arms marking and record keeping were conducted for officers from police and the military of the region in Mombasa, Kenya, on 31 March and 4 April, and in Nairobi on 3 July. In November, RECSA facilitated further training of law enforcement officers from the 12 Member States in South Africa,²⁵ and in December, national trainings were also carried out in the five East African Community Partner States, namely Burundi, Kenya, Rwanda, the United Republic of Tanzania and Uganda.

During the Third Biennial Meeting of States in New York in July, RECSA contributed to the global debates on SALW by hosting a side event on arms marking and tracing in the Great Lakes Region and Horn of Africa.

²⁵ See *RECSA Quarterly Bulletin* 5 of January to December 2008, available at <http://www.recsasec.org/pub.htm> (accessed 18 May 2009).

General Assembly, 2008

63/78. Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa

Among other things, this year, the annual resolution welcomed the progress made by members of the Standing Advisory Committee on the “Sao Tome Initiative” on drafting a legal instrument to control SALW and a code of conduct for defence and security forces in Central Africa, particularly the decision by its twenty-seventh ministerial meeting to complete the drafting process for possible adoption during its next ministerial (see further description above). It also encouraged interested countries to provide financial support for these two projects.

Introduced by: Angola (24 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (29 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 161-163.

The General Assembly further encouraged all States members of the Standing Advisory Committee to continue their efforts to render the early-warning mechanism for Central Africa fully operational as an instrument for analysing and monitoring the political situation in the subregion within the framework of the prevention of crises and armed conflicts. Additionally, the resolution requested the Secretary-General to provide the necessary assistance for the mechanism’s smooth functioning and to continue to support the ongoing efforts of the Standing Advisory Committee, including through provision of the assistance needed to ensure the success of their regular biannual meetings.

Americas

On 21 February, member States of the Organization of American States (OAS) approved the Tlatelolco Commitment²⁶ as the first joint initiative to strengthen border controls, adopt best practices at national customs facilities and implement model regulations. In harmony with the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), the Commitment aimed to improve controls of firearms imports and exports.²⁷ On 5 September, the Banff Declaration,²⁸ by the Americas’ Ministers of Defence also called for ratification of CIFTA and the Inter-American Convention on

²⁶ The Tlatelolco Commitment was approved during the Second Conference of the States Party to the Convention, in Mexico City, from 20 to 22 February 2008.

²⁷ The Treaty text and status of adherence are available on the UNODA website at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

²⁸ See the VIII Conference of Defence Ministers of the Americas, 2 to 6 September 2008, Banff, Canada, available at <http://www.cdma2008.ca/home.html> (accessed 1 May 2009).

Transparency in Conventional Weapons Acquisitions,²⁹ and emphasized States' commitment to combat WMD proliferation and their delivery vehicles.

The Commitment to Public Security in the Americas³⁰ constituted the first joint policy coordination effort in the hemisphere at the ministerial level. On 8 October, it was adopted by the OAS Public Security Ministers in Mexico City. Building on the Tlatelolco Commitment and the Banff Declaration, it further engaged States to strengthen their border security, conduct public security training and create observatories of crime and violence, thereby setting the direction to combat collectively armed violence in the future.

On 23 May, the South American Community of Nations³¹ was created as a regional forum to foster dialogue on a number of issues, including peace and security. On 16 December, it formed an additional coordination entity, the South American Defense Council, to promote a common vision of defence, reinforce confidence-building and cooperation, preserve South America as a nuclear and other WMD-free zone, as well as to promote disarmament and a culture of peace.

UNODA, in partnership with the EU, organized a regional seminar promoting national accession to the CCW and its annexed Protocols from 11 to 12 March in Santo Domingo, Dominican Republic. Participants were invited to examine the needs of their specific country and the benefits and impact of acceding to the Convention were explained. (See also p. 142 of this volume.)

United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LiREC)

Throughout 2008, UN-LiREC concluded major multi-year projects in assisting States to address illicit firearms trafficking, while fostering national ownership of disarmament activities. Specifically, it helped to train law-enforcement officials in both populated and border areas as well as to consolidate capacity-building efforts in Brazil, Colombia, the Dominican Republic, Jamaica and Paraguay. The main outcome was that these beneficiary States displayed noticeable interest in incorporating UN-LiREC methodologies

²⁹ As per the United States Department of State fact sheet of 29 April, 2009, 30 OAS member States were party to the Convention and 4 others (including the United States) had signed, but not ratified it. The fact sheet is available at <http://www.state.gov/p/wha/rls/fs/2009/110097.htm> (accessed 18 June 2009). The Treaty text and status of adherence are available on the UNODA website at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

³⁰ See the First Meeting of Ministers for Public Security of the Americas, from 7 to 8 October 2008, Mexico City, available at <http://www.oas.org/CSH/english/MISPA.asp> (accessed 1 May 2009).

³¹ The South American Community of Nations members are Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Guyana, Paraguay, Peru, Suriname, Uruguay and Venezuela (Bolivarian Republic of). Further information is available at <http://www.comunidadandina.org/INGLES/sudamerican.htm> (accessed 1 May 2009).

into their own national law enforcement capacity-building infrastructures and training courses.

To strengthen regional information exchange on illicit firearms trafficking and other public security issues, the Centre continued to collaborate with the Brazilian Ministry of the Interior and UNDP-Brazil to maintain a network of relevant entities in the field, such as the International Criminal Police Organization (INTERPOL), the World Customs Organization and United Nations agencies. In 2008, this network was reinforced by the participation of the newly created American Police Community and the Latin America and Caribbean Community for Police Intelligence. Supported by the Centre's online resource platform,³² it also boosted networking and exchanges between representatives from several countries in the region, as well as from Australia, Belgium, Canada, China, the Dutch Antilles, France, Italy, Spain, the United Kingdom and the United States.

In cooperation with UNDP and the United Nations Office on Drugs and Crime (UNODC), UN-LiREC worked with parliamentary representatives, non-governmental organizations (NGOs), community groups and the media to make specific recommendations on harmonizing national firearms legislations with international firearms instruments' requirements.³³ Specifically in cooperation with UNDP, the Centre facilitated an important regional debate on armed violence and appropriate policy responses (see p. 170 for details).

In the context of peacekeeping operations, the Centre engaged in greater coordination with representatives from NGOs, research institutions and the media on disarmament and weapons destruction training of Brazilian and Peruvian peacekeepers. The Centre participated in training programmes with a view to introducing the United Nations Inter-Agency Disarmament, Demobilization and Reintegration Standards into the curriculum of peacekeeping training centres in both countries.

UN-LiREC also continued working with the Provisional Technical Secretariat of the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) Preparatory Commission to promote Treaty adherence.³⁴ Further to the ratifications of Barbados and Colombia early in the year,³⁵ UN-LiREC and the Preparatory Commission, with the support of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) Article XIV Conference Co-Chairs (Austria

³² For further information, see the website of the Regional Public Security Training Centre at <http://www.treinasp.org/> (accessed 3 June 2009).

³³ Recommendations were made to Bolivia, Costa Rica, Dominican Republic, Panama and Paraguay.

³⁴ The text and status of adherence of the Comprehensive Nuclear-Test-Ban Treaty are available on the UNODA at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

³⁵ Barbados deposited its instrument of ratification on 14 January 2008, and Colombia on 29 January 2008.

and Costa Rica), undertook coordinated missions to Dominica, Guatemala, St. Vincent and the Grenadines and Trinidad and Tobago for consultations. These dialogues led to noticeable advances in the national adhesion processes of the four States.

General Assembly, 2008

63/74. United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean

Introduced on an annual basis, the General Assembly, *inter alia*, in a new development, requested the Secretary-General to provide from the regular budget, starting in the biennium 2010-2011, the necessary support to ensure the sustainability of the core activities and operations of the Regional Centre, in order to enable it to carry out its programme of activities in accordance with its mandate.

It also invited all States of the region to continue to take part in the activities of the Regional Centre, proposing items for inclusion in its programme and making greater and better use of the Centre's potential to meet the current challenges facing the international community to fulfil the aims of the United Nations Charter in the areas of peace, disarmament and development.

First Committee. Before the action, the **United States** spoke on behalf of itself and the United Kingdom to explain that it would dissociate itself from the consensus. By including funding from the regular budget, the draft fundamentally changed the nature of the centres, especially at a time when more than a 25 per cent increase was being proposed to the regular budget. **France** also took the floor to indicate that it would not take part in the consensus because the draft provided resources from the regular budget for activities or allocations that were not precisely defined.

After joining consensus, **Canada** stated that as the three Centres were established on the basis that they obtain voluntary funding, it was disappointed that the First Committee adopted a draft resolution inconsistent with the rules governing programme planning and budgeting.

Caribbean Community and Common Market (CARICOM)

Throughout 2008, CARICOM member States³⁶ accelerated SALW initiatives and tasked its Implementation Agency for Crime and Security to coordinate a more effective regional approach.

Introduced by: Peru, on behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States (24 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (31 Oct.)

For text and sponsors, see *Yearbook*, Part I, p. 149-152.

³⁶ CARICOM members are Antigua and Barbuda, the Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, Saint Lucia, St. Kitts and Nevis, St. Vincent and the Grenadines, Suriname and Trinidad and Tobago.

Two main SALW initiatives were undertaken during the year. First, member States that had not yet done so were encouraged to sign and ratify all relevant conventions and protocols relating to illicit SALW trafficking. Subsequently, the Bahamas and Guyana³⁷ both ratified the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime.³⁸

The second initiative targeted increased compliance with the United Nations Programme of Action (PoA). In this connection, a capacity-building project was developed to share SALW information through a “Regional Integrated Ballistic Information Network”.³⁹ This network will electronically connect the ballistics information of CARICOM member States to a regional computerized ballistics database, utilizing the most modern identification system available. This system will facilitate information-sharing with other regions, to include INTERPOL’s planned crime gun database. With the appropriate policy and legislative support, upon completion, all guns in police custody that have been used in crimes will be recorded and electronically tracked. The information will then be shared regionally and internationally, as necessary. With individual State support, information on law enforcement and licensed firearms would also be input into the database.

Organization of American States (OAS)

As of 31 December, 29 OAS member States had ratified CIFTA.⁴⁰ During this period, and within the framework of the Convention, member States approved two new model legislations. One aimed to strengthen controls at export points and the other dealt with legislative measures to establish criminal offenses in relation to the illicit manufacturing of and trafficking in firearms, ammunition, explosives and related materials.⁴¹ In addition, an OAS programme was initiated in Central America to strengthen national capacities to prevent and eliminate illicit firearms trafficking by training national authorities in effective stockpile management techniques, modernizing stockpile facilities and destroying obsolete or surplus firearms and ammunition, or both.⁴²

³⁷ Bahamas deposited its instrument of ratification on 26 September 2008 and Guyana on 2 May 2008.

³⁸ The Treaty text and status of adherence are available on the United Nations Treaty Collection website at <http://treaties.un.org/Pages/Home.aspx?lang=en>.

³⁹ Further information on this and other CARICOM projects is available at <http://www.caricomimpacs.org> (accessed 5 May 2009).

⁴⁰ The Treaty text and status of adherence are available on the UNODA website at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

⁴¹ See “Proposed model legislation and commentaries for strengthening controls at export points for firearms, ammunition, explosives and other related materials” of 9 May 2008, GE/CIFTA-CICAD/doc.2/06 rev. 4 available at www.oas.org/ (accessed 8 May 2009).

⁴² More information on the activities of the OAS is available on its website at <http://www.oas.org> (accessed 5 May 2009).

With regard to the Inter-American Convention on Transparency in the Acquisition of Conventional Weapons, 20 member States have signed while 12 have deposited their instruments of ratification or adhesion.⁴³ The Convention, which entered into force on 21 November 2002, is an unprecedented regional transparency regime that utilizes concrete mechanisms to strengthen regional peace and security. It requires States parties to submit annual reports on exports and imports of conventional weapons covered by the Convention⁴⁴ and to notify the OAS General Secretariat of weapons acquisitions within 90 days after incorporation into armed forces inventories. The submitted reports and notifications were presented before the Committee on Hemispheric Security by the Secretary for Multidimensional Security.⁴⁵

Asia and the Pacific

Three nuclear-related developments were significant for the region in 2008. The ratification of the CANWFZ Treaty by Turkmenistan on 19 April, Tajikistan on 12 November and Kazakhstan on 11 December paved the way for the treaty to enter into force.⁴⁶

As the Six-Party Talks aspired to denuclearize the Korean Peninsula, on 23 July, the first informal meeting of the relevant Foreign Ministers was held in Beijing, from 8 to 11 December.⁴⁷ The parties conducted in-depth discussions on nuclear verification activities, reaffirming the goal of the verifiable denuclearization of the Korean Peninsula. (For further information see ch. I of this volume).

On 9 July, Australia and Japan co-chaired the first session of the International Commission on Nuclear Non-proliferation and Disarmament in Sydney, Australia.⁴⁸ The Commission, a global initiative sponsored by the Australian and Japanese Governments, aims to reinvigorate the global effort against the proliferation of nuclear weapons, and to strengthen the NPT leading up to the 2010 NPT Review Conference and beyond.⁴⁹

⁴³ The Treaty text and status of adherence are available on the UNODA website at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

⁴⁴ Conventional weapons covered by the Convention include battle tanks, armoured combat vehicles, large-caliber artillery, combat aircraft, attack helicopters, warships, and missiles and missile systems. These weapons are identical to those covered by the United Nations Register of Conventional Arms.

⁴⁵ Submitting OAS member States: Canada, Chile, Uruguay, Argentina, Paraguay, Bahamas and Brazil.

⁴⁶ The Treaty text and status of adherence are available on the UNODA website at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

⁴⁷ China, Democratic People's Republic of Korea, Japan, Republic of Korea, Russian Federation and United States.

⁴⁸ Former Australian Foreign Minister Gareth Evans and former Japanese Foreign Minister Yoriko Kawaguchi were Co-Chairs of the Commission.

⁴⁹ For further information, see <http://www.icnnd.org/> (accessed 3 June 2009).

United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific (RCPD)

On 18 August, RCPD officially opened in Kathmandu. The event marked the successful relocation of the Centre from New York, following intensive preparations by UNODA in close cooperation with the Government of Nepal and the local UNDP office.⁵⁰

The RCPD carried out a programme of activities, organizing several annual conferences. The twentieth United Nations Conference on Disarmament Issues was held from 27 to 29 August in Saitama City, Japan. With the support of the Government of Japan and the city of Saitama, the Conference drew over 90 participants and observers from Governments, international organizations, academic institutions and civil society. It focused on means of reinforcing the three pillars of the NPT, the nuclear renaissance and nuclear non-proliferation, arms control and security in East Asia, and cooperation with civil society. Participants stressed the importance of having a substantive and agreed outcome of the 2010 NPT Review Conference. As one of the measures to address nuclear proliferation and nuclear security risks and threats, the notion of the 3S's (safety, security and safeguards) figured prominently in the discussion.

The RCPD and the Government of the Republic of Korea organized the seventh Joint Conference entitled "Nuclear Renaissance and the NPT: Reinforcing the Three Pillars of the NPT". The Conference was held from 24 to 26 November in Jeju Island, Republic of Korea with more than 50 representatives of Governments, international organizations, academia, research institutions and civil society in attendance. The Conference focused on ways to revitalize the NPT process, as well as on nuclear and missile issues in Northeast Asia. Various proposals on multilateral assurance mechanisms for nuclear fuel supplies were discussed and challenges and responses to nuclear non-proliferation and disarmament were identified and examined.

With EU support and in collaboration with Kazakhstan, the Centre organized two seminars to promote the universality of the CCW and its annexed Protocols in Asia and the Pacific. The first, held in Almaty from 24 to 25 September, brought together representatives from seven Central Asian States. Another seminar, which was held in Kathmandu from 17 to 18 December, convened representatives from 11 South Asian, South-East Asian and South Pacific States. The seminars aimed to clarify outstanding issues for States not party to the Convention. A number of participants provided information on concrete efforts under way towards Convention accession.

⁵⁰ For further information on the Centre, see <http://www.unrcpd.org.np/>.

General Assembly, 2008

63/77. United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific

By the terms of this resolution, the Assembly welcomed the relocation of RCPD from New York to Kathmandu, which came into operation on 18 August 2008. It expressed gratitude to the Government of Nepal for its cooperation and financial support that allowed the new office to be opened there, and its appreciation to the Secretary-General and UNODA for making the necessary preparations to ensure the effective functioning of the Regional Centre's physical operation.

Introduced by: Nepal (24 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (31 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 158-160.

It requested the Secretary-General to provide from the regular budget, starting in the biennium 2010-2011, the necessary support to ensure the sustainability of the core activities and operations of the Regional Centre, to enable it to carry out its mandated activities and also to continue to provide the necessary support to for greater achievements and results, within existing resources, until the regular budget is approved. The resolution reaffirmed its strong support for the Regional Centre's role in promoting United Nations activities at the regional level to strengthen peace, stability and security among its Member States. It also underlined the importance of the Kathmandu process to develop the practice of region-wide security and disarmament dialogues.

First Committee. Before the action, the **United States** took the floor on behalf of itself and the United Kingdom to explain that the draft had fundamentally changed the nature of the Centre by requesting that, starting in 2010-2011, the biennial regular budget ensure the sustainability of the Centre's core activities and operations. While it had traditionally joined consensus in the past, it would not currently participate, particularly at a time when it was being proposed that the current regular budget be increased by more than 25 per cent. **France** would not take part in the consensus as it stated that it posed a problem for them that the draft provided for the allocation of resources from the regular budget.

After the action, **Canada** explained that although it had joined the consensus, it was disappointed that, at a time when the Secretary-General himself highlighted the need for budget discipline, the First Committee decided to adopt a draft inconsistent with the rules governing programme planning and budgeting. It continued to urge the Secretary-General and the United Nations staff to implement a greater focus on strategic planning and resourcing across the entire Organization.

Association of Southeast Asian Nations (ASEAN)

An important goal of the ASEAN Charter is to preserve South-East Asia as an NWFZ and free of all other WMD.⁵¹ On 21 July, during the forty-first Ministerial Meeting of the Association of Southeast Asian Nations in Singapore, ASEAN Ministers issued a joint communiqué welcoming the progress made in implementing the Plan of Action adopted in 2007 by the South-East Asia Nuclear-Weapon-Free Zone (SEANWFZ) Commission. The Communiqué noted that, as per the ASEAN-sponsored resolution on the SEANWFZ⁵² Treaty, States parties should resume direct consultations with nuclear-weapon States (NWS) to resolve outstanding issues on provisions in the Treaty and its Protocol comprehensively.⁵³ The Communiqué also encouraged NWS and parties to the Treaty to continue working to ensure the early accession of the NWS to the Treaty's Protocol. Furthermore, the Ministers took note of the continued discussions between ASEAN and the International Atomic Energy Agency (IAEA).⁵⁴

In addition, the Ministers reaffirmed that the denuclearization of the Korean Peninsula was necessary for regional peace and security, and expressed support for the Six-Party Talks. They further agreed that the ASEAN Regional Forum (ARF) should initiate concrete measures on the increasingly complex and multi-faceted security challenges confronting the region, particularly through cooperation in areas such as non-proliferation and disarmament.

On 24 July at the ARF's Fifteenth Meeting, the Singapore Declaration⁵⁵ was adopted, to promote and maintain regional peace and security through strengthening dialogue and cooperation. At the Meeting, the Ministers also endorsed the establishment of a new working group, the ARF Inter-Sessional Meeting on Non-Proliferation and Disarmament, to provide a discussion platform for cooperation on these issues and to concentrate UNSCR 1540 implementation in the ASEAN region.⁵⁶

⁵¹ The ASEAN charter was signed at the 13th ASEAN Summit in Singapore on 20 November 2007.

⁵² The text and status are available on the UNODA website at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

⁵³ The resolution on the Treaty on the South-East Asia Nuclear-Weapon-Free Zone was adopted by vote at the 61st plenary meeting of the United Nations General Assembly on 5 December 2007 (General Assembly resolution 62/31).

⁵⁴ The Joint Communiqué is available at <http://www.aseansec.org/21772.htm>. See also the *United Nations Disarmament Yearbook*, vol. 32: 2007, pp. 14-15, available online at <http://www.un.org/disarmament>. For further information on ASEAN, see <http://www.aseansec.org/> (accessed 9 February 2009).

⁵⁵ Text is available at http://www.thecommonwealth.org/shared_asp_files/GFSR.asp?NodeID=141097 (accessed 15 June 2009).

⁵⁶ For further information about ARF, see <http://www.aseanregionalforum.org/>. The Singapore Declaration is available at <http://www.41amm.sg/amm/index.php/web/layout/set/print/content/view/full/1111> (accessed 9 February 2009).

Shanghai Cooperation Organization (SCO)

On 28 August, the Eighth Meeting of the Council of Heads of SCO member States was held in Dushanbe, Tajikistan, where it adopted the Dushanbe Declaration.⁵⁷ The Heads of States declared once again that the creation of the CANWFZ was an important step in consolidating the NPT regime. They stated that by preventing nuclear materials and technologies from falling into the hands of non-State actors, the zone would help strengthen regional security and contribute to the fight against international nuclear terrorism. During the Meeting, the member States signed the Agreement on cooperation on combating illegal circulation of weapons, ammunition and explosives.⁵⁸

The SCO is a permanent intergovernmental international organization founded in 2001 by China, Kazakhstan, Kyrgyzstan, the Russian Federation, Tajikistan and Uzbekistan, inter alia, to strengthen mutual confidence and good-neighbourly relations and to make joint efforts to maintain and ensure peace, security and stability in the region.

Pacific Islands Forum

During 2008, the Pacific Islands Forum Secretariat continued to work with its 16 member countries on a range of security and disarmament issues.⁵⁹ The Secretariat continued to support the South Pacific Nuclear-Weapon-Free Zone.⁶⁰ Moreover, it engaged France, Japan and the United Kingdom on the safety and security of civil nuclear shipments through the Pacific Ocean. The CTBTO Preparatory Commission, in cooperation with the Secretariat, also provided practical assistance in convening a regional workshop for Pacific Island States from 8 to 9 May, in Apia, Samoa, on CTBT ratification and implementation.

The Secretariat conducted consultations with its members on a new SALW project, to be launched in 2009. The project will focus on police control of ammunition; registration of weapons and holders; weapons safety; and other educational material for weapons users. The project will also see how members could be assisted in complying with international instruments and upholding conventional weapons commitments. The Secretariat began drafting a “Regional Model Law Governing the Control of Weapons”.

⁵⁷ The text of the Dushanbe Declaration is available on the website of the President of the Russian Federation at <http://www.kremlin.ru/eng/> (accessed 7 May 2009).

⁵⁸ See <http://www.sectsc.org/EN/show.asp?id=66> (accessed 3 June 2009).

⁵⁹ Members of the Pacific Islands Forum Secretariat are Australia, Cook Islands, Micronesia (Federated States of), Fiji, Kiribati, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu. See <http://www.forumsec.org.fj/> (accessed 15 June 2009).

⁶⁰ The Treaty text and status of adherence are available on the UNODA website at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

Additionally, the Secretariat supported members' compliance with international counter-terrorism obligations and hosted a UNODC counter-terrorism expert. In cooperation with New Zealand, it also convened a regional Counter-Terrorism Working Group. Furthermore, the Secretariat continued to work with members and international partners on other regional priorities, such as enhancing capacity for border security, and strengthening maritime security in the region.

Europe

Throughout 2008, European intergovernmental organizations continued to promote the implementation of international disarmament instruments and to fund disarmament initiatives throughout Europe and other regions.

The EU continued to support the implementation of UNSCR 1540, and sponsored regional workshops to strengthen the capacity of States involved in the export control process. In addition, it remained a major IAEA donor to prevent acts of nuclear terrorism. The Organization for Security and Cooperation in Europe (OSCE) continued to support work identifying illicit transfers of SALW and implementing the United Nations PoA.

In the South-East European region, OSCE, the Regional Cooperation Council, the Regional Arms Control Verification and Implementation Assistance Centre (RACVIAC) and the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) also continued to promote and fund disarmament projects (for more on SEESAC, please see p. 167).

European Union (EU)

EU disarmament activities further expanded in 2008 in the framework of the European Security Strategy as well as within the EU strategy on the non-proliferation of WMD and on combating the illicit accumulation and trafficking of SALW and their ammunition.⁶¹

EU was active on the entire range of disarmament issues dealing with WMD. On 14 May, through the adoption of a second Joint Action aimed to strengthen the capacities of third countries' (non-EU States) involved in export control, it supported the implementation of the UNSCRs 1540, 1673 and 1810 (2008).⁶² Furthermore, on 8 December, the EU Council adopted new lines of action by the EU in combating the proliferation of WMD and

⁶¹ The European Security Strategy was adopted by the European Council on 12 December 2003, available at <http://ue.eu.int/uedocs/cmsUpload/78367.pdf> (accessed 8 May 2009). The EU Strategy against the Proliferation of WMD is available at http://trade.ec.europa.eu/doclib/docs/2004/august/tradoc_118532.en03.pdf (accessed 8 May 2009).

⁶² S/RES/1540 (2004) was adopted by the Security Council on 28 April 2004 and S/RES/1673 (2006) on 27 April 2006. The text of S/RES/1810 (2008) can be found in appendix IV of this volume.

their delivery systems, which identify concrete areas to strengthen further the implementation of the EU WMD Strategy. They aim to raise the profile of non-proliferation measures within the EU by turning fundamental security into a cross-cutting policy priority for the EU and Member States' and to identify and encourage best practices at the national policy level.⁶³

As a major contributor to the IAEA nuclear security fund, the EU continued to support IAEA nuclear terrorism prevention activities, and assisted in securing nuclear materials throughout the world.

The EU implemented a capacity-building project for the operators of the CTBTO monitoring stations and national data centres and technical assistance activities for African countries to develop national infrastructures for the CTBT monitoring and verification system. It also continued to support the International Science and Technology Centre (ISTC)⁶⁴ and the Science and Technology Centre of Ukraine in mitigating the risk of WMD proliferation in the Commonwealth of Independent States (CIS) by providing employment opportunities to former weapons programme scientists and technicians.

The ISTC is an intergovernmental organization connecting scientists from the Russian Federation, Georgia and other countries of the CIS with their peers and research organizations in Canada, EU, Japan, Republic of Korea, Norway and the United States to facilitate international science projects and assists the global scientific and business community to source and engage with Russian and CIS institutes that develop or possess an excellence of scientific know-how.

On 3 December, the EU adopted a draft international Code of Conduct for outer space activities. The draft Code proposed a number of measures that would enhance security, safety, predictability and sustainability in outer space activities.⁶⁵ (For further discussion on outer space, see ch. V of this volume.)

Within the United Nations framework, at the policy level the EU fully supported the arms trade treaty process (for further discussion, see ch. III of this chapter). Within its region, the EU also continued to harmonize its member States' national arms export control policies.⁶⁶ On 8 December, the Council of the EU adopted a Council Common Position⁶⁷ defining common rules for the control of exports of military technology and equipment, and replacing the Code of Conduct. The Council Common Position constituted a significantly

⁶³ The document is available at http://trade.ec.europa.eu/doclib/docs/2008/december/tradoc_141740.pdf (accessed 6 May 2009).

⁶⁴ For more information, see www.istc.ru (accessed 2 June 2009).

⁶⁵ Draft Code of Conduct for Outer Space Activities available at http://www.eu2008.fr/webdav/site/PFUE/shared/import/1209_CAGRE_resultats/Code%20of%20Conduct%20for%20outer%20space%20activities_EN.pdf (accessed 18 May 2009).

⁶⁶ As required by the 1998 EU Code of Conduct on Arms Exports.

⁶⁷ See *Official Journal of the European Union*, III, Acts adopted under Title V of the EU Treaty, 2008/944/CFSP.

updated and upgraded instrument. Turning to the EU Code of Conduct on Arms Exports, outreach seminars for the Western Balkan countries and the North African Mediterranean partners of the European Neighbourhood Policy were also organized during the course of the year.

The EU also continued to fight the illicit trade and excessive accumulation of SALW and their ammunition. At the policy level, it adopted a model SALW article, to be inserted in relevant agreements with third countries (non-EU States), which would constitute the legal basis for enhanced cooperation in combating the illicit trade and excessive accumulation of SALW and their ammunition.

At the regional level, the EU co-financed three seminars on the International Instrument to Enable States to Identify and Trace Illicit SALW,⁶⁸ respectively in Lomé, Rio de Janeiro and Seoul. The EU also took action on an SALW Legislation Pilot Project in the Western Balkans. Based on the activities initiated in 2006, a Support Plan was developed. Pursuant to the Plan, different SALW projects were carried out in Albania, Bosnia and Herzegovina, Croatia, Kosovo, Montenegro, Serbia, and the former Yugoslav Republic of Macedonia to aid those States in establishing legal and institutional frameworks that are harmonized with EU policies and practices in SALW control. It also assisted Ukraine in implementing SALW destruction and explosive ordnance clearance.⁶⁹ The EU also provided financial assistance to the activities of UN-LiREC in this field. Since 2001, the EU's financial contributions have ensured training courses for the law enforcement authorities and Members of Parliament in the region and their advisors on firearms-related legislation, development of databases, as well as weapons destruction and stockpile management activities. The third phase of the Training the Trainers and Firearms-related Databases project was completed in 2008.

Concerning anti-personnel landmines (APLs) and explosive remnants of war (ERW), the EU sponsored six regional seminars in the Dominican Republic, Togo, Kazakhstan, Morocco and Nepal as part of a Joint Action to promote universalization of the CCW. On 23 June, the EU Council adopted a Joint Action in support of the universalization of the Mine Ban Convention, to enable regional accession seminars.

Mine action continued to be part of wider assistance and development programmes in third countries. On 24 November, a set of guidelines on European Community mine action for 2008 to 2013 was endorsed to steer

⁶⁸ For further information on the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, see the *United Nations Disarmament Yearbook*, vol. 31: 2006, ch. III., available online at <http://www.un.org/disarmament>. See also the report of the United Nations conference to review the progress made in implementing the PoA, of 12 July 2006, A/CONF.192/2006/RC/9.

⁶⁹ As part of EU implementation of Council Decision 2005/852/CFSP.

mine-affected countries towards effective mine action programming.⁷⁰ Additionally, the European Commission support to mine action continued to be carried out in nine countries,⁷¹ where activities encompassed mine clearance (including cluster bombs), mine risk education, APL stockpile destruction, and assistance in the safe return, resettlement and establishment of livelihoods of internally displaced persons and refugees.

Organization for Security and Cooperation in Europe (OSCE)

In 2008, the Forum for Security Co-operation (FSC) remained seized of the WMD proliferation issue and participating OSCE States continued to exchange views as part of regular FSC meetings. The participating States also continued developing a handbook of best practice guides for implementation of UNSCR 1540 to assist participating and other States in developing national action plans, thereby fostering greater coordination of regional assistance activities.

In the field of conventional weapons, the OSCE actively addressed illicit SALW trade. In line with implementing the United Nations PoA, OSCE and the Euro-Atlantic Partnership Council (EAPC) organized a Synergy Conference for regional organizations, held in Brussels from 28 to 30 May to facilitate cooperation and promote best practices between regional organizations.⁷²

Additionally, the OSCE updated its 2004 commitments on small arms export control, and initiated a comprehensive review process of SALW controls. It also discussed potential activities to counter illicit SALW transfers by private cargo companies. As a result, an initiative was launched that led to best practices that prevent destabilizing SALW transfers through air transport as well as the adoption of an information-exchange questionnaire on the topic.

With regard to weapons and ammunitions stockpiles, the FSC completed the “OSCE Handbook of Best Practices on Stockpiles of Conventional Ammunition”⁷³ and established an OSCE Directory of SALW and Conventional Ammunition Contact Points. From 5 to 6 February, the OSCE conducted a workshop on the implications of technical, managerial and financial issues of existing and planned SALW projects and on stockpiles of conventional ammunition. The workshops reviewed requests, drew lessons learned and ensured effective project planning for the future. Two joint

⁷⁰ “Guidelines on European Community Mine Action 2008-2013” available on the European Commission website at <http://ec.europa.eu/> (6 May 2009).

⁷¹ Albania, Angola, Bosnia and Herzegovina, Ethiopia, Georgia, Lao People’s Democratic Republic, Lebanon, Nepal and Sri Lanka.

⁷² The Summary Report is available at http://www.osce.org/documents/cpc/2008/05/34291_en.pdf (25 June 2009).

⁷³ “OSCE Handbook of Best Practices on Stockpiles of Conventional Ammunition, by OSCE, 2008, 166 pages, available at http://www.osce.org/publications/fsc/2008/09/32978_1178_en.pdf (accessed 7 May 2009).

projects were initiated in Belarus and Montenegro following the signing of a memorandum of understanding (MoU) between UNDP and the OSCE Secretariat. In response to requests by OSCE participating States, one MoU focused on the joint implementation of SALW projects and the other on conventional ammunition.⁷⁴

According to their own reports, OSCE participating States destroyed 1,297,208 pieces of SALW in 2007. During the period from 2001 to 2007, a total amount of 7,685,424 units of SALW were destroyed. Of these, 6,353,685 were deemed as surplus and 1,331,739 seized from illegal possession and trafficking. The OSCE, together with UNDP and the Ministry of Defence of Montenegro, also successfully completed the destruction of approximately 120 tons of mélange (rocket fuel component). In Albania, an OSCE project to destroy 30 tons of mélange was initiated as well.⁷⁵

North Atlantic Treaty Organization (NATO)

On 3 April, NATO Heads of State and Government reaffirmed in the Bucharest Summit Declaration that “arms control, disarmament and non-proliferation will continue to make an important contribution to peace, security, and stability and, in this regard, to prevent the spread and use of weapons of mass destruction and their means of delivery”.⁷⁶

NATO’s main non-proliferation activity in 2008 was the convening of a Seminar on Proliferation Issues, hosted by Germany from 13 to 14 November. Speakers and participants included representatives from the EAPC, the Mediterranean Dialogue, the Istanbul Cooperation Initiative, nations from Asia and the Pacific,⁷⁷ international organizations⁷⁸ and select academic institutions and think tanks.

NATO also organized a regional workshop on the practical implementation of UNSCR 1540, which was hosted by Croatia from 5 to 6 June. Participants from South-Eastern Europe, allies and international organizations discussed lessons learned and best practices in export controls. Topics included national action plans, information-sharing and cooperation among different agencies and with the private sector and academia.

⁷⁴ More information on the Workshop available at http://www.eu2008.si/en/News_and_Documents/Statements_in_International_Organisations/February/0207OSCE_Workshop.html (24 June 2009).

⁷⁵ Further information on OSCE available at <http://www.osce.org/> and on FSC at <http://www.osce.org/fsc/> (accessed 7 May 2009).

⁷⁶ See Bucharest Summit Declaration, para. 39, available at <http://www.nato.int/docu/pr/2008/p08-049e.html> (7 May 2009).

⁷⁷ Australia, China, India, Japan and Pakistan.

⁷⁸ The United Nations, EU, the Organisation for the Prohibition of Chemical Weapons, OSCE and the Preparatory Commission for CTBTO.

On 28 March, the North Atlantic Council issued a statement on the Treaty on Conventional Armed Forces in Europe⁷⁹ that urged the Russian Federation to end the suspension of its legal obligations and to work together to reach agreement on the basis of the parallel action package and preserve the benefits of the landmark regime. Moreover, NATO continued to coordinate conventional arms control implementation through the Verification Coordinating Committee, which held 17 meetings for national delegates and experts in 2008.

Regional Cooperation Council (RCC)

On 27 February, the RCC was launched as the successor to the Stability Pact for South-Eastern Europe.⁸⁰ It focused on developing a strategic and operational framework on security issues for increased regional cooperation and ownership in South-Eastern Europe.

An MoU was drafted and signed between the RCC Secretariat and UNDP, key promoters of regional security cooperation, to support the continued work of SEESAC. This combined effort confirmed the organizations' intention to jointly use SEESAC capacities in South-Eastern Europe for initiatives in armed violence prevention.

The RCC and SEESAC achieved efficient synergy and established programmatic and operational links. In particular, SEESAC developed a concept note for its role in implementing the 2008-2009 RCC Strategic Work Programme. On 21 May, it was endorsed by the Heads of State of the South-East European Cooperation Process in Pomorie, Bulgaria.

South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC)

During the year, SEESAC focused on developing a strategic and operational framework for increased regional involvement.⁸¹ As a partner initiative under the Stability Pact, it worked with the South East European Cooperation Process, the RCC and RACVIAC.

Through workshops, training materials, study reports and technical assistance, SEESAC continued working to enhance regional and national SALW controls and reduce the number of illicit SALW circulating in the region. Begun in 2002, SEESAC continued to update the Regional Micro-disarmament Standards and Guidelines, which provide guidance for the

⁷⁹ The Treaty text and status of adherence are available on the UNODA website at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

⁸⁰ Members are Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Hungary, Macedonia, Montenegro, Republic of Moldova, Romania, Serbia, Slovenia and Turkey. Further information available at <http://www.rcc.int/> (7 May 2009).

⁸¹ Further information on SEESAC available at <http://www.seesac.org/> (accessed 7 May 2009).

subregion in all areas of small arms control, including legislation, collection, destruction and increasing transparency for responsible arms trade.

Regional Arms Control Verification and Implementation Assistance Centre (RACVIAC)

RACVIAC continued to foster cooperation and broader security dialogue among the countries of the South-East European region by enhancing openness, predictability and transparency in the field of military security.

RACVIAC carried out 38 seminars, conferences, workshops and training courses, with a total of 980 participants, in cooperation with a wide range of partners, including the Organisation for the Prohibition of Chemical Weapons, Stockholm International Peace Research Institute, NATO, SEESAC, UNODC, UNODA, International Action Network on Small Arms, as well as other regional and international institutions.

The RACVIAC courses and seminars focused on a number of disarmament issues, including the CWC, Export Control of Dual Use Goods, SALW, as well as social and economical consequences of security sector reform. The Centre also continued to assist South-East European countries in fulfilling their arms control commitments and to prepare them for accession to other arms control agreements.

With regard to SALW issues, RACVIAC brought together South-East European countries' experts⁸² to share experiences in regulating, preventing and combating the illicit manufacturing of and trafficking in firearms and ammunition, and to discuss the status of implementation of legal obligations under the United Nations Protocol on Firearms. Participants discussed: (a) marking and tracing, including their requirements and importance in controlling ammunition; (b) the need for a framework to regulate brokers, import, export and transit regimes; (c) the importance of identifying points of diversion; and (d) the issue of export certificates for verification. Proposals included future common initiatives and discussion on holistic arms violence prevention programmes, focusing on local communities.⁸³

Middle East

In the Middle East, the League of Arab States continued to promote an NWFZ in the region as well as proceed with work on SALW-related issues. Disarmament and international humanitarian law were also examined in the region with United Nations-facilitated CCW and cluster munitions discussions.

⁸² The experts were from Croatia, Montenegro, the Republic of Moldova, Romania, Serbia, the former Yugoslav Republic of Macedonia and Turkey, who represented the various ministries, agencies and institutions involved.

⁸³ Further information on RACVIAC available at <http://www.racviac.org/index.html> (accessed 7 May 2009).

League of Arab States (LAS)

In 2008, the LAS was actively involved in WMD issues, particularly nuclear weapons.⁸⁴ While the LAS Council's resolution 6745, entitled "The Experts Committee to Draft a Treaty that would Establish a WMD Free-Zone in the Middle East, in Particular Nuclear Weapons," continued to be suspended until further assessment of regional and international developments, the League hosted the 25th and 26th meetings of the "Follow-up Committee on Israeli nuclear activities", which coordinated Arab positions on various nuclear disarmament issues.

Additionally, the LAS Summit Council adopted two new resolutions on the peaceful uses of nuclear energy: resolution 425, of 20 March 2008, on developing the peaceful uses of nuclear energy in the States member of the LAS; and resolution 426, of 30 March 2008, on setting-up a joint Arab programme for the use of nuclear energy for peaceful purposes.⁸⁵

In connection with conventional arms-related activities, the Second Annual Meeting of Arab National Points of Contact on the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons was attended by 15 Arab States. The meeting was held at LAS headquarters in Cairo from 20 to 21 May.

United Nations Office for Disarmament Affairs (UNODA)

Supported by the EU and in collaboration with Morocco, UNODA organized a seminar on promoting the universality of the CCW and its annexed Protocols in the Middle East and the Mediterranean. Held from 19 to 20 November, it was attended by 36 participants,⁸⁶ including the President of the Second CCW Protocol V Conference,⁸⁷ as well as representatives from international organizations.⁸⁸

The seminar succeeded in fulfilling a need for clarification about the Convention among non-State parties from the region, many of which were affected by CCW-regulated weapons, particularly landmines and ERW.

⁸⁴ The LAS members are Algeria, Bahrain, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Mauritania, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates and Yemen.

⁸⁵ Further information available at <http://www.arabsummit.tn/en/summit.htm> (accessed 8 May 2009).

⁸⁶ Algeria, Bahrain, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Morocco, Saudi Arabia, Syrian Arab Republic, United Arab Emirates and Lithuania.

⁸⁷ Edvardas Borisovas (Lithuania).

⁸⁸ International Committee of the Red Cross, United Nations Institute for Disarmament Research, United Nations Mine Action Service and the LAS.

UNDP—Bureau for Crisis Prevention and Recovery

Throughout the year, UNDP worked to bolster disarmament in a variety of areas. At the subregional level in Africa, it supported both RECSA and ECOSAP in strengthening their capacities to tackle SALW proliferation. Through a range of activities including training, research and awareness-raising, it continued to assist national SALW commissions in various regions of Africa. A number of national SALW and armed violence prevention programmes included strengthening cross-border dialogue mechanisms to stem the illicit flow of small arms.

UNDP also focused its disarmament activities on supporting those countries under the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Mine Ban Convention) with Article 4 obligations due to be fulfilled in 2008.⁸⁹ Burundi successfully fulfilled its Article 4 obligations by 17 March, ahead of its April deadline, when it destroyed its stockpiles of APLs in a destruction ceremony at Mudubugu, located outside of the capital. Likewise, Sudan reported its successful fulfillment of Article 4 obligations when, on 31 March, it destroyed 10,566 APLs, with the support of UNDP, ahead of its Treaty-mandated deadline of 1 April.

UNDP, UN-LiREC and the Spanish Government co-hosted a meeting from 28 to 30 April in Antigua, Guatemala, on armed violence prevention and small arms control in Latin America. The participating States exchanged experiences and lessons learned in implementing the Guatemala and Geneva Declarations on Armed Violence and Development,⁹⁰ as well as the United Nations PoA. UNDP also continued to support the Central America Small Arms Control initiative in strengthening subregional cooperation to prevent proliferation.

With regard to Asia and the Pacific, UNDP, together with Switzerland and Thailand, hosted a regional meeting on armed violence and development from 8 to 9 May in Bangkok. During the meeting, 24 Governments⁹¹ from the region adopted a declaration on armed violence and development.⁹²

⁸⁹ Article 4 of the Mine Ban Convention calls for the destruction of stockpiled anti-personnel mines. The Treaty text and status of adherence are available on the UNODA website at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

⁹⁰ For the Guatemalan Regional Declaration, see the *United Nations Disarmament Yearbook*, vol. 32: 2007, appendix III, available online at <http://www.un.org/disarmament>.

⁹¹ Afghanistan, Australia, Bangladesh, Brunei Darussalam, Democratic People's Republic of Korea, Fiji, Indonesia, Japan, Kazakhstan, Kyrgyzstan, Malaysia, Mongolia, Nauru, Nepal, Papua New Guinea, Philippines, Republic of Korea, Samoa, Solomon Islands, Tajikistan, Thailand, Uzbekistan and Vanuatu.

⁹² The text of the Asia-Pacific Declaration on Armed Violence and Development is available at <http://www.genevadeclaration.org/pdfs/Bangkok-AVD-Declaration.pdf> (accessed 5 May 2009).

UNDP, Bosnia and Herzegovina and Switzerland hosted a regional meeting from 13 to 14 November in Sarajevo on armed violence and development. Bringing together a number of Governments from the Caucasus, Eastern and South-Eastern Europe, 14 countries subsequently adopted the Sarajevo Declaration on Armed Violence and Development.⁹³

To raise awareness of the humanitarian consequences caused by cluster munitions, to consider effective responses to them and to promote and encourage signature of the Convention on Cluster Munitions,⁹⁴ UNDP organized regional meetings in Africa, Asia and the Pacific, Europe,⁹⁵ Latin America and the Caribbean⁹⁶ and the Middle East.⁹⁷ UNDP also administered sponsorship programmes in New Zealand,⁹⁸ Ireland⁹⁹ and Sweden¹⁰⁰ to allow low-income and cluster munitions-affected countries to participate. (For more information on cluster munitions, see ch. I of this volume).

General Assembly, 2008

63/43. Regional disarmament

Unchanged in substance from last year, the General Assembly, *inter alia*, called upon States to conclude agreements, wherever possible, for nuclear non-proliferation, disarmament and CBMs at the regional and subregional levels, and welcomed the initiatives towards disarmament, nuclear non-proliferation and security that had already been undertaken at those levels. It also supported and encouraged efforts aimed at promoting CBMs, easing regional tensions and furthering disarmament and nuclear non-proliferation at the regional and subregional levels.

Introduced by: Pakistan (24 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (29 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 29-30.

⁹³ The Declaration is available at <http://www.genevadeclaration.org/pdfs/Bosnia-Sarajevo-Declaration-AVD-14Nov2008-final.pdf> (accessed 8 May 2009).

⁹⁴ The Treaty text is available in appendix II and status of adherence on the UNODA website at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>. Further information available at <http://www.clusterconvention.org/> (accessed 8 May 2009).

⁹⁵ Further information is available at <http://www.norvegia.bg/policy/cluster/Sofiaconf.htm> (accessed 8 May 2009).

⁹⁶ See also <http://www.un.org/disarmament/HomePage/ODAPublications/ODAUpdate/2008/May/index.html>.

⁹⁷ Further information available at http://www.clusterconvention.org/pages/pages_iv/iv_beirutregional.html (accessed 8 May 2009).

⁹⁸ The Wellington Declaration is available at <http://www.mfat.govt.nz/clustermunitions/wellington/conference-documents/Wellington-declaration-final.pdf> (accessed 9 February 2009).

⁹⁹ Further information available at <http://www.clustermunitionsdublin.ie/> (accessed 8 May 2009).

¹⁰⁰ Also allowed States to be included as one of the first 94 signatures.

UNDP-supported regional meetings on cluster munitions

The African Regional Conference in Livingstone, Zambia, from 31 March to 1 April.

The Kampala African Conference in Uganda from 29 to 30 September.

The Lao People's Democratic Republic's regional meeting in Xiengkhuang, the province most heavily affected by cluster munitions, from 20 to 22 October.

Bulgaria's regional conference in Sofia from 18 to 19 September.

Regional meetings from 16 to 17 April in Mexico City and from 6 to 7 November in Quito, Ecuador.

The Beirut Regional Conference in Lebanon from 11 to 12 November.

UNDP-administered sponsorship programmes

The Wellington Conference in New Zealand from 18 to 22 February.

The Dublin Diplomatic Conference in Ireland from 19 to 30 May.

The Oslo Signing Ceremony in Sweden on 4 December.

63/44. Conventional arms control at the regional and subregional levels

Introduced on an annual basis, by this resolution, the General Assembly, *inter alia*, again requested the Conference on Disarmament (CD) to consider the formulation of principles to serve as a framework for regional agreements on conventional arms control, and looked forward to the subsequent report on the subject. It also requested the Secretary-General to seek the views of Member States for submission to the General Assembly at its sixty-fourth session.

Introduced by: Pakistan (24 Oct.)

GA vote: 175-1-2 (2 Dec.)

1st Cttee vote: 166-1-1 (29 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 31-33.

First Committee. After voting in favour of the resolution, the **Bolivarian Republic of Venezuela** stated that it was convinced that to achieve international peace and security, it was essential to promote general and complete disarmament and weapons non-proliferation through a comprehensive and balanced approach that takes into account particular security characteristics of countries as well as of various geographic regions and subregions.

Casting the sole vote against the draft, **India** explained that it viewed the CD as the single multilateral disarmament negotiating forum for negotiating global disarmament instruments. As the draft requested the CD to formulate framework principles for regional agreements on conventional arms control, it had voted no.

63/45. Confidence-building measures in the regional and subregional context

By this resolution, the General Assembly, inter alia, once again called upon Member States to refrain from the use or threat of use of force in accordance with the purposes and principles of the Charter of the United Nations and to pursue confidence- and security-building measures through sustained consultations and dialogue. It also urged States to comply with all bilateral, regional and international agreements, including arms control and disarmament agreements, to which they are party, and encouraged the promotion of bilateral and regional CBMs.

Introduced by: Pakistan (24 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (29 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 34-36.

63/76. United Nations regional centres for peace and disarmament

As in previous years, by this resolution, the Assembly appealed to Member States in each region and those that were able to do so, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions to the United Nations regional centres in their respective regions to strengthen their activities and initiatives. It also requested the Secretary-General to provide all necessary support, within existing resources, to the regional centres in carrying out their programmes of activities.

Introduced by: Indonesia, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries (23 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (31 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 156-157.

63/86. Strengthening of security and cooperation in the Mediterranean region

Unchanged substantively from the previous year, the resolution reaffirmed that security in the Mediterranean was closely linked to that of Europe, as well as to international peace and security. It called upon all States of the Mediterranean region that have not yet done so to adhere to all the multilaterally negotiated legal instruments related to the field of disarmament and non-proliferation. It encouraged all States of the region to strengthen confidence-building measures (CBMs) by promoting openness and transparency on all military matters, by participating, inter alia, in the United Nations system for the standardized reporting of military expenditures and

Introduced by: Algeria (24 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (29 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 185-188.

by providing accurate data and information to the United Nations Register of Conventional Arms.

First Committee. Before joining consensus, **France** took the floor on behalf of the EU to underscore its commitment to the provisions of the draft welcoming the efforts deployed by the Euro-Mediterranean countries to combat terrorism in all its forms. It welcomed the joint Declaration of the Paris Summit on the Union for the Mediterranean, adopted on 13 July 2008, which launched a reinforced partnership that it was convinced constituted a new stage in converting the Mediterranean region into a peaceful, democratic, cooperative and developing area.

After the action, **Libyan Arab Jamahiriya** explained that it did not agree with all of the draft's provisions, particularly the fifth preambular paragraph, which welcomed the adoption of the joint Declaration of the Paris Summit. It stated that it was not involved in the Summit because the European side did not provide for the participation of Arab States bordering the Mediterranean. Furthermore, while it included all European States, it did not include all members of the LAS and the African Union.

63/517. Maintenance of international security—good-neighbourliness stability and development in South-Eastern Europe

By its terms, the General Assembly decided to include the same item in the provisional agenda of its sixty-fifth session.

Introduced by: The former Yugoslav Republic of Macedonia (14 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (29 Oct.)

For text and sponsors, see *Yearbook*, Part I, p. 203.

chapter V

Related issues and approaches, including disarmament machinery

CHAPTER V

Related issues and approaches, including disarmament machinery

THIS CHAPTER CONTAINS ISSUES that do not fall into the general division of the previous chapters devoted to weapons of mass destruction (WMD), conventional weapons or regional approaches. Instead, it covers a wide array of issues and approaches relating to security, disarmament, non-proliferation and arms control. Most of the following subjects are attached to items on the agenda of the General Assembly and are discussed in the context of the consideration and adoption of resolutions. Substantive deliberations and decisions of the Security Council, the Conference on Disarmament and other United Nations entities are also summarized with respect to several items.

The following issues are addressed in this chapter:

- Outer space;
- Terrorism and disarmament;
- Arms limitation, disarmament agreements and verification;
- Preventing and combating illicit brokering activities;
- Environmental norms in drafting and implementing disarmament agreements;
- Developments in the field of information technology and security;
- Relationship between disarmament and development;
- Gender and disarmament;
- Multilateralism and disarmament; and
- Disarmament machinery, including the Conference on Disarmament and the Disarmament Commission.

Outer space

Conference on Disarmament, 2008

In 2008, members of the Conference on Disarmament (CD) addressed the issue of the prevention of an arms race in outer space (PAROS) in plenary sessions, as well as through three rounds of informal deliberations. During the first session,¹ China and the Russian Federation presented the text of a draft

¹ The first session was held from 23 January to 28 March.

treaty entitled the “Treaty on the Prevention of the Placement of Weapons in Outer Space and of the Threat or Use of Force Against Outer Space Objects” (PPWT).²

In the absence of a programme of work, the Conference was unable to establish a formal framework, such as an ad hoc committee or a special coordinator, for dealing with the issue of PAROS. But in accordance with the organizational framework proposed by the 2008 Presidents and agreed to by the CD on 5 February, the Conference held two rounds of informal deliberations under the Coordinator of agenda item 3, Prevention of an arms race in outer space, during its first session.³ Under the Presidency of the United States, the Conference held another informal session on the subject during its third session.

On 12 February, the Russian Federation and China submitted the PPWT to the CD, which, on 29 February, was subsequently circulated to the member States. The Russian Minister of Foreign Affairs, Sergey Lavrov, addressed the Conference, noting that the draft contained a “research mandate”⁴ and expressed hope that the work could later shift into the negotiating format of an ad hoc committee. China conveyed a message from its Minister for Foreign Affairs, Yang Jiechi, in which he urged the international community to develop new legal instruments to strengthen the existing regime on outer space, and expressed hope that the CD would start substantial discussions and reach consensus on the draft as soon as possible.⁵

At subsequent plenary meetings and informal sessions, a number of countries, such as Algeria, Belarus, Brazil, Canada, Germany, India, Malaysia, Sri Lanka, Switzerland and the Syrian Arab Republic, welcomed the PPWT draft and expressed their willingness to discuss it.⁶ Additionally, the Group of 21 (G-21)⁷ and the European Union (EU) also welcomed the submission.⁸ On behalf of the G-21, the Syrian Arab Republic expressed concern that the development of deployment of anti-ballistic missile systems and advanced military technologies for space were eroding the disarmament and non-proliferation environment, and called the Chinese-Russian proposal

² The draft was transmitted in the letter dated 12 February 2008 from the Russian Federation and China to the Secretary-General of the CD of 29 February 2008, CD/1839, available at <http://www.unog.ch/> > disarmament > Conference on Disarmament.

³ The 2008 Presidents were from Tunisia, Turkey, Ukraine, United Kingdom, United States and Venezuela (Bolivarian Republic of). Marius R. Grinius (Canada) was Coordinator for agenda item 3.

⁴ The Russian Foreign Minister noted that the mandate was supported by the majority of Conference member States and did not present any obstacles on reaching a compromise on its programme of work. CD/PV.1098.

⁵ The text of the message from the Chinese Foreign Minister is available in CD/1836 and CD/PV.1098.

⁶ See CD/PV.1089, CD/PV.1090, CD/1091 and CD/1094.

⁷ Members of the Non-Aligned Movement of the CD.

⁸ See CD/PV.1094.

a good basis for discussion towards an internationally binding instrument. Speaking on behalf of the EU, Slovenia noted that while it identified itself with the goals of the PPWT draft, it stressed the need for further reflection, citing the difficulty in agreeing on precise definitions. The EU maintained that an effective and robust verification system be an integral part of the treaty and that it was not sufficient to merely refer to the possibility of an additional protocol in the future.

During the high-level segment of the 2008 session held from 3 to 5 March, a number of dignitaries underlined the importance of PAROS, welcomed the draft PPWT and expressed their willingness to discuss it in the CD. Jorge Taiana, Minister for Foreign Affairs and International Trade of Argentina, suggested that the Conference establish an ad hoc committee on PAROS with an exploratory mandate to conduct a systematic and technical assessment.⁹ Ukraine's First Deputy Minister of Foreign Affairs welcomed the joint efforts of the Russian Federation and China, while Japan's Vice-Minister for Foreign Affairs expressed its country's readiness to examine and discuss all the issues surrounding PAROS, including the draft PPWT.¹⁰ Sweden's Secretary of State for Foreign Affairs, while describing the PPWT as a step in the right direction, noted that it had a number of questions and concerns regarding definitions, scope, verification and compliance, and the development and testing of weapons.¹¹

On 26 August, the United States submitted a paper informing the Conference that the PPWT draft provided no grounds for it to change its long-standing principle that arms control constraints or limitations on space-based systems and activities, beyond the existing regimes in force, were not in the United States national security interests. Furthermore, it did not support establishing an ad hoc committee to negotiate any such treaty at the Conference on Disarmament. The paper continued that for nearly three decades, the United States had consistently posited that it was not possible to develop an effectively verifiable agreement for banning either space-based weapons or a terrestrial-based anti-satellite system.¹²

During the 2008 session, a number of CD members stressed the importance of transparency and confidence-building measures (TCBMs) in outer space activities. In particular, the EU referred to its code of conduct on outer space activities. Slovenia stated that the EU wished to focus on a pragmatic and incremental approach, and was working on a set of TCBMs for

⁹ But the Foreign Minister of Argentina added that Argentina does not agree with the policy of postponing negotiations which are ripe for commencement, as with the convention on fissile material, on the grounds that other issues also needed to be negotiated immediately. See CD/PV.1095.

¹⁰ See CD/PV.1097.

¹¹ See CD/PV.1098. Germany and Switzerland also expressed similar concerns (see CD/PV.1090 and CD/PV.1092).

¹² This paper was distributed as CD/1847.

presentation to the CD.¹³ Maxime Verhagen, Netherlands Minister of Foreign Affairs, while acknowledging the PPWT draft, suggested that a code of conduct or best practice guidelines would provide valuable confidence-building measures as well as pragmatic and realistic ways to improve space security. Sweden also noted the EU's forthcoming TCBMs proposal as an important stepping stone towards a strengthened, legally binding regime.¹⁴ Germany supported a code of conduct as a TCBM and an immediate contribution to space security. It proposed that a non-legally binding code would be part of an incremental approach to the longer-term goal of a legally binding multilateral instrument.¹⁵ Non-EU countries, such as Canada and Ukraine, also supported the establishment of a code of conduct for space activities.¹⁶

On 15 February, the United States informed the Conference of its plans to engage an inoperable National Reconnaissance Office satellite. It stressed that notification was done in the spirit of transparency and international cooperation and emphasized that all actions taken would be in conformity with provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,¹⁷ and existing international agreements relating to space. The United States further noted that this extraordinary engagement was an emergency response to prevent the possible loss of life, and not part of an anti-satellite development and testing programme. It expressed its readiness to discuss the subject further in the CD.¹⁸

The CD held two rounds of informal sessions on outer space issues on 7 and 21 February and a third on 5 August. At the informal meeting held on 21 February, under the Coordinator of agenda item 3, the Chairman of the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS), Gerard Brachet, made a presentation to the CD and answered questions.

In his summary and assessment of the discussions during the informal deliberations, the Coordinator observed that: (a) there was broad consensus on the existence of deficiencies in the existing outer space architecture; (b) TCBMs could be complementary to a future legal instrument on PAROS, be sufficient on their own, or be taken up in the context of the PPWT draft; (c) the presentation by the COPUOS Chair clarified its mandate, roles and responsibilities in relation to the CD's responsibility; and (d) many delegations

¹³ See CD/PV.1094.

¹⁴ See CD/PV.1098.

¹⁵ See CD/PV.1092.

¹⁶ Canada expressed the view that the fundamental stated aims of the draft PPWT will be best addressed to the extent they are seen by space-faring nations as addressing real challenges in a pragmatic and focused manner. See CD/PV.1089, CD/1097.

¹⁷ The 1967 Outer Space Treaty text and status of adherence are available on the website of the United Nations Office for Disarmament Affairs (UNODA) at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

¹⁸ See CD/PV.1091.

welcomed the PPWT, with several expressing interest in continuing more substantive discussions thereon, and one clearly opposing new binding space control agreements.¹⁹

The Coordinator reported that interest was shown in continuing work on PAROS in two areas. The first was on TCBM, especially regarding the work of the EU, which may serve as a useful basis for further discussions. The second area was for substantive discussions on the specific articles of the Chinese-Russian PPWT draft. He also noted the views that such discussions should take place within the context of an agreed programme of work in the CD.²⁰

General Assembly, 2008

63/40. Prevention of an arms race in outer space

Unchanged from last year, the resolution invited the Conference on Disarmament to complete the examination and updating of the mandate contained in its decision of 13 February 1992 and to establish an ad hoc committee as early as possible during its 2009 session; it also urged States conducting activities in outer space, as well as States interested in conducting such activities, to keep the Conference on Disarmament informed of the progress of bilateral and multilateral negotiations on the matter, if any, so as to facilitate its work.

Introduced by: Egypt (20 Oct.)

GA vote: 177-1-1 (2 Dec.)

1st Cttee vote: 166-1-1 (29 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 17-21.

First Committee. After voting unanimously in support of the resolution, **France** took the floor on behalf of the EU to explain its belief that preventing an arms race in outer space was essential to strengthening strategic stability and promoting international cooperation in the exploration and use of space for peaceful purposes. The EU emphasized the need to develop and implement TCBMs in space, and was working on a code of conduct to further the security of space activities through voluntary TCBMs that were acceptable to the majority of States.

¹⁹ See CD/1846, annex III.

²⁰ Ibid.

63/68. Transparency and confidence-building measures in outer space activities

The resolution took note of the report of the Secretary-General containing concrete proposals from Member States on international outer space TCBMs.²¹ It also requested the Secretary-General to submit to the General Assembly at its sixty-fourth session a report with an annex containing concrete proposals from Member States on international outer space TCBMs.

Introduced by: Russian Federation (20 Oct.)

GA vote: 180-1-1 (2 Dec.)

1st Cttee vote: 166-1-1 (31 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 118-120.

First Committee. After voting no, the **United States** explained that it believed the resolution made an unacceptable linkage between proposals for voluntary pragmatic TCBMs and the commencement of futile negotiations on unverifiable space arms control agreements.

Terrorism and disarmament

*"As we progressively eliminate the world's deadliest weapons and their components, we will make it harder to execute WMD terrorist attacks."*²²

BAN KI-MOON, UNITED NATIONS SECRETARY-GENERAL

On 18 January the Counter-Terrorism Committee (CTC), established pursuant to Security Council resolution (UNSCR) 1373 (2001),²³ submitted its second report²⁴ on the implementation of resolution 1624 (2005)²⁵ that called upon all States to take a number of steps in connection with the imperative to combat terrorism in all its forms, including those aimed at legally prohibiting and preventing incitement to commit a terrorist act or acts.

On 20 March, the Security Council adopted resolution 1805 (2008) (see appendix IV of this volume for resolution text), which, among other

²¹ See the Secretary-General's reports on TCBMs in outer space of 3 August 2007 (A/62/114 and Add.1) and 18 September 2008 (A/63/136 and Add.1). These and all subsequent United Nations documents are available in the six official languages at <http://ods.un.org>.

²² The Secretary-General's address to the East-West Institute entitled "The United Nations and security in a nuclear-weapon-free world" of 24 October 2008 is available on the website of UNODA at <http://www.un.org/disarmament/HomePage/SG/sgstatements.shtml>.

²³ See S/RES/1373 (2001) adopted by the Security Council on 28 September 2001. This and all subsequent Security Council resolutions are available at <http://www.un.org/Depts/dhl/resguide/scact.htm>.

²⁴ The Second report is annexed to the letter dated 18 January 2008 to the President of the Security Council of 21 January 2008, S/2008/29.

²⁵ See S/RES/1624 (2005) adopted by the Security Council on 14 September 2005.

things, recalled resolutions 1535 (2004)²⁶ and 1787 (2007)²⁷ pertaining to the Counter-Terrorism Committee Executive Directorate (CTED) and welcomed the revised organizational plan for the CTED.²⁸ The Security Council decided that CTED would continue to operate as a special political mission under the policy guidance of the CTC until 31 December 2010, and further decided to conduct an interim review by 30 June 2009. The resolution also urged CTED to continue strengthening its role in facilitating technical assistance for UNSCR 1373 implementation to increase the capabilities of Member States in the fight against terrorism by addressing their counter-terrorism needs. CTED was also urged to intensify cooperation with relevant international, regional and subregional organizations to enhance Member States' capacity to fully implement UNSCR 1373 and to facilitate the provision of technical assistance. UNSCR 1805 stressed the importance of a tailored dialogue among CTED, CTC and Member States, including the development of relevant implementation strategies by Member States. The resolution reiterated the need to enhance ongoing cooperation among the CTC, the Al-Qaida and Taliban Sanctions Committee,²⁹ and the 1540 Committee³⁰ on non-proliferation of nuclear, chemical and biological weapons, and their means of delivery, as well as their respective groups of experts. Such cooperation may be augmented through enhanced information-sharing, coordinated visits to countries, technical assistance and other issues of relevance to all three committees.

On 6 May the CTC Chairman³¹ reported to the Security Council on several key initiatives and accomplishments that established a sound basis for the future work. In addition to the new CTED organizational plan, it adopted the Preliminary Implementation Assessments, which are tools geared towards intensifying dialogue with Member States on UNSCR 1373 implementation; the Security Council was also informed of visits to Member States and of the CTC's facilitation of technical assistance which had grown in importance.

On 10 June the CTC Chairman submitted a report to the Security Council entitled "Survey of the implementation of Security Council resolution 1373 (2001)".³² It assessed the resolution's status of implementation broken down by regions and subregions, and drew conclusions on global implementation progress in key thematic areas. The report contained priority recommendations

²⁶ See S/RES/1535 (2004) adopted by the Security Council on 26 March 2004.

²⁷ See S/RES/1787 (2007) adopted by the Security Council on 10 December 2007.

²⁸ The organizational plan can be found as an enclosure to the letter dated 7 February 2008 to the President of the Security Council of 8 February 2008, S/2008/80.

²⁹ The Al-Qaida and Taliban Sanctions Committee was established pursuant to S/RES/1267 (1999) adopted by the Security Council on 15 October 1999.

³⁰ The 1540 Committee was established pursuant to S/RES/1540 (2004) adopted by the Security Council on 28 April 2004.

³¹ Mr. Neven Jurica (Croatia) was Chairman of the CTC.

³² The report is attached to the letter dated 10 June 2008 to the President of the Security Council of 10 June 2008, S/2008/379.

for future action by the Committee, which highlighted the main concerns regarding resolution implementation and served as a planning and priority-setting tool for the Committee and the Security Council.

On 12 November the CTC Chairman briefed the Security Council on the Committee's work during the period following his May briefing. The Committee continued to analyse Preliminary Implementation Assessments of Member States, advance the implementation of United Nations Global Counter-Terrorism Strategy and cooperate and exchange information with the two other counter-terrorism-related Security Council subsidiary bodies,³³ other counter-terrorism partners and relevant organizations and United Nations bodies.

General Assembly, 2008

63/60. Measures to prevent terrorists from acquiring weapons of mass destruction

The resolution called upon all Member States to support international efforts to prevent terrorists from acquiring WMD and urged them to strengthen national measures in this regard. It also appealed to all Member States to consider early accession to and ratification of the International Convention for the Suppression of Acts of Nuclear Terrorism and requested the Secretary-General to compile a report on measures already taken by international organizations on issues relating to the linkage between the fight against terrorism and the proliferation of WMD, to seek the views of Member States on additional relevant measures for tackling the global threat posed by terrorists acquiring WMD and to report to the General Assembly at its sixty-third session.

Introduced by: India (16 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (29 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 87-89.

Arms limitation, disarmament agreements and verification

The international security landscape has undergone sweeping changes that have yielded implications for verification and a greater emphasis on obligation compliance under existing treaties, agreements and commitments. Against this backdrop, there have been renewed discussions at the United Nations on the purpose, effectiveness and relevance of verification in its ability to promote compliance and to deter non-compliance. Following two comprehensive Governmental Expert studies on verification in 1990 and 1995, a third Panel of Government Experts (PGE) was established in 2006 to examine verification

³³ Al-Qaida and Taliban Sanctions Committee and 1540 Committee.

in all its aspects, including the role of the United Nations.³⁴ Building on the two previous reports, the most recent report of the PGE selectively focused on what had changed in the past decade, including the purpose of verification, its conceptual evolution, compliance mechanisms, procedures and technologies to identify new trends and requirements.³⁵

Pursuant to General Assembly resolution 62/21 of 5 December 2007, entitled “Verification and all its aspects, including the role of the United Nations in the field of verification,” Member States were asked to consider the report of the Panel of Government Experts on the subject. The views of Member States, relevant United Nations organs and international treaty organizations were thus compiled and included in the report of the Secretary-General of 10 July.³⁶

Having championed the resolution, Canada fully endorsed the Panel’s report and looked forward to hearing from the States that had requested more time to review the report before submitting formal views.

Cuba asserted that it plays an active role in developing verification measures through its commitment and adherence to the principal multilateral disarmament and arms control conventions. Given the digital gap in verification technologies that exists among States parties, it pointed to the need for technologically advanced countries to provide assistance to those countries that had yet to reach the same level of technological advancement.

Spain endorsed the conclusion of the PGE’s report, which emphasized the importance of verification as an integral part of disarmament, non-proliferation and arms control agreements and confidence- and security-building measures (CSBMs). To ensure transparency, it argued that verification mechanisms should be as intrusive as possible within the boundaries that protect commercial property and national security. To this end, it favoured the introduction of challenge inspections in verification systems, with possible restrictions as to the number within a specific time period. Spain expressed its view that the Security Council should be able to act in serious cases of non-compliance or failure to cooperate. Furthermore, it stressed that verification mechanisms available to the United Nations should be strengthened, especially those dealing with WMD.

The United States believed that the Panel’s report significantly contributed to the common understanding of the purposes, relevance and

³⁴ The Panel was appointed in pursuance of operative paragraph 3 of A/59/60 of 3 December 2004. For further information on the PGE, see the *United Nations Disarmament Yearbook*, vol. 31 (2006), available online at <http://www.un.org/disarmament>. This and all subsequent General Assembly disarmament resolutions are available on the UNODA website at <http://disarmament.un.org/vote.nsf>.

³⁵ See the note by the Secretary-General, forwarding the PGE, of 15 August 2007, A/61/1028.

³⁶ See report of the Secretary-General on verification in all its aspects, including the role of the United Nations in the field of verification, 10 July 2008, A/63/114 and Add.1.

techniques available for verification and compliance of arms control, non-proliferation and disarmament arrangements in the twenty-first century. It endorsed the recommendations made and highlighted those related to: increasing the capacity of States to implement their obligations, including for verification; identifying means to deal with withdrawal from treaties by States parties that are in violation of the treaties' provisions, or otherwise have redirected transfers made for peaceful purposes to the pursuit of prohibited, weapons-related activities; and exploring synergies and more cost-effective arrangements.

Sweden characterized the consensus report as not exhaustive, but providing an up-to-date account of the most current aspects of international verification, of the new political and technological challenges and the new ways to rise up to those challenges. Sweden urged States and relevant organizations to make a dedicated effort to give the Panel's recommendations special attention in meeting the new challenges that they will be confronting in their verification mandate. Furthermore, it suggested that another expert study be set up in three to five years to consider the matter again.

The Organisation for the Prohibition of Chemical Weapons was the only international treaty organization that had submitted its view on the report. It characterized the Panel's report as comprehensively covering all aspects of verification that identifies and analyses a variety of models and practices in the field.

Preventing and combating illicit brokering activities

In recent years, there has been recurring attention at the United Nations on the threat posed by black market weapons-related activities, including through illicit brokering and intermediation services.³⁷ The Organization has been engaging in persistent efforts to prevent and combat illicit arms brokering, particularly with respect to small arms and light weapons (SALW). The report of the Group of Governmental Experts (GGE), established pursuant to resolution 60/81 of 8 December 2005, to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in SALW emphasized that the globalized nature of the environment in which arms brokering takes place necessitates the development of a holistic approach to address this issue.³⁸

³⁷ See General Assembly resolutions of 5 December 2007 entitled "Prevention of the illicit transfer and unauthorized access to and use of man-portable air defence systems", 62/40, "The illicit trade in small arms and light weapons in all its aspects", 62/47 and "National legislation on transfer of arms, military equipment and dual-use goods and technology", 62/26.

³⁸ See the note by the Secretary-General on the illicit trade in small arms and all its aspects of 30 August 2007, A/62/163 and Corr.1.

To address the issue of illicit brokering activities in a comprehensive manner, Australia and the Republic of Korea co-authored and tabled a new resolution on the subject.³⁹ The resolution underlined that unless proper measures were taken, illicit brokering would not only threaten international peace and security, prolong conflicts and impede sustainable economic and social development, but would also promote illicit transfers of arms by non-State actors. It also affirmed that brokering controls should not impede legitimate trade and technology transfer.

In a significant departure from previous resolutions that address illicit brokering activities, this one covered not only conventional arms but also materials, equipment and technology that could contribute to the proliferation of WMD and their means of delivery.

General Assembly, 2008

63/67. Preventing and combating illicit brokering activities

Introduced for the first time, this resolution underlined the commitment of Member States to address the threat posed by illicit brokering activities and encouraged full implementation of the relevant international treaties, instruments and resolutions to prevent and combat these activities. It called upon Member States to establish appropriate national laws and/or measures to prevent and combat the illicit brokering of conventional arms and of materials, equipment and technology that could contribute to WMD proliferation and acknowledged that national efforts can be reinforced at the regional and subregional levels.

Introduced by: Republic of Korea
(22 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (30 Oct.)

For text and sponsors, see *Yearbook*,
Part I, pp. 115-117.

The resolution also emphasized the importance of international cooperation and assistance, capacity-building and information-sharing in preventing and combating illicit brokering activities and encouraged Member States to draw on the relevant expertise of civil society in developing effective measures in this regard.

First Committee. Before the action, the **Russian Federation** explained that it would not take part in the decision as it believed that it was a methodological flaw to mix combating of illicit brokering of WMD materials with conventional weapons, particularly SALW.

After joining the consensus, **Cuba** stated its belief that while the text duly took into account the proposals it presented throughout the draft resolution consultations, the wording could be improved and should be finalized when considered again in two years. Nonetheless, it acknowledged that the adopted

³⁹ See “Preventing and combating illicit brokering activities” of 2 December, A/63/61, available in part I, p. 115 of this volume.

text was more balanced and precise than originally proposed. **Indonesia** was guided by the principle that any control in the transfer of materials, equipment and technology should not hamper international cooperation for peaceful purposes and legitimate trade. As a developing country that relied on trade and transfers of technology for continued development, Indonesia was keen to avoid undue restrictions on them and noted that the draft resolution underlined that important principle. While **Brazil** joined the consensus, the proposal that national laws and/or measures be established to deal with materials, equipment and technology that could contribute to WMD proliferation posed difficulties for it. It believed that WMD proliferation and illicit SALW brokering were distinct phenomena, pointing out there was a licit role for conventional arms but not for WMD and remained unconvinced of the usefulness of the concept as all activities that lead to WMD proliferation were inherently illegal or too broad, if it sought to include all potential dual-use goods and technologies that have legitimate peaceful uses.

Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

Pursuant to the request made in General Assembly resolution 62/38 of 5 December 2007, Member States had communicated to the Secretary-General measures they had adopted to promote the application of scientific and technological progress within the framework of international security, disarmament and other related spheres, without detriment to the environment or to the attainment of sustainable development.⁴⁰

Canada stated that its existing laws and regulations support environmental norms. It further emphasized that strong environmental standards at the national and international levels were the best way to ensure a minimal negative environmental impact.

Cuba stressed that increasingly sophisticated WMD posed one of the gravest threats to international peace and security, to the fragile environmental balance of the planet and to sustainable development for all, without distinction. Thus, it asserted that the only real solution to avoid their harmful consequences was by their complete riddance. Cuba also attached great importance to the Chemical Weapons Convention,⁴¹ as the only international agreement for the verifiable destruction of these weapons and the installations in which they

⁴⁰ See report of the Secretary-General on the observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control of 10 July 2008 (A/63/116) and 6 October 2008 (Add.1), which contain measures and other information sent in respect of the questions.

⁴¹ The Treaty text and status of adherence are available on the website of the UNODA at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

are produced, as well as measures to protect people and the environment. It urged all States in possession of chemical weapons to take these principles and measures into account when destroying them. Additionally, Cuba called for the universalization of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques.⁴²

Greece emphasized that it was following a specific policy on environmental protection in accordance with the EU and international standards with which the Greek Armed Forces fully complied.

Lebanon asserted that it did not possess any arms or weapons that could be considered detrimental to the environment. It expressed concerns that WMD could be harmful to the environment, even if not used.

Panama pointed to its incorporation of multilateral treaties that take into account the preservation of environmental norms into domestic laws, such as the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Mine Ban Convention),⁴³ and 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.⁴⁴

Qatar asserted that it did not possess any weapons or ammunitions that pollute the environment, and that environmental standards were taken into account whenever it needed to destroy existing conventional arms.

Serbia applied technologies for deconstructing surplus armaments and ammunitions down to their components to be reused as secondary raw materials in industry. In addition, Serbia stated that it was developing facilities for burning small-calibre munitions in a closed cycle with gas purification as additional protection to the environment and workplace.

Spain provided a detailed description of the procedures followed in the destruction of certain weapons and ammunitions, such as: anti-personnel landmines in accordance with the Mine Ban Convention; conventional weapons under the Treaty on Conventional Armed Forces in Europe;⁴⁵ and SALW destruction under provisions of the Organization for Security and Cooperation in Europe.⁴⁶

Ukraine stated that it had prepared draft guidelines on the environmental security of the arsenals, bases and stores of missiles and ammunitions for its armed forces.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ For further information on the Organization, see <http://www.osce.org/> (accessed 26 May 2009).

Finland underscored the importance of recognizing the interconnection between environmental protection and disarmament and arms control. To this end, it continued to promote active dialogue between civil society, non-governmental organizations, the scientific community and civil and military authorities. As part of the Global Partnership against WMD, Finland pointed to the assistance it provided to the Russian Federation in facilitating the safe and environmentally sound destruction of chemical weapons stockpiles.

General Assembly, 2008

63/51. Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

Unchanged from last year, the resolution once again called upon States to adopt unilateral, bilateral, regional and multilateral measures so as to contribute to ensuring the application of scientific and technological progress within the framework of international security, disarmament and other related spheres, without detriment to the environment or to its effective contribution to attaining sustainable development. It also invited all Member States to communicate to the Secretary-General the measures they had adopted, and requested the Secretary-General to submit a report containing this information to the Assembly's sixty-third session.

Introduced by: Indonesia on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries (22 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (31 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 60-61.

First Committee. Before the vote, **Cuba** stated that pertinent environmental norms should be borne in mind when negotiating disarmament and arms controls instruments. Stating that they would not participate in the consensus, the **United Kingdom** noted that had there been a call for a vote, it probably would have abstained, the **United States** declared that it operated under stringent domestic environmental impact regulations for many activities and saw no direct connection between general environmental standards and multilateral arms control, and **France** clarified that it wished to be considered as not having participated in the action.

Developments in the field of information technology and security

Over the past decade, discussions on the role of science and technology in the context of international security have featured regularly at the United Nations. Since 1998, the General Assembly has adopted a resolution every year

on the “Developments in the field of information and telecommunications in the context of international security”. Pursuant to the resolutions, the Secretary-General has submitted a report on an annual basis containing Member States’ views and assessments on the following questions: (a) general appreciation of the issues of information security; (b) efforts taken at the national level to strengthen information security and promote international cooperation in this field; (c) relevant international concepts to strengthen the security of global information and telecommunications systems; and (d) possible measures for the international community to strengthen information security at the global level.

The Secretary-General’s report of 18 July contained replies from the Governments of China, Cuba, Jordan, Lebanon, Niger and Qatar.⁴⁷ China attached great importance to the issue of information security and in recent years has increased its investment in the area of information security, system monitoring and building emergency-response systems. China also expressed support for the United Nations work in this area and for reconvening the Group of Governmental Experts in 2009. Cuba highlighted that the discussions in the General Assembly on developments in the field of information and telecommunications in the context of international security were pertinent and increasingly important. Qatar expressed its belief that the issue of data security involved more than the risks created by the weakness and interwoven nature of information infrastructure, including political, economic, military and social problems stemming from information technology (IT) misuse. Furthermore, it stressed that given the imbalance in technological development between States, the international community should support cooperation with respect to IT research and applications, and genuinely affirm IT autonomy for all States.

While it should be stated that the 2005 GGE failed to agree on a report,⁴⁸ following their work on threats in the sphere of information security and cooperative measures to address them and in accordance with the General Assembly resolution on this subject, the Secretary-General was requested to establish a GGE in 2009 to continue to study the threats, challenges and effective remedies in the field of information security.

⁴⁷ See the report of the Secretary-General on developments in information and telecommunications related to international security of 18 July 2008, A/63/139.

⁴⁸ A procedural report was presented by the Chairman.

General Assembly, 2008

63/37. Developments in the field of information and telecommunications in the context of international security

By the terms of the resolution, the General Assembly invited all Member States to continue to inform the Secretary-General of their views and assessments on the questions mentioned above. It requested the Secretary-General, with the assistance of a GGE to be established in 2009, to continue to study existing and potential threats in the sphere of information security, and possible cooperative measures to address them, as well as the concepts aimed at strengthening the security of global information and telecommunications systems, and to report the results of this study to the General Assembly at its sixty-fifth session (2010).

Introduced by: Russian Federation (22 Oct.)

GA vote: 178-1-0 (2 Dec.)

1st Cttee vote: 167-1-0 (30 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 4-7.

First Committee. Before voting for the resolution, **France** spoke on behalf of the EU to explain its position. While it supported the basic principle of the draft, it was concerned about the possibility that information and telecommunications be used for purposes inconsistent with the objectives of maintaining international stability and security. The EU welcomed regional and global initiatives and invited a GGE to be established in 2009 to analyse, inter alia, instances in which critical national information infrastructures have come under attack and to consider recommendations on how to investigate and criminalize such acts, and, when appropriate, the disclosure of tracking information to other States.

Relationship between disarmament and development

Pursuant to General Assembly resolution 62/48 of 18 August 2008, the Secretary-General submitted a report on the relationship between disarmament and development.⁴⁹ The report summarized (a) United Nations activities in implementing the action programme adopted at the 1987 International Conference on the Relationship between Disarmament and Development; (b) activities related to the GGE's recommendations on the relationship between disarmament and development;⁵⁰ and (c) information received from Governments on the subject.

To strengthen the United Nations role in disarmament and development, a high-level Steering Group designated focal points at the working level to

⁴⁹ See the report of the Secretary-General on the subject, 16 July 2008, A/63/134.

⁵⁰ See note by Secretary-General containing the report of the GGE on the relationship between disarmament and development in the current international context of 23 June 2004, A/59/119.

discuss the issue. Significant divergence of views between States resulted in a limited response from Member States, without whose support and interest the high-level Steering Group's ability to take decisive action and to commit the necessary resources would be limited.

General Assembly, 2008

63/52. Relationship between disarmament and development

This year, the annual resolution reiterated its invitation to Member States to provide the Secretary-General with information regarding measures and efforts to devote part of the resources made available by the implementation of disarmament and arms limitation agreements to economic and social development, with a view to reducing the ever-widening gap between developed and developing countries.

Introduced by: Indonesia on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries (22 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: 167-0-1 (31 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 62-64.

First Committee. Before the vote, **Cuba** took the floor to state that the draft addressed matters relevant not just to the Movement of Non-Aligned Countries (NAM), but to the international community as a whole. The **United States** did not participate in the action on the draft resolution as it continued to believe that disarmament and development were two distinct issues that do not lend themselves to being linked.

After abstaining, **France** explained that it disputed the notion of a symbiotic relationship between disarmament and development. While disarmament had an impact on development conditions, the reverse was debatable. Furthermore, resources devoted to defence investments, if aimed at acquiring means to strengthen stability and improve States' capacities to contribute to peacekeeping operations and their response to natural disaster situations could not be considered expenditure diverted from development.

The **United Kingdom** voted in favour although it did not believe there was an automatic link between disarmament and development, but rather a complex relationship, which was not fully explained in the resolution. While sharing information on resources made available for development through the implementation of disarmament and arms control agreements would be desirable, it was not possible to identify a direct relationship among various sources of funding.

Gender and disarmament

The year 2008 was significant for the United Nations work on gender and security with the adoption on 19 June 2008 of Security Council resolution 1820 (2008) (see appendix IV of this volume for resolution text), which strongly denounced violence and sexual abuse of women and children. Among other things, the resolution called on all parties to armed conflict to take immediate and appropriate measures to protect civilians from sexual violence, and it affirmed the Council's readiness to address systemic sexual violence that deliberately targets civilians, or as part of a widespread campaign against civilian populations.

Building on UNSCR 1325 (2000), on women, peace and security,⁵¹ which called on the United Nations and other partners to take the specific needs of women ex-combatants into consideration when planning and implementing disarmament, demobilization and reintegration (DDR) programmes, UNSCR 1820 further called on these entities to develop mechanisms to protect women and girls from sexual violence in all DDR processes.

Mentioned in the sections below are a sample of activities related to gender and disarmament undertaken by the United Nations Development Fund for Women, the Department for Peacekeeping Operations and the United Nations Office for Disarmament Affairs and its three Regional Centres throughout the year.

Department of Peacekeeping Operations (DPKO)

Serving as one of the leading United Nations entities for implementing UNSCR 1820, the focus of DPKO's gender interventions in 2008 was primarily directed at demobilization and reintegration efforts.

The Gender Unit of the United Nations Mission in the Sudan (UNMIS) regularly assisted the integrated United Nations DDR Unit (the only one with a dedicated gender capacity) in ensuring that a gender perspective was included in all stages of the DDR process. At the initiative of UNMIS and the National DDR Council, including North and South DDR Commissions, a one-day workshop was conducted to develop national guidelines on gender and demobilization. These guidelines were incorporated into the DDR Support Plan to serve as a benchmark for mainstreaming gender into the DDR process. The gender team also worked closely with the Hakamas (women who, during conflict, traditionally sing battle songs to encourage men to fight) to sing about peace and reconciliation in conflict-affected communities, where large numbers of DDR participants are expected to reintegrate.⁵²

⁵¹ See S/RES/1325 (2000) adopted by the Security Council on 31 October 2000.

⁵² For further information on UNMIS, see <http://www.unmis.org/english/en-main.htm>.

The Gender Unit of the United Nations Operation in Côte d'Ivoire coordinated with the DDR section to enable women to take full advantage of reinsertion projects by including them on combatant lists. As a result, 98 out of 298 projects are targeted at/for women. The Gender Unit in the Democratic Republic of the Congo also collaborated with the DDR team to successfully repatriate female dependants of Rwandan combatants.

United Nations Development Fund for Women (UNIFEM)

In 2008, UNIFEM continued to support women's rights and gender equality in disarmament activities at the global, regional and national levels. At the national level, it continued to work with organizations of former female combatants on issues of gender-based violence prevention, economic security and HIV/AIDS, particularly in the Great Lakes region. In Uganda, for instance, UNIFEM's work focused on supporting women's engagement in the peace process and on ensuring that gender equality measures and women's concerns were adequately reflected in implementation agreements for the post-conflict reconstruction phase, including in DDR plans. In Colombia, UNIFEM continued to support the collection of good practices and lessons learned relating to the impact of the disarmament process on women, both as former combatants and as returning members of the community.

At the global level, UNIFEM continued to support the full implementation of UNSCR 1325, advocating that all those involved in DDR planning consider the different concerns of female and male ex-combatants and take into account the needs of their dependants. Most recently, UNIFEM supported training efforts of the Inter-Agency Working Group on DDR by providing gender expertise for teaching in Sudan and Colombia.

United Nations Office for Disarmament Affairs (UNODA)

This year again, UNODA integrated a gender perspective into its work, by involving more women in disarmament bodies, such as the Advisory Board on Disarmament Matters and in the various GGEs established throughout the year. Moreover, the nomination of female governmental representatives was explicitly encouraged in notes verbales to Member States.

In 2008, UNODA also sought to publicize linkages between gender and small arms issues. A number of public events were organized in partnership with civil society to draw attention to the gender dimension on a wide variety of SALW issues. These ranged from armed violence to the possibility of an arms trade treaty (ATT). These events were dual-purpose in that they allowed

UNODA to mainstream a gender perspective into its work while enabling civil society, women's groups in particular, to voice their opinions on sensitive disarmament issues, such as an attainable ATT.

At Headquarters, UNODA continued to participate in the Gender and Mine Action task force⁵³ and actively contributed to the work of the task force on Women, Peace and Security.⁵⁴

UNODA's Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean continued to promote the participation of female law enforcement officers in its training courses on firearms trafficking. The Centre also revised its training materials to include more substantive gender-related matters.

At the national level, UNODA's Regional Centre for Peace and Disarmament in Africa (UNREC) continued to promote UNSCR 1325 as part of the security-sector reform activities in Togo. In March, the Centre briefed leaders of the Togolese armed forces on the resolution, and included specific sessions on UNSCR 1325 as part of two follow-up meetings that were conducted in October, respectively in Lomé and Temedja, Togo. These sessions reviewed resolution provisions, useful case studies highlighting implementation challenges by the armed forces and a discussion of practical recommendations to overcome them. Moreover, in 2008, UNREC followed up with the Togolese Government on the 1325 National Action Plan, which was adopted in September 2007. As a result, the Government has established an inter-ministerial working group responsible for the review, adoption and monitoring of the Action Plan.

Though the First Committee does not take up this issue in a draft resolution, efforts are led by the Division of the Advancement of Women and UNIFEM to coordinate overall Government responses and initiatives.

Convening of the fourth special session of the General Assembly devoted to disarmament (SSOD IV)

General Assembly resolution 62/29 of 5 December 2007 mandated the reconvening of the Open-ended Working Group (OEWG) to consider the objectives and agenda, including the possible establishment of the preparatory committee for an SSOD IV. Additionally, it requested the OEWG to submit a report, including possible substantive recommendations, to the General Assembly's sixty-second session. However, as the Group did not convene

⁵³ The task force was created by the Inter-Agency Coordination Group on Mine Action, led by DPKO/United Nations Mine Action Service. For further information, see <http://www.mineaction.org/>.

⁵⁴ The task force was led by the Office for the Special Advisor to the Secretary-General on Gender Issues. For further information, see <http://www.un.org/womenwatch/osagi/>.

its organizational and substantive sessions during the year, at the proposal of Indonesia, the General Assembly decided on 11 September to continue work on convening those sessions of the OEWG as soon as possible.⁵⁵

No related resolution was adopted during the sixty-third session of the General Assembly and, therefore, decision 63/519 of 2 December decided to include the item in the provisional agenda of its sixty-fourth session.

General Assembly, 2008

63/519. Convening of the fourth special session of the General Assembly devoted to disarmament

Last introduced as a resolution in 2006, by the terms of this procedural decision, the General Assembly decided to include in the provisional agenda of its sixty-fourth session the item entitled “Convening of the fourth special session of the General Assembly devoted to disarmament”.

Introduced by: Indonesia, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries (23 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (31 Oct.)

For text and sponsors, see *Yearbook*, Part I, p. 205.

Multilateralism and disarmament

“Multilateral cooperation remains absolutely indispensable in pursuing the noble goals of disarmament and non-proliferation.”⁵⁶

BAN KI-MOON, UNITED NATIONS SECRETARY-GENERAL

Given the multifaceted challenges confronting international disarmament and non-proliferation, the United Nations continued to reinforce and strengthen multilateralism as the core principle in addressing these issues.

From 27 to 30 July, NAM held its Fifteenth Ministerial Conference in Tehran. The ministers welcomed the adoption of General Assembly resolution 62/27 of 5 December 2007 entitled “Promotion of multilateralism in the area of disarmament and non-proliferation⁵⁷” and underlined multilateralism and multilaterally agreed solutions, in accordance with the United Nations Charter,

⁵⁵ See the General Assembly’s decision 62/552 of 11 September 2008, available on the UNODA website at <http://www.un.org/disarmament/> > Databases > GA Resolutions and Decisions > 62nd session.

⁵⁶ The Secretary-General’s remarks to the United Nations Disarmament Commission of 7 April 2008 are available on the UNODA website at <http://www.un.org/disarmament/HomePage/SG/sgstatements.shtml>.

⁵⁷ For resolution text, see the *United Nations Disarmament Yearbook*, vol. 32: 2007, p. 194, available online at <http://www.un.org/disarmament>.

as the only sustainable method of addressing disarmament and international security issues.⁵⁸

Pursuant to that same resolution, the Secretary-General invited Member States to provide information on promoting multilateralism in disarmament and non-proliferation. He received information from the Governments of Cuba, the Netherlands and Spain, on which he reported to the General Assembly.⁵⁹ Cuba reaffirmed that multilateral developments in the area of disarmament and arms control have had a positive impact on international peace and security. However, it highlighted that while these efforts led to firm commitments towards the total elimination of biological and chemical weapons, it had not been the case for nuclear weapons. Cuba further expressed concern at the continuous erosion of multilateralism in the field of arms regulation, disarmament and non-proliferation. The Netherlands, which abstained from voting, asserted that the divisive language of the resolution undermined the very notion of multilateralism. Spain stressed the need for greater cohesive instruments, political commitment and more legally binding agreements to enhance the effectiveness of the international system. It further emphasized that compliance must be reinforced, violation detection improved and enforcement strengthened if the multilateral treaty system was to remain credible and effective.

General Assembly, 2008

63/50. Promotion of multilateralism in the area of disarmament and non-proliferation

Beginning in 2002, this resolution has been introduced on an annual basis. This year it again reaffirmed multilateralism as the core principle in disarmament and non-proliferation negotiations and once again called upon all Member States to renew and fulfil their individual and collective commitments to multilateral cooperation as an important means of pursuing and achieving their common disarmament and non-proliferation objectives. It also requested the Secretary-General to seek the views of Member States on the issue and to submit a report thereon to the General Assembly at its sixty-fourth session.

Introduced by: Indonesia, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries (22 Oct.)

GA vote: 126-5-50 (2 Dec.)

1st Cttee vote: 115-5-49 (31 Oct.)

For text, sponsors and voting pattern, see *Yearbook*, Part I, pp. 55-59.

⁵⁸ See the final document of the 15th Ministerial Conference of the Non-Aligned Movement of 30 July 2008, NAM 2008/Doc.1/Rev.2 available at <http://www.mfa.gov.ir/cms/cms/system/galleries/download/NAM/final.pdf> (accessed 28 May).

⁵⁹ See the report of the Secretary-General containing information received, 14 July 2008, A/63/126.

First Committee. Before the vote, **Cuba** stated its belief that the text contributed to finding lasting and effective multilateral disarmament and non-proliferation solutions.

After abstaining, **Australia** took the floor, also on behalf of Canada and New Zealand, to explain that multilateralism was not the only sustainable method of addressing non-proliferation, arms control and disarmament issues. Furthermore, all measures available must be employed to improve the international security environment, including bilateral and regional measures.

Disarmament machinery

“To get back on the path to success, the Conference must rekindle the ambition and sense of common purpose that produced its past accomplishments, including the Nuclear Non-Proliferation Treaty, the Chemical Weapons Convention and the Comprehensive Nuclear-Test-Ban Treaty.”⁶⁰

BAN KI-MOON, UNITED NATIONS SECRETARY-GENERAL

Conference on Disarmament (CD)

The CD held three sessions in 2008—23 January to 28 March, 12 May to 27 June and 28 July to 12 September—and concluded with the adoption of the Annual Report to the General Assembly.⁶¹ In addition to the 65 members,⁶² 38 observers⁶³ were invited to take part in the proceedings of the Conference, in accordance with the rules of procedure.

⁶⁰ The Secretary-General’s statement to the Conference on Disarmament in Geneva of 23 January 2008 is available on the website of UNODA at <http://www.un.org/disarmament/HomePage/SG/sgstatements.shtml>.

⁶¹ See the CD report of the 2008 session, A/63/27, Supplement No. 27.

⁶² Algeria, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Brazil, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Ecuador, Egypt, Ethiopia, Finland, France, Germany, Hungary, India, Indonesia, Islamic Republic of Iran, Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Malaysia, Mexico, Mongolia, Morocco, Myanmar, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Peru, Poland, Republic of Korea, Romania, Russian Federation, Senegal, Slovakia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Tunisia, Turkey, Ukraine, United Kingdom, United States of America, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe.

⁶³ Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Dominican Republic, Estonia, Georgia, Ghana, Greece, Guatemala, Guinea, the Holy See, Iceland, Jordan, Kuwait, Latvia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Mauritius, Montenegro, Mozambique, Nepal, Oman, Philippines, Portugal, Republic of Moldova, Serbia, Slovenia, Sudan, the former Yugoslav Republic of Macedonia, United Arab Emirates and Uruguay.

The six Presidents (P-6) proposed to appoint seven Coordinators for all substantive items on the agenda.⁶⁴ This initiative entailed conducting proceedings guided by an organizational framework that would allow for intensive deliberations on seven agenda items under the stewardship of the Coordinators. The CD agreed to the joint P-6 proposal and the Coordinators were appointed by the President.⁶⁵

Following two rounds of deliberations, the P-6 tabled a draft decision,⁶⁶ which was initially challenged by China, to bridge the long-standing differences over the priorities that have prevented members from coming to a substantive agreement. *Inter alia*, it decided to appoint a coordinator to preside over negotiations on a treaty banning the production of fissile materials for nuclear weapons.

While there had been no opposition to negotiating a fissile materials treaty *per se*, a number of countries insisted that its mandate specifically encompass existing stocks and a verification mechanism. Although a wide range of delegations supported the Presidential proposal, it was unable to secure consensus.

While the existing divergences remained unresolved, negotiating the Annual Report, to the contrary, did not prove contentious, although Western countries had wished to see a more substantive, forward-looking record of the year's events.

One noteworthy development was the 12 February tabling of the draft PPWT by the Russian Federation and China.⁶⁷ (For further information, see section dealing with outer space, see p. 177 of this volume.)

⁶⁴ The 2008 Presidents were: Samir Labidi (Tunisia), Ahmet Üzümcü (Turkey), Yevhen Bersheda (Ukraine), John Duncan (United Kingdom), Christina Rocca (United States) and Germán Mendarín Hernández (Venezuela (Bolivarian Republic of)).

⁶⁵ The Coordinators were: Juan Martabit (Chile) and Sumio Tarui (Japan) for agenda items 1 entitled "Cessation of the nuclear arms race and nuclear disarmament" and 2 "Prevention of nuclear war, including all related matters", with a general focus on nuclear disarmament; Marius Grinius (Canada) for item 3 entitled "Prevention of an arms race in outer space"; Babacar Carlos Mbaye (Senegal) for item 4 entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons"; Petko Draganov (Bulgaria) for item 5 entitled "New types of weapons of mass destruction and new systems of such weapons; radiological weapons"; Dayan Jayatilaka (Sri Lanka) for item 6 entitled "Comprehensive programme of disarmament"; and I Gusti Agung Wesaka Puja (Indonesia) for item 7 entitled "Transparency in Armaments".

⁶⁶ See CD/1840.

⁶⁷ See CD/PV.1089.

General Assembly, 2008

63/82. Report of the Conference on Disarmament

This procedural resolution requested that all States members of the Conference cooperate with its current and successive Presidents in their efforts for an early commencement of substantive work in 2009. It also requested that the Secretary-General continue to ensure the provision of adequate administrative, substantive and conference support services to the Conference, and that the Conference submit a report on its work to the General Assembly's sixty-fourth session.

Introduced by: Venezuela
(Bolivarian Republic of) (24 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (29 Oct.)

For text and sponsors, see *Yearbook*,
Part I, pp. 173-174.

First Committee. After joining consensus, **Norway** reiterated its impatience with the CD's current state of affairs in that the body had not delivered anything of substance for more than 11 years. If the CD remained paralysed, there would be stronger calls to consider optional avenues to move the disarmament agenda forward.

United Nations Disarmament Commission (UNDC)

From 7 to 24 April, UNDC held in New York the final session of its three-year cycle of deliberations. Prior to its substantive session, an organizational session was convened on 18 March, where the Commission took note of the provisional agenda⁶⁸ and approved the general programme of work.⁶⁹ The two main agenda items under consideration were recommendations for achieving disarmament and non-proliferation of nuclear weapons and practical confidence-building measures (CBMs) in the field of conventional weapons.

The Commission held seven plenary meetings under the chairmanship of Piet de Klerk (Netherlands). Along with the Chair, nine Vice-Chairmen and a rapporteur constituted the Bureau of Commission.⁷⁰ As in previous years, two working groups were set up to deal with the substantive agenda items. Working Group I, tasked with discussing recommendations to achieve the disarmament and non-proliferation of nuclear weapons, held 12 formal meetings between 9 and 24 April 2008, under the chairmanship of Jean-Francis Regis Zinsou (Benin). Working Group II, entrusted with the mandate of discussing practical CBMs in the field of conventional weapons, conducted 10 meetings between 9 and 22 April, under the chairmanship of Carlos Perez (Brazil).

⁶⁸ See A/CN.10/L.60.

⁶⁹ See A/CN.10/2008/CRP.1.

⁷⁰ The Vice-Chairmen were from: Armenia, Benin, Brazil, Cameroon, Croatia, France, Peru, Philippines and Uzbekistan. Guatemala served as Rapporteur.

In his address to the opening session of the UNDC on 7 April, the Secretary-General renewed his call for States to move forward in a spirit of compromise and accommodation.⁷¹ He underscored the importance of the Commission and stressed that incremental progress can have positive spillover effects not only across the United Nations disarmament machinery but also to other multilateral forums, including those dealing with treaty regimes. He further urged Member States to make an extra effort to reach consensus, thereby bringing the Commissions' work in the past three years to a successful conclusion.

However, Member States were unable to bridge the gap in their positions and ultimately failed to reach consensus on recommendations. The Chairman expressed regret that the session was unable to yield concrete results.⁷² Notwithstanding, at its final plenary meeting on 24 April, the UNDC adopted its final procedural report to the General Assembly.⁷³

Nuclear disarmament and non-proliferation (Working Group I)

During discussions on the Commission's first agenda item—nuclear disarmament and non-proliferation—most States acknowledged the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)⁷⁴ as the cornerstone of the international non-proliferation and disarmament regime and urged its full implementation. In this respect, numerous States endorsed the outcomes of the 1995 and 2000 NPT Review Conferences. Many States expressed support for the entry into force of the Comprehensive Nuclear-Test-Ban Treaty,⁷⁵ establishment of nuclear-weapon-free zones and negotiation of a fissile material treaty. Slovenia, on behalf of the EU, emphasized the utmost importance that all existing disarmament and non-proliferation agreements were effectively resourced, fully implemented and complied with. In addition, the EU stressed that a multilateral approach to non-proliferation provided the best means of countering the threat of WMD proliferation and their means of delivery.

Repeated calls were made for the complete, verifiable, irreversible elimination of nuclear weapons. Indonesia, on behalf of NAM, underscored the need for nuclear-weapon States (NWS) to implement the unequivocal undertaking of totally eliminating nuclear weapons. In this regard, NAM

⁷¹ The Secretary-General's remarks to the UNDC of 7 April 2008, is available on the UNODA website at <http://www.un.org/disarmament/HomePage/SG/sgstatements.shtml>.

⁷² See press release of 24 April 2008, DC/3110/Rev.1, available at <http://www.un.org/News/Press/docs//2008/dc3110.doc.htm>.

⁷³ See the report of the Disarmament Commission for 2008, Supplement No. 42, A/63/42, available on the UNODA website at <http://www.un.org/disarmament/HomePage/DisarmamentCommission/Sessions.shtml>.

⁷⁴ The Treaty text and status of adherence are available on the UNODA website at <http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

⁷⁵ Ibid.

called for an international conference to establish a phased programme for the complete elimination of nuclear weapons, as well as their development, production, acquisition, testing, stockpiling, transfer, use and threat of use, and to provide for their destruction. Mexico, on behalf of the Rio Group, also expressed its concern about the lack of substantive agreement on nuclear disarmament. Many States stressed that reducing the role of nuclear weapons in strategic and security doctrines was essential to realize the goal of nuclear disarmament. Kazakhstan, for its part, lamented the absence of political will to promote the international disarmament agenda. It further reiterated its proposal to draft an international legally binding instrument banning the use of nuclear weapons against non-nuclear-weapon States (NNWS).

Some States expressed concern over the prospect of an arms race in outer space. The Russian Federation reiterated its view that devising effective measures to keep outer space free from any weapons and prevent it from turning into a new arena of confrontation was of vital importance for ensuring the development of science and maintaining international peace and security.⁷⁶

Confidence-building measures in the field of conventional weapons (Working Group II)

On the second agenda item—CBMs in the field of conventional weapons—the vast majority of Member States underscored CBMs importance in strengthening peace and security, both at the regional and international levels. Brazil asserted that they aimed to set straight inaccurate perceptions, thereby avoiding military actions and policies that might otherwise provoke violent conflict. It went on to state that CBMs in the field of conventional weapons had advanced the stability, security and trust-building needed to overcome conflict and enhance development.

While recognizing the value of CBMs, some States adopted a more cautious approach. Indonesia, on behalf of the NAM, stressed that CBMs were neither a substitute nor precondition for disarmament measures. In a similar vein, China stated that CBMs should be implemented on a voluntary basis and in conformity with the security interests of relevant countries. It also emphasized that such measures should be developed in an incremental manner. India echoed China's position by stating that CBMs in specific regions should specifically take into account political, military and other conditions prevailing in that region.

A number of States recognized initiatives to reduce military expenditures as important CBMs, including the Democratic Republic of the Congo that, on behalf of the African Group, noted with concern the recent trend of rising global military expenditures. NAM expressed support for unilateral, bilateral

⁷⁶ For statements of Member States, see A/CN.10/PV.284-287 of 7 to 8 April 2008.

and multilateral measures adopted by Governments to reduce military expenditures, thereby contributing to regional and international peace and security.

Many States expressed support for efforts aimed at curbing illicit SALW trade, including the United Nations Programme of Action.⁷⁷ The Republic of Korea urged for strengthening of international efforts, emphasizing that illicit SALW trade not only fuelled conflicts, but also hampered development. Benin underscored the need for stricter monitoring of SALW transfers. Nicaragua asked for intergovernmental support at the regional level in Central America.

Report of the Commission

The UNDC concluded its 2008 session by adopting a report, as well as those of its two Working Groups. This also completed the Commission's latest three year-cycle, which ran from 2006 to 2008.

In introducing his report to the Committee of the whole,⁷⁸ the Chair of Working Group I commended the efforts of the Group in seeking to reconcile the concerns of NWS and NNWS. While no State questioned that the three pillars of the nuclear consensus were inextricably linked,⁷⁹ States prioritized them differently. Despite having failed to reach a consensus, the Chair stressed that Working Group I's healthy and well-founded discussion allowed the Commission to maintain its unique framework for deliberation within the United Nations disarmament machinery.

The Chairman of Working Group II stated that despite extensive discussions and constructive engagement, the Group was ultimately unable to overcome outstanding issues in the Chairman's revised paper.⁸⁰

Unable to reach consensus on main agenda item recommendations, the report included only procedural descriptions of the Commission's work. However, the reports of the two Working Groups reflected the compromises and agreements reached through negotiations.

In his concluding statement, the Chairman of the Commission stressed that although final consensus eluded the UNDC's work, the meetings allowed for valuable exchanges of views and deliberations on the most crucial topics of our time, which in itself served as a CBM.

⁷⁷ The Programme of Action is available at http://www.un.org/disarmament/convarms/SALW/Html/SALW-PoA-ISS_intro.shtml. For SALW discussion, see chapter III of this volume.

⁷⁸ See official records of the 289th meeting of the UNDC on 24 April 2008, A/CN.10/PV/289.

⁷⁹ The three pillars are disarmament, non-proliferation and peaceful use of nuclear energy.

⁸⁰ Op. cit., footnote 78.

General Assembly, 2008

63/83. Report of the Disarmament Commission

This procedural resolution recommended that the Disarmament Commission include in the agenda of its 2009 substantive session an item entitled “Elements of a draft declaration of the 2010s as the fourth disarmament decade”, in accordance with resolution 61/67 and that it intensify consultations with a view to reaching agreement on the remaining agenda items, in accordance with decision 52/492, before the start of its substantive session of 2009.

First Committee. Before taking action, the **United States** stated that it would not participate in the action.

After joining consensus, **Cuba** stated that it hoped the delegations would support NAM’s item “Elements of a draft declaration of the 2010s as the fourth disarmament decade” for consideration by the Commission next year, given that it was fully consistent with the provisions of decision 52/492.

Introduced by: Netherlands, on behalf of the members of the extended Bureau of the Disarmament Commission (Armenia; Benin; Brazil; Cameroon; Croatia; France; Guatemala; Peru; Netherlands; Philippines and Uzbekistan) (24 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (29 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 175-176.

63/518. Role of science and technology in the context of international security and disarmament

Last introduced in 2006, by its terms, the General Assembly decided again to include in the provisional agenda of its sixty-fourth session the item entitled “Role of Science and Technology in the context of international security and disarmament”.

Introduced by: India (22 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (30 Oct.)

For text and sponsors, see *Yearbook*, Part I, p. 204.

chapter VI

Governmental expert studies, information/ education and United Nations research

CHAPTER VI

Governmental expert studies, information/education and United Nations research

Disarmament studies

THE FOLLOWING BOXES LIST STUDIES that the General Assembly took action on at its sixty-third session. Substantive discussions of the results of the studies or progress made are contained in the chapters dealing with the respective subjects, as indicated in the boxes.

Studies concluded in 2008

Group of Governmental Experts towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms

Mandated by resolution: 61/89 of 6 December 2006

General Assembly noted by resolution: 63/240 of 24 December 2008

For an overview of the report, see chapter III.

Group of Governmental Experts on problems arising from the accumulation of conventional ammunition stockpiles in surplus

Mandated by resolution: 61/72 of 6 December 2006

General Assembly noted by resolution: 63/61 of 2 December 2008

For an overview of the report, see chapter III.

Group of Governmental Experts on missiles in all its aspects

Mandated by resolution: 59/67 of 3 December 2004

General Assembly noted by resolution: 63/55 of 2 December 2008

For an overview of the report, see chapter I.

Future studies

Group of Governmental Experts on the Standardized Instrument for Reporting Military Expenditures

Mandated by resolution: 62/13 of 5 December 2007

For an overview of the report, see chapter III.

Group of Governmental Experts on developments in the field of information and telecommunications in the context of international security

Mandated by resolution: 63/37 of 2 December 2008

For an overview of the report, see chapter V.

Group of Governmental Experts on the United Nations Register of Conventional Arms

Mandated by resolution: 63/89 of 2 December 2008

For an overview of the report, see chapter III.

Advisory Board on Disarmament Matters

The Secretary-General's Advisory Board on Disarmament Matters held its forty-ninth and fiftieth sessions in New York from 20 to 22 February and in Geneva from 9 to 11 July, respectively. Both sessions were conducted under the Chairmanship of Adam Daniel Rotfeld (Poland) (for the list of Board members, see annex I to this chapter). On 11 August, the Secretary-General submitted a report to the General Assembly summarizing the Advisory Board's deliberations and recommendations.¹

During the sessions, the Board focused its discussions on three agenda items: (i) issues of energy security and the environment in the field of disarmament and non-proliferation; (ii) the "Hoover Plan" for nuclear disarmament: multilateralism and the United Nations dimension; and (iii) emerging weapons technologies, including outer space aspects. The third agenda item was a continuation of discussions from the forty-eighth session in 2007.

¹ See the Secretary-General's report on the work of the Advisory Board on Disarmament Matters of 11 August 2008, A/63/279. This and all subsequent United Nations documents are available in the six official languages at <http://ods.un.org>.

On its first agenda item, the Board exchanged views based on the common recognition that the continuously rising global demand for energy and the ensuing competition for energy resources had a significant impact on international peace and security. The issue of nuclear energy dominated the discussions and many members agreed that the simultaneity of proliferation and energy concerns had created both the political and economic obligations to urgently and concretely address questions pertaining to the peaceful use of nuclear energy. While some members reiterated the right of the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) to the peaceful use of nuclear energy under Article IV of the Treaty, others stressed the importance of reconciling that right with the need to strengthen the non-proliferation regime.

Diverse views were exchanged on the need to secure the nuclear fuel cycle to ensure non-diversion and provide NPT States parties with peaceful nuclear power. Many members recognized the need to develop reliable fuel-supply arrangements as a means of achieving long-term sustainability of the production of nuclear energy. Some members emphasized the importance of establishing a non-discriminatory system and specifically warned against creating a divide between the haves and have-nots. It was also noted that a new multilateral mechanism aimed at regulating the access to the nuclear-fuel cycle should entail multilateral assurances of the supply of fissile material for energy purposes. In this respect, while welcoming the various proposals and ongoing initiatives regarding the nuclear-fuel cycle and acknowledging their contribution to non-proliferation efforts, many members underscored the need to bring the discussion to a credible multilateral framework.

Based on these discussions, the Advisory Board suggested that the Secretary-General encourage a broader dialogue on the peaceful use of nuclear energy, including the various proposals to establish national and multilateral nuclear-fuel supply arrangements under a multilateral framework.

For its second agenda item, the Board discussed the Nuclear Security Project (“Hoover Plan”), a proposal launched in 2007 by former high-ranking United States officials,² and explored the implications of that initiative relative to multilateral efforts towards full nuclear disarmament and non-proliferation. Differing views were expressed on the utility and merit of the Plan. Questions were raised about the Plan’s added value as many of its concepts were not considered novel. In order for the Plan to gain wider international interest, some members noted that some ideas were unrealistic and highlighted the importance of consolidating and revising the Plan to make it more

² The Project builds on the 7 January 2007 *Wall Street Journal* op-ed article, “A World Free of Nuclear Weapons”, authored by former United States Secretaries of State George Shultz and Henry Kissinger, as well as, former Secretary of Defense William Perry and former Senator and Chairman of the Senate Armed Services Committee Sam Nunn. See www.Nuclearsecurityproject.org (accessed 16 July 2009).

comprehensive, focused and achievable. Some stressed the need to develop coherent proposals for nuclear weapons issues relevant to other regions, such as the Middle East and North-East Asia.

While acknowledging the diverse opinions about the Plan, many members underlined its significance, particularly in terms of its timing and the momentum it had created before the United States presidential elections. Several members supported translating the Plan's proposals into actual policy. In this regard, suggestions were made that the United Nations provide a suitable forum where the Plan's proposals could be discussed and synthesized. Others commented on the need to discuss the Plan within the framework of the NPT. The Board agreed on the following recommendations:

(a) The Secretary-General should continue to strengthen his personal role in generating political will in the field of nuclear disarmament and non-proliferation; and

(b) The Secretary-General should seize the momentum created by the Hoover Plan and encourage wider discussions on its objective, with the United Nations possibly acting as a multilateral forum for such discussions.

The Board continued its discussions on the third agenda item "emerging weapons technologies, including outer space aspects", which it had begun in 2007, at its forty-eighth session. The need to elaborate and promote adequate international norms and rules, perhaps in the form of a code of conduct, to meet the new risks and challenges from new weapons technologies was recognized. Views were expressed that while those technologies should neither be prohibited nor restricted, there could be a need to focus on the offensive capabilities of such emerging technologies in a legally binding context.

The Board believed there was a need for greater transparency, better communication and increased confidence among the civilian, military and scientific communities on the issue of emerging technologies. Given the highly complex and technical nature of the issue, many members emphasized the need for broader involvement of Government, civilian, military and scientific communities as well as the private sector in discussing their possible implications on international peace and security. Some Board members underscored the importance of a better understanding of the military doctrines and strategies behind the potential use of such emerging technologies, and the consideration of any potential spillover effects they might have on global military expenditures.

Negotiations on an instrument to prevent an arms race in outer space received support. The United Nations work in pursuing preventive diplomacy on space security issues, including international efforts to create a code of conduct that would include confidence-building measures and best practices to regulate space objects and outer space activities, was also supported. Pursuant to these discussions, the Board agreed on the following recommendations:

(a) The Secretary-General should continue raising awareness of the risks/threats related to emerging weapons technologies and initiate a dialogue between Governments and the scientific community on emerging technologies with military applications; and

(b) The Secretary-General could consider the creation of a high-level panel, including eminent scientists, on the issue of emerging weapons technologies, including outer space aspects, and their possible implications for international peace and security.

Board of Trustees of the United Nations Institute for Disarmament Research (UNIDIR)

The Advisory Board, sitting as its Board of Trustees, was briefed by the Director of UNIDIR on the Institute's programme of work and budget for 2008-2009. The Board commended the work carried out by UNIDIR and expressed satisfaction at its activities while approving the report for submission to the General Assembly. The Board also welcomed the approval by the Assembly in December 2007 of a subvention from the United Nations regular budget for the biennium 2008-2009. For further information on UNIDIR, see below.

Disarmament and non-proliferation education

Pursuant to resolution 61/73 of 6 December 2006,³ the General Assembly requested the Secretary-General to prepare a report reviewing the results of the implementation of recommendations and possible new opportunities for promoting disarmament and non-proliferation education, and to submit it to the General Assembly at its sixty-third session. The responses below were received from Member States, international and regional organizations, non-governmental organizations (NGOs) and academic institutions.⁴ The following cases, selected by the United Nations Office for Disarmament Affairs, are not exhaustive but are meant to serve as examples of relevant initiatives. The relevant recommendations of the report⁵ that are being carried out are highlighted as side-boxes below.

³ See "United Nations study on disarmament and non-proliferation education" of 6 December 2006, A/RES/61/73.

⁴ See the Secretary-General's report on disarmament and non-proliferation education of 21 July 2008, A/63/158.

⁵ See the Secretary-General's report on disarmament and non-proliferation education of 30 August 2002, A/57/124.

Implementation of the recommendations of the 2002 study by Member States

Australia

Within its School of Political Science and International Studies, the University of Queensland offers a postgraduate course entitled “Arms Control and Disarmament”, which addresses the political, strategic, legal and humanitarian issues directing arms control and disarmament processes. It examines conventional, nuclear, biological and chemical weapons and the ways in which the international community seeks to constrain or eliminate them. (Recommendations 1, 6 and 13)

Burundi

The Ministry of National Defence and Veterans’ Affairs gradually collected weapons distributed by the Government for civilian self-defence and established a mechanism for the verification and control of legally held small arms, namely by issuing licenses. Burundi also developed a strict documentation system for the management and control of small arms and light weapons (SALW) and duly records the identity of all owners, from the manufacturer to the end-user. (Recommendations 1 and 27)

Cambodia

The Government of Cambodia accepted the assistance of foreign experts to train technical military staff to control and store weapons and ammunition safely. Furthermore, weapons for military armed forces were electronically registered and technically stored in new warehouses. In collaboration with the Government of Japan and the European Union, Cambodia also provided public education on weapons and ammunition, which resulted in the destruction of 212,735 units of arms. (Recommendations 1 and 13)

Promotion of disarmament and non-proliferation education and training: practical recommendations

(excerpted selectively from A/57/124)

1. Member States are encouraged to accord importance to disarmament and non-proliferation education and training in their programmes and policies, consistent with their national legislation and practices, taking into account present and future trends. They are also encouraged to use, designate or establish public advisory bodies, where appropriate, whose responsibilities include advising on disarmament and non-proliferation education and training practices. Member States are encouraged to share their experience in disarmament and non-proliferation education and training with other Member States, international organizations, civil society and the Department for Disarmament Affairs.

2. Relevant United Nations offices and other international organizations and agencies should prepare, adapt and disseminate a wider range of user-friendly educational material on disarmament and non-proliferation. The current experience in this field should be tapped and existing educational material, including educational modules, resource books, guides and online programmes, should be tailored to the needs of individual countries, specific audiences or the international community at large.

Italy

The Government of Italy promoted initiatives to foster international debate and raise public awareness of the threat posed by weapons of mass destruction (WMD). On 15 February in San Remo, it supported a seminar held by the International Institute of Humanitarian Law on the theme “The Chemical Weapons Convention between Disarmament and International Humanitarian Law”.⁶ (Recommendations 1 and 13)

Netherlands

The Government of Netherlands was working on a programme with Dutch Universities to grant three PhD scholarships to students pursuing research on non-proliferation, with the view that knowledge in this field could strengthen participation in international disarmament forums. (Recommendations 1, 6 and 13)

Qatar

Qatar’s National Committee for the Prohibition of Weapons utilized the media to disseminate information to the public on disarmament and non-proliferation education. It also organized a number of workshops to raise awareness of arms control activities and planned to expand the education programme to make first-time contact with educational institutions, governmental and NGOs and production sites. (Recommendations 1 and 31)

Spain

The “General Gutiérrez Mellado” Academic Institute, which was established by agreement between the National University of Distance Learning and the Ministry of Defence, offers various postgraduate programmes on disarmament and non-proliferation with flexible and modular arrangements. Additionally, disarmament and non-proliferation are included in various courses relating to peace, security and defence. (Recommendations 1, 13 and 28)

3. The United Nations and other international organizations should translate its disarmament and non-proliferation educational material and publications into all United Nations official languages and, when possible, into other languages for additional dissemination. Upon request by the United Nations or relevant international organizations, Member States, academic and research institutions and NGOs are encouraged to support or assist in translating relevant materials.

4. The United Nations and other international organizations should increase their capacities to disseminate disarmament and non-proliferation education-related materials (print and audio-visual) more widely to all regions of the world. While strengthening existing distribution channels, they should explore new ones, such as co-operation with educational networks, teachers unions and curriculum committees as well as electronic access. Member States, local academic institutions, research centres and NGOs are also encouraged to assist in dissemination efforts. As it is essential to reach the local community level, channels of dissemination such as school libraries, gathering places, radio and television are highly recommended.

5. The Department of Disarmament Affairs should gather information about the involvement of regional and intergovernmental organizations in disarmament and non-proliferation education, training and data collection activities. The Department should examine ways to foster an exchange of

⁶ See <http://www.iihl.org/site/11994/default.aspx> (accessed 24 July 2009).

United States

In Vienna on 3 April, the United States Department of Defense Humanitarian Demining Training Center⁷ launched a photographic exhibition to mark the International Day for Mine Awareness and Assistance in Mine Action. Displaying landmines and explosive remnants of war, the exhibit illustrated the physical and psychological impact these devices had on the people of Afghanistan, Angola, Cambodia, the Democratic Republic of the Congo, the Lao People's Democratic Republic, Lebanon and the Sudan. (Recommendations 1 and 23)

Member States initiatives in the framework of the Nuclear Non-Proliferation Treaty Review Process

Japan submitted a working paper to the second session of the Preparatory Committee for the 2010 NPT Review Conference, in which it indicated its efforts on disarmament and non-proliferation education and, inter alia, referred to the United Nations Cyberschoolbus website on peace education as an information-sharing tool.⁸ At both the first and second sessions of the Preparatory Committee, States parties were encouraged to undertake concrete activities to implement the recommendations contained in the 2002 United Nations study and to share information thereon.⁹ (Recommendations 1 and 13)

Implementation of the recommendations by the United Nations and other international organizations

United Nations Office for Disarmament Affairs (UNODA)

Throughout 2008, UNODA organized a series of regional seminars on promoting the universality of the Convention on Certain Conventional Weapons and

experiences and regional perspectives to facilitate the development of disarmament and non-proliferation education programmes.

6. The Department of Disarmament Affairs should examine, accumulate and make public and easily accessible the different disarmament and non-proliferation curricula and programmes that States have developed for their formal school systems and university courses as well as for informal training.

7. UNU and UPEACE are encouraged to develop intensive postgraduate and other courses on disarmament and non-proliferation for representatives of all regions of the world, including government officials, legislators, military officers, NGOs, the media and students, working in cooperation with academic and non-governmental institutions that have expertise in designing and implementing such courses. UPEACE, in coordination with the Department of Disarmament Affairs, may wish to host seminars and workshops as well as to develop model university and school material.

10. Municipal leaders, working with citizen groups, are encouraged to establish peace cities, as part of the UNESCO Cities for Peace network, through, for example, the creation of peace museums, peace parks, web sites and the production of booklets on peacemakers and peacemaking.

⁷ For further information on the Humanitarian Demining Training Center, see <http://www.wood.army.mil/hdtc/mission.html> (accessed 11 August 2009).

⁸ See NPT/CONF.2010/PC.II/WP.9 available at www.un.org/NPT2010/SecondSession/documents.html.

⁹ See the Chairman's working papers of 11 May 2007, NPT/CONF.2010/PC.I/WP.78, and of 9 May 2008, NPT/CONF.2010/PC.II/WP.43, available at www.un.org/NPT2010/documents.html and www.un.org/NPT2010/SecondSession/documents.html, respectively.

its annexed Protocols. The information seminars were conducted in Central Asia, Latin America and the Caribbean, the Middle East, South, Southeast Asia and the Pacific and West and East Africa.¹⁰ (See chapter IV for further information.) (Recommendations 5 and 13)

As a contribution to the Third Biennial Meeting of States on Implementing the Programme of Action on Small Arms and Light Weapons in All Its Aspects, UNODA, together with the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and the International Action Network on Small Arms, sponsored a high-profile panel discussion on the impact of small arms on children. The symposium, held on 15 June, aimed to raise global awareness of the effects of SALW and explore solutions to better protect children.¹¹ (Recommendation 13)

In preparation for the 2010 NPT Review Conference, UNODA co-sponsored the World Federation of United Nations Associations¹² educational programme entitled “Students for a nuclear-weapons-free world”, in which a collaborative global essay, video and poster competition were organized on the question of how to free the world of nuclear weapons. The 15 successful students¹³ won a trip to participate in the “Students for a Nuclear-Weapons-Free World Conference” in Geneva from 13 to 16 July where the High Representative for Disarmament Affairs, Sergio Duarte, delivered a video message. (Recommendations 2, 4 and 23)

On 15 July, the United Nations Coordinating Action on Small Arms Mechanism held an event in New York entitled “Making the PoA Work:

12. Religious leaders and institutions are encouraged to develop educational material promoting a culture of peace and disarmament.

13. Member States, in cooperation with the United Nations and relevant international organizations, are encouraged to sponsor training, fellowships, and awareness programmes, on as wide a geographical basis as possible, for researchers, engineers, scientists and other academics in areas of particular relevance, but not limited to treaties and agreements on weapons of mass destruction and their means of delivery. They are also encouraged to give special emphasis to training customs, licensing and law enforcement officers for the purpose of fulfilling international obligations of Member States in the disarmament and non-proliferation fields.

14. The Department of Disarmament Affairs, in cooperation with UNU and UPEACE, should be encouraged to organize a programme of training for educators and trainers in disarmament and non-proliferation. These programmes may be implemented cooperatively with international organizations such as IAEA, OPCW and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization.

¹⁰ See *UNODA Occasional Paper No. 17* entitled “Promoting the Universality of the Convention on Certain Conventional Weapons”, available at <http://www.un.org/disarmament/HomePage/ODAPublications/OccasionalPapers/PDF/OP17.pdf>.

¹¹ See *UNODA Occasional Paper No. 14* entitled “Conflict of Interests: Children and Guns in Zones of Instability”, available at <http://www.un.org/disarmament/HomePage/ODAPublications/OccasionalPapers/PDF/OP14.pdf>.

¹² See the World Federation of United Nations Associations Disarmament Hub at <http://www.disarmamenthub.org/> (accessed 11 August 2009).

¹³ Students were from Afghanistan, Australia, Belgium, China, Colombia, Jamaica, Malaysia, New Zealand, Nigeria, the Russian Federation, Singapore, Slovenia and the United States.

Three Key Practical Tools for All States”, which further introduced the web-based Programme of Action–Implementation Support System, the linking-needs-with-resources tool and the Integrated Small Arms Control Standards. (Recommendations 2 and 5)

As a side event of the First Committee of the General Assembly, UNODA and the NGO Committee on Disarmament, Peace and Security organized a panel presentation on the “Development of a Biological Incident Database”. Developed in the context of the United Nations Global Counter-Terrorism Strategy, the panel discussed the different types of biological incidents, which could be triggered by natural, accidental and deliberate causes, to be stored in the database along with the essential elements needed to further its development, such as data security, access and timeliness.¹⁴ (See chapter II for further information.) (Recommendation 13)

Activities undertaken by UNODA in the areas of SALW and WMD¹⁵ and by the Committee established by Security Council resolution 1540 (2004) (1540 Committee),¹⁶ including on capacity-building, were submitted to the General Assembly at its sixty-third session. (Recommendation 14)

Additionally, UNODA and UNIDIR continued to brief the Secretary-General’s Advisory Board on Disarmament Matters, on a biennial basis, on education and training work. (Recommendation 30)

Department of Public Information (DPI)

DPI and UNODA expanded the disarmament and non-proliferation education website with additional interactive capacities and activities, including: (a) maintaining and expanding the “Ask

18. Disarmament and non-proliferation educational materials developed by the United Nations, such as the Cyberschoolbus web site, should include complementary material on how parents can encourage attitudes of peace and non-violence. Efforts should also be made by educators, parents and the business community to devise and produce toys, computer games and videos that engender such attitudes.

21. Organizations of the United Nations system and other relevant international organizations are encouraged to promote and provide financial support for disarmament and non-proliferation education and training using such techniques as distance learning, the Internet, and videoconferencing as well as cost-efficient and cost-effective media such as CD-ROMs.

22. Regional organizations, academic institutions and NGOs are encouraged to develop and disseminate material online in languages other than English.

23. Educators should consider a full range of pedagogical methods for inclusion in any educational material. In addition to computer-based learning, model United Nations programmes, other role-playing and simulation games, videos, film, dance, song, theatre, puppetry, poetry, photography,

¹⁴ See *UNODA Occasional Paper No. 15* entitled “Developing a Biological Incident Database”, available at <http://www.un.org/disarmament/HomePage/ODAPublications/OccasionalPapers/PDF/OP15.pdf>.

¹⁵ The Committee was established pursuant to Security Council resolution 1540 (2004) of 28 April 2004.

¹⁶ Included were the reports of the Secretary-General: on the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean of 28 July 2008, A/63/178; on the United Nations Regional Centre for Peace and Disarmament in Africa of 22 July 2008, A/63/163; on the United Nations Register of Conventional Arms of 14 July 2008, A/63/120 and Add.1 to 3; and on the consolidation of peace through practical disarmament measures of 18 August 2008, A/63/261.

an Hibakusha” activity; (b) developing several new lesson plans; (c) developing a toolkit for students to include suggestions on how to set up clubs, sponsor debates or undertake other forms of community action; and (d) making downloadable video lessons available for teachers. Furthermore, the Cyberschoolbus site was expanded to include a major section on disarmament and non-proliferation, with a timeline, a classroom toolkit and teachers aids. Adolescents as young as 12 years of age can easily learn about the role weapons can play in security or violence, their impact on the environment and ways to mitigate and prevent violence associated with their use. (Recommendations 2, 18, 23 and 26)

In May, DPI and UNODA collaborated in publishing a standard-sized (5” x 7”) post card for the general public promoting the disarmament and non-proliferation education website within the Cyberschoolbus¹⁷ portal. (Recommendations 2, 18 and 25)

United Nations Institute for Disarmament Research

UNIDIR expanded the distribution of its materials through online social networking sites, podcasts and blogs. Specifically, the UNIDIR blog “Disarmament Insight” offered accessible analysis on its global security research project entitled “Disarmament as Humanitarian Action: Making Multilateral Negotiations Work”,¹⁸ and included podcasts of various related events. (Recommendation 23)

On 30 April, in the margins of the second session of the NPT Preparatory Committee, UNIDIR and Japan hosted a side-event to discuss practical ways of teaching disarmament and non-proliferation education, particularly by incorporating first-person testimony into disarmament education activities through drawing on the hibakusha stories. (Recommendation 23)

origami, visual art and creative writing, to name a few, are all useful methods. Special emphasis should be given to participatory learning approaches that can be applied to a wide variety of disarmament and non-proliferation problems and audiences.

25. The Department for Disarmament Affairs should develop a disarmament and non-proliferation online education resource site in the six official United Nations languages. This site should be based on:

(a) Links to existing resources of United Nations and other relevant international organizations, Member States, universities, research institutes and NGOs having web sites on disarmament and non-proliferation and with education-oriented online programmes;

(b) Existing web pages of the Department for Disarmament Affairs on the United Nations web site;

(c) Recommendations by the Secretary-General’s Advisory Board on Disarmament Matters;

(d) Recommendations of the inter-agency group on disarmament and non-proliferation education and training.

The Department for Disarmament Affairs should develop the online educational resource site in cooperation with interested research institutes, IT companies, NGOs and/or regional centres for information technology. It should

¹⁷ See <http://cyberschoolbus.un.org/dnp/>.

¹⁸ See www.disarmamentinsight.blogspot.com (accessed 16 July 2009).

University for Peace (UPEACE)

UPEACE Master of Arts programme offered disarmament courses either as part of a more general issue, such as post-conflict reconstruction or conflict avoidance, or as the principal focus of the course.

It recently divided one of the principal courses in its Master's programme in International Peace Studies, entitled "Weapons of Mass Destruction and Small Arms and Light Weapons", into two different courses: one on WMD, nuclear, chemical and biological weapons; and the other on SALW associated with trafficking, violence and insecurity.

A new course entitled "Disarmament, Demobilization and Reconstruction" describes and critically analyses the goals of these three interrelated processes, the major activities they entail, and the conditions that should be met to ensure a successful and lasting transition from war to peace. The University is also working towards offering disarmament education/training courses in Geneva. (Recommendations 2 and 7)

Preparatory Committee for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO)

CTBTO education activities focused increasingly on the electronic dissemination of information to targeted audiences with the public website as the focal point and e-mail alerts as a key means of distribution. In June 2008, it launched an electronic newsletter to targeted audiences that highlighted issues of interest with links to the complete stories.

Additionally, its revamped website will feature a youth area designed to interest the younger generation in test-ban-related issues and will contain material for teachers to use in classes on relevant subject matters. (Recommendations 2 and 21)

International Atomic Energy Agency (IAEA)

In 2008, on the margins of its 52nd General Conference, the IAEA secretariat arranged an exhibition and short film illustrating the themes from

have chat rooms and testing tools and be user-friendly.

26. The Department of Public Information and relevant international organizations, in coordination with the Department for Disarmament Affairs and, when appropriate, NGOs, are encouraged to produce video programmes to promote disarmament and non-proliferation to the widest possible audience.

27. International organizations, regional organizations and representatives of civil society, where appropriate, are encouraged to include disarmament education and training in their programmes in post-conflict situations.

28. Member States are encouraged to ensure that their military staff colleges include disarmament and non-proliferation elements in their curricula.

29. United Nations bodies and other international organizations with special competence in disarmament and non-proliferation education and training should designate a focal point for the subject. Representatives should meet periodically at the inter-agency level to:

(a) Promote disarmament and non-proliferation education and training at all levels in all regions of the world, with the active participation of civil society, especially educators and NGOs;

(b) Network and share experiences and best practices on disarmament and non-proliferation education;

(c) Consult and actively seek partnerships with Governments, regional

its report entitled “20/20: Vision for the Future” and the report of the Commission of Eminent Persons entitled “Reinforcing the Global Nuclear Order for Peace and Prosperity: The Role of the IAEA to 2020 and Beyond”.¹⁹ (Recommendations 23 and 26)

International Committee of the Red Cross (ICRC)

In October, ICRC published a brochure entitled “Enhancing protection for civilians in armed conflict and other situations of violence”²⁰ that proposed a step-by-step, multidisciplinary approach to analyse the problems affecting a given population, introduce a classification of ICRC protection activities for civilians and discuss issues of interest to organizations that dealt with protection data. (Recommendations 2 and 5)

International Red Cross and Red Crescent Museum

The International Red Cross and Red Crescent Museum and REAL Exhibition Development co-produced “The Nuclear Dilemma exhibition”,²¹ to inform the public, especially the younger generation, of the history of nuclear technology, its diverse uses and the risks involved in its continued development. From 19 September 2008 to 26 April 2009, the exhibit was on display at Guernica Peace Museum, Spain.²² (Recommendation 23)

Organisation for the Prohibition of Chemical Weapons (OPCW)

The OPCW made a public service announcement available for broadcast to global and regional television networks and for use on the Internet. It also maintained stock videos of its disarmament and non-proliferation activities for producing video news releases, B-rolls and other audiovisual products, which are made available to documentary film-makers on request. (Recommendation 26)

organizations, academic and research institutions, educators, civil society, including NGOs, and private and corporate donors on further practical disarmament and non-proliferation education and training projects;

(d) Encourage the incorporation of disarmament and non-proliferation education elements into future public information products of the United Nations and relevant international organizations;

(e) The Department for Disarmament Affairs should facilitate the work of the inter-agency group.

The inter-agency group is encouraged to invite the participation of civil society, especially educators and NGOs, in its work.

30. In the context of its current mandate, the Secretary-General’s Advisory Board on Disarmament Matters is encouraged to consider periodically follow-up action related to disarmament and non-proliferation education.

31. Member States are encouraged to designate a focal point for disarmament and non-proliferation education and training and to inform the Department for Disarmament Affairs on steps taken to implement the recommendations contained in the present report.

¹⁹ For other exhibits on display during the Conference, see <http://www.iaea.org/About/Policy/GC/GC52/Journal/journ3-2008.pdf> (accessed 7 August 2009).

²⁰ See <http://www.icrc.org/Web/Eng/siteeng0.nsf/html/p0956> (accessed 24 July 2009).

²¹ For further information on the exhibit, see <http://nucleardilemma.org/> (accessed 11 August 2009).

²² For further information on the museum, see <http://www.peacemuseumguernica.org/en/initiate/homeeng.php> (accessed 11 August 2009).

Implementation of the recommendations by civil society and non-governmental organizations

Antennes de paix

Canada

On 13 March at the Ahunsic College in Montreal, Antennes de paix held a session on arms control. (Recommendations 13 and 29)

Asociación de Lucha para el Desarme Civil

Uruguay

In May, Asociación de Lucha para el Desarme Civil and Instituto de Estudios Legales y Sociales del Uruguay organized in Uruguay the first international forum “*Des-Armando Uruguay-Armas de fuego, protección o riesgo?*”,²³ under the auspices of the Office of the Chairperson of the Chamber of Representatives and the International Action Network on Small Arms and with the support of the Swedish Fellowship of Reconciliation. (Recommendations 4 and 23)

Ban All Nukes generation (BANg)

Europe

In March, BANg and the German educational project “Nuclear Weapons Policy: Learn—Experience—Participate” published an educational poster in English and German entitled “Nuclear Weapons in Europe”, for use in schools and at workshops. (Recommendations 23 and 29)

Bonn International Center for Conversion (BICC)

Germany

Through its training and education on small arms project, BICC developed a module entitled “Marking and Tracing Small Arms and Light Weapons”, intended for stakeholders involved in SALW control, where it provided an introduction to the contents, implications and issues surrounding the implementation of the United Nations Instrument on Marking and Tracing. (Recommendations 5 and 29)

Disarmament and Security Centre

New Zealand

The Centre produced two disarmament-related films and sent copies of the CD/DVDs to every New Zealand high school and university. The first, *Nuclear Reaction*, depicted how New Zealand became nuclear free. The second, *Tau Te Mauri: Breath of Peace*, featured eight New Zealand peace campaigners and included a teacher’s guide showing how the film could be integrated into the existing curriculum.²⁴ (Recommendations 4, 10 and 26)

²³ See http://www.scslat.org/web/actualidad/interna_noti.php?xfontmore=4&xid=417&xleng=e (accessed 24 July 2009).

²⁴ A teacher’s resource for classroom activities is available at www.disarmsecure.org/publications/papers/index.html (accessed 16 July 2009).

Escola de Cultura de Pau

Spain

The Escola offered a “Culture of Peace” certificate for postgraduate students, and classes on “Culture of peace and conflict management” and “Peace education” for undergraduate students. It also collaborated with Master’s programmes in other educational institutions. (Recommendations 2, 4 and 6)

Global Partnership for the Prevention of Armed Conflict (GPPAC)

In May, members of GPPAC Northeast Asia and other regions throughout the world gathered in Japan for the historical Global Article 9 Conference to Abolish War, a 30,000-participant event examining the linkages between the non-violent principles enshrined in Japan’s peace constitution and many global issues, such as conflict prevention, disarmament, peacebuilding and the environment. (Recommendations 4 and 23)

International Campaign to Abolish Nuclear Weapons

The Campaign produced short brochures, a mini-magazine, and a booklet entitled “Learn Abolition”, which consisted of 17 activities for primary and secondary school students—from folding paper cranes in honour of Hiroshima and Nagasaki victims to holding a mock United Nations debate. Their interactive website also provided up-to-date educational information.²⁵ (Recommendations 2, 4 and 23)

International Network of Engineers and Scientists against Proliferation

During the second Preparatory Committee meeting for the 2010 NPT Review Conference, BANg and the International Network of Engineers and Scientists against Proliferation with support from Technische Universität Darmstadt and several other organizations conducted a simulated negotiation on a nuclear weapons convention. (Recommendation 23)

James Martin Center for Nonproliferation Studies (CNS)

CNS developed a variety of disarmament and non-proliferation databases, encompassing nuclear disarmament, highly enriched uranium reduction and elimination, and submarine proliferation. Moreover, it continued to translate publications into Russian and Chinese, including online publications produced for the Nuclear Threat Initiative. English-Japanese non-proliferation and disarmament terminology is also posted on their website.²⁶ (Recommendations 2, 3 and 22)

²⁵ For further information, see www.icanw.org/ (accessed 16 July 2009).

²⁶ For further information, see www.nti.org/e_research/e7_databases.html (accessed 16 July 2009).

Nuclear Age Peace Foundation (NAPF)

NAPF²⁷ posted a number of educational materials on its website, including a video entitled “Nuclear Weapons and the Human Future”, a Microsoft PowerPoint presentation and questions for discussion.²⁸ (Recommendations 21 and 23)

Philippine Action Network on Small Arms

Philippines

On 8 June, the Philippine Action Network on Small Arms encouraged priests throughout the country to read a message in their homilies on gun violence and the need for gun control. (Recommendation 12)

Reaching Critical Will

Reaching Critical Will, a project of the Women’s International League for Peace and Freedom, continued to provide information on disarmament through its website, including an online resource page about disarmament and non-proliferation education.²⁹ (Recommendation 4)

Réseau d’action sur les armes légères en Afrique de l’Ouest ***Burkina Faso***

Within the context of the week of action against gun violence, Réseau d’action sur les armes légères en Afrique de l’Ouest (SALW Action Network) was engaged in awareness-raising activities, including for civil society. (Recommendation 4)

Disarmament fellowship, training and advisory services, 2008

Since 1979, UNODA and its predecessors have carried out its prime disarmament educational effort by providing training for young diplomats, particularly those from developing countries, through the United Nations fellowship, training and advisory services programme.³⁰ For nearly 30 years, the programme had trained a total of 759 officials from 159 States, many of whom later assumed positions of responsibility in the field of international security and disarmament within their Governments.

²⁷ For further information on NAPF, see www.wagingpeace.org/menu/about (accessed 11 August 2009).

²⁸ For further information, see www.wagingpeace.org/nuc_weapons_human_future.php (accessed 16 July 2009).

²⁹ For further information, see www.reachingcriticalwill.org (accessed 16 July 2009).

³⁰ The Programme started in 1979 as a follow-up to a decision of the General Assembly adopted at its tenth special session in 1978 (resolution S-10/2, para. 108).

In 2008, fellowships were awarded to diplomats from 25 Member States.³¹ The Programme continued to be structured in three segments: (a) a study session in Geneva; (b) study visits to disarmament-related intergovernmental organizations and to Member States, at their invitation; and (c) a study session at the United Nations Headquarters in New York.

In Geneva from 25 August to 10 September, the Fellows were familiarized with issues on the Conference on Disarmament's (CD) agenda and with the disarmament activities of UNODA's Geneva Branch. They attended CD meetings and a series of lectures by: (a) CD delegation heads; (b) presiding officers of various arms control and disarmament conferences and meetings; (c) the Deputy Secretary-General of the Conference and other staff members of the Geneva Branch; (d) UNIDIR; (e) the Geneva International Peace Research Institute; (f) the Geneva International Centre for Humanitarian Demining; (g) the Graduate Institute of International Studies; and (h) the Disarmament and Peace Section of the Quaker United Nations Office. Furthermore, the Fellows participated in a study visit to Bern, organized by the Federal Department of Foreign Affairs of Switzerland, where they received a comprehensive overview of Switzerland's policy and activities in the field of arms control and disarmament along with the Swiss approaches to humanitarian aspects of conventional disarmament.

Between 11 September and 1 October, the Fellows participated in study visits to IAEA and the CTBTO Preparatory Committee in Vienna, and to OPCW in The Hague. At the invitation of the respective Governments, they also participated in study visits to Germany and Japan. In Germany, the Fellows were briefed by senior disarmament and arms control officials of the Federal Foreign Office and held round-table discussions with: the Subcommittee for Arms Control and Disarmament of the Deutscher Bundestag; and NGO representatives. They also visited a demilitarization and conversion plant where the Fellows were briefed on environmentally friendly methods of weapons and ammunition destruction. In Japan, the Fellows were briefed by senior officials of the Ministry of Foreign Affairs on Japan's disarmament policy and met with senior officials from the Centre for the Promotion of Disarmament and Non-Proliferation. In Hiroshima and Nagasaki, they: (a) met with city officials and A-bomb survivors; (b) visited memorial museums and atomic bomb hypocenters; and (c) heard lectures on social and medical legacies of atomic bombings.

On 2 October, the Fellows began the third segment of their Programme at United Nations Headquarters in New York. They were briefed on UNODA activities by the High Representative for Disarmament Affairs, Sergio

³¹ Algeria, Belarus, Benin, Bulgaria, Colombia, Egypt, Ethiopia, Honduras, Indonesia, Iran (Islamic Republic of), Japan, Kenya, Lao People's Democratic Republic, Lebanon, Madagascar, Mexico, Morocco, Niger, Pakistan, Paraguay, Romania, Serbia, South Africa, Thailand and Togo.

Duarte, and senior UNODA staff; attended First Committee meetings; and held a simulation exercise on drafting, introducing and taking action on disarmament-related resolutions. Furthermore, the Fellows participated in a seminar and a simulated roundtable discussion on non-proliferation of nuclear weapons, which was organized by CNS of the Monterey Institute of International Studies. As a formal part of the Programme, each Fellow submitted a research paper on a freely chosen subject related to disarmament and international security. On 24 October, the Programme concluded and the Fellows were awarded certificates of participation by the High Representative for Disarmament Affairs.

At its sixty-third session, the General Assembly considered the biennial report of the Secretary-General on the United Nations disarmament fellowship, training and advisory services,³² after which it adopted, without a vote, resolution 63/79, entitled “United Nations disarmament fellowship, training and advisory services”.

United Nations Disarmament Information Programme

The objectives of the Programme reflect UNODA’s overall orientation, guided by the priorities of Member States as enunciated in the resolutions and decisions of the General Assembly.

Print and e-publications

The *United Nations Disarmament Yearbook* remains UNODA’s flagship publication. It is distributed worldwide to United Nations libraries, its depository library system, United Nations Information Centres, all permanent missions, regional commissions, parliamentary libraries and, mainly in the developing world, to research institutes, organizations and individuals. The electronic version of the *Yearbook* is easily accessible on the UNODA website³³ in both HTML and PDF formats and features full-text search, index search and navigation mechanisms.

As a reference tool for participants in the UNODA-organized regional workshops on implementing United Nations Security Council resolution 1540 (2004),³⁴ the Office published *1540 Committee—Security Council Committee Established Pursuant to Resolution 1540 (2004): Selected United Nations Documents*.³⁵

In 2008, *Study Series 32* was released, on the subject of verification in all its aspects, including the role of the United Nations in the field of verification.

³² See the Secretary-General’s report on the United Nations fellowship, training and advisory services programme of 15 July 2009, A/63/129.

³³ See <http://www.un.org/disarmament/HomePage/ODAPublications/Yearbook/index.shtml>.

³⁴ S/RES/1540 (2004) was adopted by the Security Council on 28 April 2004.

³⁵ See <http://www.un.org/disarmament/HomePage/ODAPublications/index.shtml>.

In a departure from previously released *Study Series*, this publication contains not only the report of the Secretary-General, but additional material related to the publication of the report.³⁶

UNODA also published two booklets in 2008. The first, entitled *Small Arms and Light Weapons: Selected United Nations Documents*, was designed to provide targeted audiences with an easy-to-use compendium of relevant documents in advance of the Third Biennial Meeting of States to Consider the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. The second, entitled *Disarmament 2007: Critical Disarmament Issues*, covered the proceedings of four panel discussions on topics under the headings: “A verifiable fissile-material treaty as a foundation for nuclear disarmament”, “A code of conduct for outer space”, “Technical advances and field experiences for use in biological verification” and “Towards a global cleanout of nuclear weapon materials”.

Aimed at interested members of the public at large, the quarterly e-publication *UNODA Update* continued to highlight recent events and activities of the Office and other disarmament forums.

Website

An extensive overhaul of the UNODA website has rendered it more user-friendly and in compliance with guidelines to allow accessibility to users with disabilities, including those who are blind or have limited vision. Its content has grown exponentially and is being used more frequently by Government agencies (mainly ministries of foreign affairs), educational institutions and NGOs. The two most visited sections are the database of General Assembly disarmament resolutions and decisions and that of the status and texts of disarmament-related treaties.

Dedicated websites were designed for major disarmament-related conferences, including the first and second sessions of the Preparatory Committee for the 2010 NPT Review Conference³⁷ and the Third Biennial Meeting of States,³⁸ as well as in connection with issues such as efforts to achieve an arms trade treaty.³⁹

UNODA exhibitions

Exhibitions play an important role in promoting advocacy and providing information on a given conference or on other topics through the promotion

³⁶ The publication is available on the website of the Office for Disarmament Affairs at <http://www.un.org/disarmament/HomePage/ODAPublications/DisarmamentStudySeries/index.shtml>.

³⁷ See <http://www.un.org/NPT2010/> and <http://www.un.org/NPT2010/SecondSession/>.

³⁸ See <http://disarmament.un.org/cab/bms3/1BMS3Pages/1thirdBMS.html>.

³⁹ See <http://disarmament.un.org/CAB/ATT/index.html>.

of Governmental and non-governmental positions. The General Assembly First Committee held its annual four-week session in New York from 6 to 31 October 2008 at which time two exhibits were featured in the corridors of the Secretariat building.

The first exhibit, organized by Mayors for Peace, featured a series of photographs in poster format of the Hiroshima-Nagasaki Atomic Bomb project that conveyed the realities of the atomic bombings and the present status of nuclear weapons issues. The exhibit has travelled widely, aiming to focus international sentiment towards the abolition of nuclear weapons. It was opened by the Mayor of Hiroshima, the High Representative for Disarmament Affairs and several survivors of the atomic bombings.

The second, “The World is Watching”, which was sponsored by UNODA and organized by Control Arms, was a campaign run jointly by Amnesty International, International Action Network on Small Arms and Oxfam International that, featuring a pair of giant eyeglasses, highlighted the dangers of the spread of illicit small arms and supported efforts at the United Nations towards the elaboration of an international, legally binding arms trade treaty.⁴⁰

The permanent disarmament exhibition section of the United Nations guided tour route continued to attract visitors, including Pope Benedict XVI during his visit in April 2008. The tour features a recently updated nuclear-weapon-free zones map. In this context, UNODA also produced a computer mouse pad and postcard-sized version of the map for general distribution.

Secretary-General's Messenger of Peace

Academy Award winner Michael Douglas continued his work as a Messenger of Peace to promote disarmament and advocate for peace. In May, he conducted radio and television interviews and participated in round-table discussions with policymakers and journalists concerning disarmament and non-proliferation, parts of which were posted on the Internet. In addition, he held discussions with senior members of both the United States Senate and the House of Representatives.

⁴⁰ A video introducing the photo exhibit is available on the UNODA website at <http://www.un.org/disarmament/HomePage/ODAPublications/ODAUpdate/2008/Nov/index.html>.

General Assembly, 2008

63/70. United Nations study on disarmament and non-proliferation education

This biennial resolution welcomed the launch of the disarmament and non-proliferation education website, “Disarmament Education: Resources for Learning” and the educational disarmament and non-proliferation website on the United Nations Cyberschoolbus site. It also requested the Secretary-General to report on the results of the implementation of the recommendations of the United Nations study and possible new opportunities for promoting disarmament and non-proliferation education for submission to the General Assembly at its sixty-fifth session. Furthermore, it reiterated its request to the Secretary-General to fully utilize electronic means to disseminate related information on the United Nations study on disarmament and non-proliferation education and any other information that UNODA gathered on an ongoing basis in connection with that study.

Introduced by: Mexico (22 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (30 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 132-133.

63/79. United Nations disarmament fellowship, training and advisory services

Introduced on a biennial basis, this year the resolution expressed its appreciation to all Member States and organizations that had consistently supported the programme throughout the years, thereby contributing to its success. It also requested the Secretary-General to continue to implement annually the Geneva-based programme within existing resources and to report thereon to the General Assembly at its sixty-fifth session.

Introduced by: Nigeria (27 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (30 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 164-166.

63/81. United Nations Disarmament Information Programme

This biennial resolution welcomed the launch of the UNODA website and invited Member States and other users to make use of its expanded content and specialization. It also commended the launch of the *United Nations Disarmament Yearbook* for 2007, with a new format and content, as well as its online edition, by UNODA.

Introduced by: Mexico (22 Oct.)

GA vote: w/o vote (2 Dec.)

1st Cttee vote: w/o vote (30 Oct.)

For text and sponsors, see *Yearbook*, Part I, pp. 170-172.

Annex I
Members of the Advisory Board
on Disarmament Matters, 2008

Adam Daniel Rotfeld (*Chair*), Chairman of the International Advisory Committee, Polish Institute of International Affairs, Warsaw

Nobuyasu Abe, Ambassador of Japan to Switzerland, Berne

Anatoly I. Antonov, Director, Department for Security and Disarmament, Ministry of Foreign Affairs of the Russian Federation, Moscow

Dewi Fortuna Anwar, Director for Program Research, Habibie Centre, Jakarta

Elisabet Borsiin Bonnier, Ambassador of Sweden to Israel, Tel Aviv

Philippe Carré, Director of Strategic Affairs, Security and Disarmament, Ministry of Foreign Affairs of France, Paris

Jingye Cheng, Director-General, Department of Arms Control and Disarmament, Ministry of Foreign Affairs of China, Beijing

Michael Clarke, Director, Royal United Services Institute for Defence and Security Studies, London

Kate Dewes, Co-Coordinator, Disarmament and Security Centre of the New Zealand Peace Foundation, Christchurch

Carolina Hernandez, Founding President and Chair, Board of Directors, Institute for Strategic and Development Studies, Inc., Manila

Monica Herz, Director, Institute of International Relations, Pontifical University of Rio de Janeiro, Rio de Janeiro

Jeremy Issacharoff, Ambassador, Embassy of Israel in the United States, Washington, D.C.

Mahmoud Karem, Ambassador of Egypt to Belgium and Luxembourg, and Permanent Representative to the European Union, Brussels

Ho-Jin Lee, Ambassador of the Republic of Korea to Finland, Helsinki

H.M.G.S. Palihakkara, Foreign Secretary of Sri Lanka (retired), Pitakotte, Sri Lanka

Olga Pellicer, Department of International Studies, Autonomous Technological Institute of Mexico, Mexico City

Stephen G. Rademaker, Senior Counsel, Barbour Griffith and Rogers International, Washington, D.C.

Cheikh Sylla, Ambassador of Senegal to Germany, Berlin

Carlo Trezza, Ambassador, Special Envoy of the Italian Minister for Foreign Affairs for Disarmament, Arms Control and Non-Proliferation, General Directorate for Multilateral Political Affairs and Human Rights, Rome

Patricia Lewis (ex officio member), Director, United Nations Institute for Disarmament Research, Geneva

Annex II

Publications and other materials on disarmament in 2008

United Nations Office for Disarmament Affairs^a

United Nations Disarmament Yearbook, vol. 32: 2007, September 2008, 518 p., UNODA, New York, (Sales No. E.08.IX.1)

Disarmament 2007: Critical Disarmament Issues, July 2008, 100 p., UNODA, New York (Sales No. E.08.IX.4)

Study Series 32: Verification in All Its Aspects, Including the Role of the United Nations in the Field of Verification, UNODA, New York (Sales No. E.08.IX.5)

1540 Committee—Security Council Committee Established Pursuant to Resolution 1540 (2004): Selected United Nations Documents, November 2008, UNODA, New York

Report of the Conference on Disarmament (22 January to 30 March, 14 May to 29 June and 30 July to 14 September 2007), October 2008, 16 p., UNODA, New York (Sales Number: EGB025)

Small Arms and Light Weapons: Selected United Nations Documents, 2008 Edition, July 2008, 108 p., UNODA, New York (Sales No. E.08.IX.7)

UNODA Update (Quarterly e-Newsletter)

- | | |
|-------|----------|
| No. 1 | March |
| No. 2 | May |
| No. 3 | August |
| No. 4 | November |

Forthcoming

United Nations Disarmament Yearbook, vol. 33 (Parts I and II): 2008, (Sales No. E.09.IX.1)

Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean

Publications

Norms and Legal Instruments on Firearms, Ammunition and Explosives, vols. 1 and 2, 1,600 p., S. Fernández (Spanish and English)

^a For a full list of publications, see <http://www.un.org/disarmament/HomePage/ODAPublications/index.shtml>.

Brochure

- Programme of Action Implementation Support System: PoA-ISS (English)
- Norms and Legal Instruments on Firearms, Ammunitions and Explosives: Assisting States to Implement the United Nations 2001 Programme of Action (Spanish and English)

National reports

- National Report of Peru regarding the implementation of the CIFTA for the period of 1999-2006 (Spanish)
- National Report of Paraguay regarding the implementation of the CIFTA for the period of 2000-2006 (Spanish)

Regional Centre for Peace, Disarmament and Development in Africa^b

Training Manual: Capacity Building on Practical Disarmament and Peace-building in West Africa: Strengthening Grassroots and Civil Society Organisations

Report on security Sector reform activities in Togo (January 2007 to December 2008)

Annex III United Nations Institute for Disarmament Research publications^c

Alternative Approaches in Multilateral Decision Making: Disarmament as Humanitarian Action, by J. Borrie and V. Martin Randin, April 2008, 152 p., United Nations publications, ISBN-10: 92-9045-1726 and ISBN-13: 978-9290-451723

L'assistance internationale pour l'exécution du Programme d'action sur le commerce illicite des armes légères : Examen de cas concrets en Afrique de l'Est, K. Maze and H. Rhee, May 2008, 46 p., United Nations publications, French, ISBN: 92-9045-008-G (English and Spanish are available in electronic format)

Implementing Resolution 1540: The Role of Regional Organizations, L. Scheinman, September 2008, 176 p., United Nations publication, Sales Number: GVE.08.0.1

^b For a full list of Regional Centre for Peace, Disarmament and Development in Africa publications, see http://unrec.org/en/index.php?option=com_content&task=category§ionid=4&id=46&Itemid=62.

^c For a full list of UNIDIR publications, see <http://www.unidir.org/html/en/publications.php>.

Security in Space: The Next Generation, Conference Report 31 March-1 April 2008, 232 p., United Nations publication, Sales Number: GV.E.08.0.3

Implementing the UN Programme of Action on Small Arms and Light Weapons: Analysis of the National Reports Submitted by States from 2002 to 2008, S. Parker and S. Cattaneo, December 2008, 190 p., United Nations publication, Sales Number: GV.E.08.0.4

The Value of Diversity in Multilateral Disarmament Work, J. Borrie and A. Thornton December 2008, 100 p., Sales Number: GV.E.08.0.5

Articles

“How the Cluster Munition Ban Was Won: Oslo Treaty Negotiations Conclude in Dublin”, J. Borrie, in *Disarmament Diplomacy* (Issue no. 88, Summer 2008)

Reports

“Learn, Adapt, Succeed: Potential Lessons from the Ottawa and Oslo processes”, summary report of the Disarmament Insight symposium, November 2008, 10 p.

Blogs

“Disarmament Insight, thinking differently about human security”, available at <http://disarmamentinsight.blogspot.com/>

Disarmament Forum (a quarterly publication)

- No. 1 Engaging Non-State Armed Groups
- No. 2 Arms Control in the Middle East
- No. 3 Uranium Weapons
- No. 4 The Complex Dynamics of Small Arms in West Africa

Annex IV

First Committee 2008 side events

Disarmament education-related events that took place at the United Nations Headquarters on the margins of the 2008 session of the First Committee

- 7 October Book Launch: Middle Powers Initiative Chairman, Douglas Roche, launches his nineteenth book, *Creative Dissent: A politician's struggle for peace* (sponsored by UNODA and the Middle Powers Initiative)

- 20 October “Prospects for preserving a cooperative security framework in outer space” (sponsored by UNIDIR, Global Security Institute and the Secure World Foundation)
- 22 October “Regional Organizations and the Implementation of UN Security Council Resolution 1540” (sponsored by UNIDIR)
- 24 October “Breakthrough Measures to Build a New East West Consensus on Weapons of Mass Destruction and Disarmament” (sponsored by UNODA, the East West Institute, the NGO Committee on Disarmament, Peace and Security)
- 27 October “Hibakusha Appeal for a Nuclear Weapon Free World” (sponsored by UNODA, the Peace Boat and Reaching Critical Will)
- 28 October “Cities Are Not Target” (sponsored by UNODA, the Permanent Mission of Mexico to the United Nations and the Permanent Mission of Peru to the United Nations)

Disarmament education-related exhibits

- “Hiroshima! Nagasaki! 6 August 1945 and the aftermath”—Series of photographs illustrating the realities of the atomic bombings and the present status of nuclear weapons issues (sponsored by UNODA and Mayors for Peace)
- “The World is Watching”—Giant eyeglasses highlighting the dangers of illicitly spread small arms supported United Nations efforts towards elaborating an arms trade treaty (sponsored by UNODA and organized by Control Arms—a campaign run jointly by Amnesty International, International Action Network on Small Arms and Oxfam International)

appendix I

**Status of multilateral arms regulation
and disarmament agreements**

APPENDIX I

Status of multilateral arms regulation and disarmament agreements

The data contained in this appendix has been provided by the depositaries of the following treaties or agreements.

The most up-to-date information on Disarmament Treaties and their status of adherences is available on the UNODA website at

<http://www.un.org/disarmament/HomePage/treaty/treaties.shtml>.

Secretary-General of the United Nations

Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques

Agreement Governing the Activities of States on the Moon and Other Celestial Bodies

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

Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

Comprehensive Nuclear-Test-Ban Treaty

Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction

Convention on Cluster Munitions

Canada and Hungary

Treaty on Open Skies

France

Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare

Mexico

Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

Netherlands

Treaty on Conventional Armed Forces in Europe (CFE Treaty)

Secretary-General of the Organization of African Unity

African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty)

Organization of American States

Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials

Inter-American Convention on Transparency in Conventional Weapons Acquisitions

Russian Federation, United Kingdom and United States of America

Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water

Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies

Treaty on the Non-Proliferation of Nuclear Weapons

Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor in the Subsoil Thereof

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and Their Destruction

Thailand

Southeast Asia Nuclear Weapon-Free Zone Treaty (Bangkok Treaty)

United States of America

Antarctic Treaty

Secretary General of the Forum Secretariat

South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga).

Inclusion of information concerning the treaties and agreements of which the Secretary-General is not the depositary is as reported by the respective depositaries and implies no position on the part of the United Nations with respect to the data reported.

The total number of parties has been calculated on the basis of information received from the depositaries.

Kyrgyzstan

Treaty on a Nuclear-Weapon-Free Zone in Central Asia

Actions reported in the period 1 January to 31 December 2008

The following list shows actions reported, if any, during the period 1 January to 31 December 2008 with regard to multilateral arms regulation and disarmament agreements.^a

Accession is a one-step process for becoming bound by a treaty after it has entered into force. In this appendix, when a State agrees to be bound by a treaty it will be noted as (r) ratified, which would include (a) accession, (A) acceptance, (AA) approval and (s) succession.

In the case of multi-depositary clauses, depositary action may be completed with one or more of the several depositaries. The letters “K”, “O”, “B”, “M”, “L”, and “W” indicate where the reported action was completed: “K” for Kyrgyzstan, “O” for Ottawa, “B” for Budapest, “M” for Moscow, “L” for London, and “W” for Washington.

Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare

SIGNED AT GENEVA: 17 June 1925

ENTERED INTO FORCE: 8 February 1928

DEPOSITARY GOVERNMENT: France

NEW PARTIES: Slovenia —8 April

TOTAL NUMBER OF PARTIES: 135

Antarctic Treaty

SIGNED AT WASHINGTON: 1 December 1959

ENTERED INTO FORCE: 23 June 1961

DEPOSITARY GOVERNMENT: United States of America

NEW PARTIES: Belarus —31 May (a)

Monaco —31 May (a)

TOTAL NUMBER OF PARTIES: 47

Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water (Partial Test Ban Treaty)

SIGNED BY THE ORIGINAL PARTIES^b IN MOSCOW: 5 August 1963

OPENED FOR SIGNATURE AT LONDON, MOSCOW AND WASHINGTON: 8 August 1963

ENTERED INTO FORCE: 10 October 1963

DEPOSITARY GOVERNMENTS: Russian Federation (M), United Kingdom of Great Britain and Northern Ireland (L), and United States of America (W)

NEW PARTIES: None

TOTAL NUMBER OF PARTIES: 125

^a The texts of treaties concluded up to 1992 are contained in *Status of Multilateral Arms Regulation and Disarmament Agreements*, 4th edition: 1992, vols. 1 and 2 (United Nations publication, Sales No. E.93.IX.11), in *Status*, 5th edition: 1996 (United Nations publication, Sales No. E.97.IX.3), and thereafter in the relevant volumes of *The United Nations Disarmament Yearbook*. The texts and status data are also posted on the website of the Office for Disarmament Affairs: <http://disarmament.un.org/TreatyStatus.nsf>.

^b The original parties are the Russian Federation, the United Kingdom and the United States.

Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (Outer Space Treaty)

OPENED FOR SIGNATURE AT LONDON, MOSCOW AND WASHINGTON: 27 January 1967

ENTERED INTO FORCE: 10 October 1967

DEPOSITARY GOVERNMENTS: Russian Federation (M), United Kingdom (L), and United States (W)

NEW PARTIES: None

TOTAL NUMBER OF PARTIES: 105

Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

OPENED FOR SIGNATURE AT MEXICO CITY: 14 February 1967

ENTERED INTO FORCE: for each Government individually

DEPOSITARY GOVERNMENT: Mexico

NEW PARTIES: None

TOTAL NUMBER OF PARTIES: 39^c

Amendment to article 7^d

NEW RATIFICATIONS: None

Amendment to article 25^e

NEW RATIFICATIONS: None

Amendment to articles 14, 15, 16, 19 and 20^f

NEW RATIFICATIONS: None

Treaty on the Non-Proliferation of Nuclear Weapons (NPT)

OPENED FOR SIGNATURE AT LONDON, MOSCOW AND WASHINGTON: 1 July 1968

ENTERED INTO FORCE: 5 March 1970

DEPOSITARY GOVERNMENTS: Russian Federation (M), United Kingdom (L), and United States (W)

NEW PARTIES: None

TOTAL NUMBER OF PARTIES: 190

Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof (Sea-Bed Treaty)

OPENED FOR SIGNATURE AT LONDON, MOSCOW AND WASHINGTON: 11 February 1971

ENTERED INTO FORCE: 18 May 1972

^c Total includes the five nuclear-weapon States and the Netherlands, which have ratified one or both of the Additional Protocols. The Treaty is fully in force for all the regional States that ratify it and waive the requirements under article 28.

^d Amendment adopted by the General Conference of OPANAL, pursuant to resolution 267 (E-V) of 3 July 1990.

^e Amendment adopted by the General Conference of OPANAL, pursuant to resolution 268 (XII) of 10 May 1991.

^f Amendment adopted by the General Conference of OPANAL, pursuant to resolution 290 (VII) of 26 August 1992.

DEPOSITARY GOVERNMENTS: Russian Federation (M), United Kingdom (L), and United States (W)

NEW PARTIES: None

TOTAL NUMBER OF PARTIES: 97

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

OPENED FOR SIGNATURE AT LONDON, MOSCOW AND WASHINGTON: 10 April 1972

ENTERED INTO FORCE: 26 March 1975

DEPOSITARY GOVERNMENTS: Russian Federation (M), United Kingdom of Great Britain and Northern Ireland (L), and United States of America (W)

NEW PARTIES:	Zambia	—15 January (a)(L)
	Madagascar	—7 March (a)(M)(W)
	United Arab Emirates	—19 June (a)(L)
	Cook Islands	—4 December (a)(L)

TOTAL NUMBER OF PARTIES: 163

Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques

OPENED FOR SIGNATURE AT GENEVA: 18 May 1977

ENTERED INTO FORCE: 5 October 1978

DEPOSITARY: The Secretary-General of the United Nations

NEW PARTIES:

TOTAL NUMBER OF PARTIES: 73

Agreement Governing the Activities of States on the Moon and Other Celestial Bodies

OPENED FOR SIGNATURE AT NEW YORK: 18 December 1979

ENTERED INTO FORCE: 11 July 1984

DEPOSITARY: The Secretary-General of the United Nations

NEW PARTIES:^g None

TOTAL NUMBER OF PARTIES: 13

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 (CCW)

OPENED FOR SIGNATURE AT NEW YORK: 10 April 1981

ENTERED INTO FORCE: 2 December 1983

DEPOSITARY: The Secretary-General of the United Nations

^g Article 19, paragraph 4, states:

“For each State depositing its instrument of ratification or accession after the entry into force of this Agreement, it shall enter into force on the thirtieth day following the date of deposit of any such instrument.”

NEW PARTIES: ^h	Madagascar	—14 March
	Guinea-Bissau	—6 August
	Iceland	—22 August
	Jamaica	—25 September

TOTAL NUMBER OF PARTIES: 108

Amended Protocol II (entered into force on 3 December 1998)

Madagascar	—14 March
Guinea-Bissau	—6 August
Iceland	—22 August
Jamaica	—25 September

TOTAL NUMBER OF ACCEPTANCES: 92

Protocol IV (entered into force on 30 July 1998)

Madagascar	—14 March
Guinea-Bissau	—6 August
Iceland	—22 August
Jamaica	—25 September
Paraguay	—3 December

TOTAL NUMBER OF ACCEPTANCES: 93

Amendment to Article 1 of the Convention on Certain Conventional Weapons (entered into force on 18 May 2004)

PARTIES:	Uruguay	—7 August 2007
	Slovenia	—7 February
	Portugal	—22 February
	Bosnia and Herzegovina	—17 March
	Belarus	—27 March
	Guinea-Bissau	—6 August
	Iceland	—22 August
	Jamaica	—25 September
	Paraguay	—3 December

TOTAL NUMBER OF PARTIES: 72

Protocol V (entered into force on 12 November 2006)

Republic of Korea	—23 January
Romania	—29 January
Guatemala	—28 February
Portugal	—22 February
Tunisia	—7 March
Madagascar	—14 March
Republic of Moldova	—21 April
Russian Federation	—21 July

^h Article 5, paragraphs 2 and 3, of the Convention state:

“2. For any State which deposits its instrument of ratification, acceptance, approval or accession after the date of the deposit of the twentieth instrument of ratification, acceptance, approval or accession, this Convention shall enter into force six months after the date on which that State has deposited its instrument of ratification, acceptance, approval or accession.

3. Each of the Protocols annexed to this Convention shall enter into force six months after the date by which twenty States have notified their consent to be bound by it in accordance with paragraph 3 or 4 of Article 4 of this Convention.”

Guinea-Bissau	—6 August
Iceland	—22 August
Jamaica	—25 September
Belarus	—29 September
Senegal	—6 November
Paraguay	—3 December
Georgia	—22 December

TOTAL NUMBER OF ACCEPTANCES: 51

South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga)

OPENED FOR SIGNATURE AT RAROTONGA: 6 August 1985

ENTERED INTO FORCE: 11 December 1986

DEPOSITARY: The Secretary-General of the Forum Secretariat

NEW PARTIES: None

TOTAL NUMBER OF PARTIES: 17ⁱ

Treaty on Conventional Armed Forces in Europe (CFE Treaty)

SIGNED AT PARIS: 19 November 1990

ENTERED INTO FORCE: 9 November 1992

DEPOSITARY GOVERNMENT: Netherlands

NEW PARTIES: None

TOTAL NUMBER OF PARTIES: 30

Agreement on Adaptation

ADOPTED AND SIGNED AT ISTANBUL: 19 November 1999

NOT YET IN FORCE^j

NEW SIGNATORIES: None

NEW RATIFICATIONS: None

NEW PARTIES: None

TOTAL NUMBER OF PARTIES: 4

Treaty on Open Skies

SIGNED AT HELSINKI: 24 March 1992

ENTERED INTO FORCE: 1 January 2002

DEPOSITARY GOVERNMENTS: Canada and Hungary

NEW RATIFICATIONS: None

TOTAL NUMBER OF RATIFICATIONS: 33

ⁱ Total includes nuclear-weapon States China and the Russian Federation, which have ratified Protocols 2 and 3, and France and the United Kingdom, which have ratified Protocols 1-3.

^j Article 31, paragraph 3, states:

“This Agreement on Adaptation shall enter into force 10 days after instruments of ratification have been deposited by all States Parties listed in the Preamble, after which time the Treaty shall exist only in its amended form.”

Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC)

SIGNED AT PARIS: 13 January 1993

ENTERED INTO FORCE: 29 April 1997

DEPOSITARY: The Secretary-General of the United Nations

NEW PARTIES:	Guinea-Bissau	—20 May
	Lebanon	—20 November

TOTAL NUMBER OF PARTIES: 185

Treaty on the Southeast Asia Nuclear-Weapon-Free Zone (Bangkok Treaty)

SIGNED AT BANGKOK: 15 December 1995

ENTERED INTO FORCE: 27 March 1997

DEPOSITARY GOVERNMENT: Thailand

NEW PARTIES: None

TOTAL NUMBER OF PARTIES: 10

African Nuclear-Weapon-Free-Zone Treaty (Pelindaba Treaty)

SIGNED AT CAIRO: 11 April 1996

NOT YET IN FORCE^k

DEPOSITARY: The Secretary-General of the Organization of African Unity

NEW SIGNATORIES: None

TOTAL NUMBER OF SIGNATORIES: 56 (includes NWS)

NEW RATIFICATIONS:	Ethiopia	—13 March
	Mozambique	—26 March

TOTAL NUMBER OF RATIFICATIONS: 26^l

Comprehensive Nuclear-Test-Ban Treaty (CTBT)

OPENED FOR SIGNATURE AT NEW YORK: 24 September 1996

NOT YET IN FORCE^m

DEPOSITARY: The Secretary-General of the United Nations

NEW SIGNATORIES:	Iraq	—19 August
	Timor-Leste	—26 September

TOTAL NUMBER OF SIGNATORIES: 179

NEW RATIFICATIONS:	Barbados	—14 January
	Malaysia	—17 January
	Colombia	—29 January
	Burundi	—24 September
	Mozambique	—4 November

^k Article 18, paragraph 2, states:

“It [this Treaty] shall enter into force on the date of deposit of the twenty-eighth instrument of ratification.”

^l Total includes France, which has ratified Protocols I, II and III, and China and the United Kingdom which have ratified Protocols I and II.

^m Article XIV, paragraph 1, states:

“This Treaty shall enter into force 180 days after the date of deposit of the instruments of ratification by all States listed in Annex II to this Treaty, but in no case earlier than two years after its opening for signature.”

Lebanon	—21 November
Malawi	—21 November
TOTAL NUMBER OF RATIFICATIONS: 148	

Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction (Mine Ban Convention)

OPENED FOR SIGNATURE AT OTTAWA: 3 December 1997
ENTERED INTO FORCE: 1 March 1999
DEPOSITARY: The Secretary-General of the United Nations
NEW PARTIES:ⁿ
TOTAL NUMBER OF PARTIES: 156

Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials

OPENED FOR SIGNATURE AT WASHINGTON, D.C.: 14 November 1997
ENTERED INTO FORCE: 1 July 1998
DEPOSITARY: Organization of American States
NEW PARTIES:^o

Suriname	—5 May
Guyana	—9 June

TOTAL NUMBER OF PARTIES: 29

Inter-American Convention on Transparency in Conventional Weapons Acquisitions

OPENED FOR SIGNATURE AT GUATEMALA CITY: 7 June 1999
ENTERED INTO FORCE: 21 November 2002
DEPOSITARY: Organization of American States
NEW SIGNATORIES: None
NEW RATIFICATIONS: None
TOTAL NUMBER OF RATIFICATIONS: 12

ⁿ Article 17, paragraph 2, states:

“For any State which deposits its instrument of ratification, acceptance, approval or accession after the date of the deposit of the 40th instrument of ratification, acceptance, approval or accession, this Convention shall enter into force on the first day of the sixth month after the date on which that State has deposited its instrument of ratification, acceptance, approval or accession.”

^o Article XXV, states:

“This Convention shall enter into force on the 30th day following the date of deposit of the second instrument of ratification. For each State ratifying the Convention after the deposit of the second instrument of ratification, the Convention shall enter into force on the 30th day following deposit by such State of its instrument of ratification.”

Treaty on a Nuclear-Weapon-Free Zone in Central Asia

OPENED FOR SIGNATURE AT SEMIPALATINSK: 8 September 2006

NOT YET IN FORCE^p

DEPOSITARY: Kyrgyzstan

NEW SIGNATORIES: None

NEW RATIFICATIONS: None

TOTAL NUMBER OF RATIFICATIONS: 2

Convention on Cluster Munitions

OPENED FOR SIGNATURE AT OSLO: 3 December 2008

NOT YET IN FORCE^q

DEPOSITARY: The Secretary-General of the United Nations

NEW SIGNATORIES:	Afghanistan	—3 December
	Albania	—3 December
	Angola	—3 December
	Australia	—3 December
	Austria	—3 December
	Belgium	—3 December
	Benin	—3 December
	Bolivia	—3 December
	Bosnia and Herzegovina	—3 December
	Botswana	—3 December
	Bulgaria	—3 December
	Burkina Faso	—3 December
	Burundi	—3 December
	Canada	—3 December
	Cape Verde	—3 December
	Central African Republic	—3 December
	Chad	—3 December
	Chile	—3 December
	Colombia	—3 December
	Comoros	—3 December
	Congo	—3 December
	Cook Islands	—3 December
	Costa Rica	—3 December
	Côte d'Ivoire	—4 December
	Croatia	—3 December
	Czech Republic	—3 December
	Denmark	—3 December
	Ecuador	—3 December
	El Salvador	—3 December
	Fiji	—3 December
	France	—3 December
	Gambia	—3 December

^p In accordance with its article 15, the Treaty shall enter into force on 21 March 2009, 30 days after the fifth instrument of ratification has been deposited.

^q Agreement on Adaptation.

Germany	—3 December
Ghana	—3 December
Guatemala	—3 December
Guinea	—3 December
Guinea-Bissau	—4 December
Holy See	—3 December
Honduras	—3 December
Hungary	—3 December
Iceland	—3 December
Indonesia	—3 December
Ireland	—3 December
Italy	—3 December
Japan	—3 December
Kenya	—3 December
Lao People's Democratic Republic	—3 December
Lebanon	—3 December
Lesotho	—3 December
Liberia	—3 December
Liechtenstein	—3 December
Lithuania	—3 December
Luxembourg	—3 December
Madagascar	—3 December
Malawi	—3 December
Mali	—3 December
Malta	—3 December
Mexico	—3 December
Monaco	—3 December
Montenegro	—3 December
Mozambique	—3 December
Namibia	—3 December
Nauru	—3 December
Netherlands	—3 December
New Zealand	—3 December
Nicaragua	—3 December
Niger	—3 December
Norway	—3 December
Palau	—3 December
Panama	—3 December
Paraguay	—3 December
Peru	—3 December
Philippines	—3 December
Portugal	—3 December
Republic of Moldova	—3 December
Rwanda	—3 December
Samoa	—3 December
San Marino	—3 December
Sao Tome and Principe	—3 December
Senegal	—3 December

Sierra Leone	—3 December
Slovenia	—3 December
Somalia	—3 December
South Africa	—3 December
Spain	—3 December
Sweden	—3 December
Switzerland	—3 December
The former Yugoslav Republic of Macedonia	—3 December
Togo	—3 December
Uganda	—3 December
United Kingdom	—3 December
United Republic of Tanzania	—3 December
Uruguay	—3 December
Zambia	—3 December
TOTAL NUMBER OF SIGNATORIES: 94	
NEW RATIFICATIONS: Holy See	—3 December
Ireland	—3 December
Norway	—3 December
Sierra Leone	—3 December
TOTAL NUMBER OF RATIFICATIONS: 4	

appendix II

Convention on Cluster Munitions

APPENDIX II

Convention on Cluster Munitions*

The States Parties to this Convention,

Deeply concerned that civilian populations and individual civilians continue to bear the brunt of armed conflict,

Determined to put an end for all time to the suffering and casualties caused by cluster munitions at the time of their use, when they fail to function as intended or when they are abandoned,

Concerned that cluster munition remnants kill or maim civilians, including women and children, obstruct economic and social development, including through the loss of livelihood, impede post-conflict rehabilitation and reconstruction, delay or prevent the return of refugees and internally displaced persons, can negatively impact on national and international peace-building and humanitarian assistance efforts, and have other severe consequences that can persist for many years after use,

Deeply concerned also at the dangers presented by the large national stockpiles of cluster munitions retained for operational use and *determined* to ensure their rapid destruction,

Believing it necessary to contribute effectively in an efficient, coordinated manner to resolving the challenge of removing cluster munition remnants located throughout the world, and to ensure their destruction,

Determined also to ensure the full realisation of the rights of all cluster munition victims and *recognising* their inherent dignity,

Resolved to do their utmost in providing assistance to cluster munition victims, including medical care, rehabilitation and psychological support, as well as providing for their social and economic inclusion,

Recognising the need to provide age- and gender-sensitive assistance to cluster munition victims and to address the special needs of vulnerable groups,

Bearing in mind the Convention on the Rights of Persons with Disabilities which, inter alia, requires that States Parties to that Convention undertake to ensure and promote the full realisation of all human rights and fundamental freedoms of all persons with disabilities without discrimination of any kind on the basis of disability,

Mindful of the need to coordinate adequately efforts undertaken in various fora to address the rights and needs of victims of various types of weapons, and *resolved* to avoid discrimination among victims of various types of weapons,

Reaffirming that in cases not covered by this Convention or by other international agreements, civilians and combatants remain under the protection and authority of the principles of international law, derived from established custom, from the principles of humanity and from the dictates of public conscience,

* CCM/77.

Resolved also that armed groups distinct from the armed forces of a State shall not, under any circumstances, be permitted to engage in any activity prohibited to a State Party to this Convention,

Welcoming the very broad international support for the international norm prohibiting anti-personnel mines, enshrined in the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction,

Welcoming also the adoption of the Protocol on Explosive Remnants of War, annexed to 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, and its entry into force on 12 November 2006, and *wishing* to enhance the protection of civilians from the effects of cluster munition remnants in post-conflict environments,

Bearing in mind also United Nations Security Council Resolution 1325 on women, peace and security and United Nations Security Council Resolution 1612 on children in armed conflict,

Welcoming further the steps taken nationally, regionally and globally in recent years aimed at prohibiting, restricting or suspending the use, stockpiling, production and transfer of cluster munitions,

Stressing the role of public conscience in furthering the principles of humanity as evidenced by the global call for an end to civilian suffering caused by cluster munitions and *recognising* the efforts to that end undertaken by the United Nations, the International Committee of the Red Cross, the Cluster Munition Coalition and numerous other non-governmental organisations around the world,

Reaffirming the Declaration of the Oslo Conference on Cluster Munitions, by which, inter alia, States recognised the grave consequences caused by the use of cluster munitions and committed themselves to conclude by 2008 a legally binding instrument that would prohibit the use, production, transfer and stockpiling of cluster munitions that cause unacceptable harm to civilians, and would establish a framework for cooperation and assistance that ensures adequate provision of care and rehabilitation for victims, clearance of contaminated areas, risk reduction education and destruction of stockpiles,

Emphasising the desirability of attracting the adherence of all States to this Convention, and *determined* to work strenuously towards the promotion of its universalisation and its full implementation,

Basing themselves on the principles and rules of international humanitarian law, in particular the principle that the right of parties to an armed conflict to choose methods or means of warfare is not unlimited, and the rules that the parties to a conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly direct their operations against military objectives only, that in the conduct of military operations constant care shall be taken to spare the civilian population, civilians and civilian objects and that the civilian population and individual civilians enjoy general protection against dangers arising from military operations,

HAVE AGREED as follows:

Article 1

General obligations and scope of application

1. Each State Party undertakes never under any circumstances to:
 - (a) Use cluster munitions;
 - (b) Develop, produce, otherwise acquire, stockpile, retain or transfer to anyone, directly or indirectly, cluster munitions;
 - (c) Assist, encourage or induce anyone to engage in any activity prohibited to a State Party under this Convention.
2. Paragraph 1 of this Article applies, *mutatis mutandis*, to explosive bomblets that are specifically designed to be dispersed or released from dispensers affixed to aircraft.
3. This Convention does not apply to mines.

Article 2

Definitions

For the purposes of this Convention:

1. “Cluster munition victims” means all persons who have been killed or suffered physical or psychological injury, economic loss, social marginalisation or substantial impairment of the realisation of their rights caused by the use of cluster munitions. They include those persons directly impacted by cluster munitions as well as their affected families and communities;
2. “Cluster munition” means a conventional munition that is designed to disperse or release explosive submunitions each weighing less than 20 kilograms, and includes those explosive submunitions. It does not mean the following:
 - (a) A munition or submunition designed to dispense flares, smoke, pyrotechnics or chaff; or a munition designed exclusively for an air defence role;
 - (b) A munition or submunition designed to produce electrical or electronic effects;
 - (c) A munition that, in order to avoid indiscriminate area effects and the risks posed by unexploded submunitions, has all of the following characteristics:
 - (i) Each munition contains fewer than ten explosive submunitions;
 - (ii) Each explosive submunition weighs more than four kilograms;
 - (iii) Each explosive submunition is designed to detect and engage a single target object;
 - (iv) Each explosive submunition is equipped with an electronic self-destruction mechanism;
 - (v) Each explosive submunition is equipped with an electronic self-deactivating feature;
3. “Explosive submunition” means a conventional munition that in order to perform its task is dispersed or released by a cluster munition and is designed to function by detonating an explosive charge prior to, on or after impact;

4. “Failed cluster munition” means a cluster munition that has been fired, dropped, launched, projected or otherwise delivered and which should have dispersed or released its explosive submunitions but failed to do so;
5. “Unexploded submunition” means an explosive submunition that has been dispersed or released by, or otherwise separated from, a cluster munition and has failed to explode as intended;
6. “Abandoned cluster munitions” means cluster munitions or explosive submunitions that have not been used and that have been left behind or dumped, and that are no longer under the control of the party that left them behind or dumped them. They may or may not have been prepared for use;
7. “Cluster munition remnants” means failed cluster munitions, abandoned cluster munitions, unexploded submunitions and unexploded bomblets;
8. “Transfer” involves, in addition to the physical movement of cluster munitions into or from national territory, the transfer of title to and control over cluster munitions, but does not involve the transfer of territory containing cluster munition remnants;
9. “Self-destruction mechanism” means an incorporated automatically-functioning mechanism which is in addition to the primary initiating mechanism of the munition and which secures the destruction of the munition into which it is incorporated;
10. “Self-deactivating” means automatically rendering a munition inoperable by means of the irreversible exhaustion of a component, for example a battery, that is essential to the operation of the munition;
11. “Cluster munition contaminated area” means an area known or suspected to contain cluster munition remnants;
12. “Mine” means a munition designed to be placed under, on or near the ground or other surface area and to be exploded by the presence, proximity or contact of a person or a vehicle;
13. “Explosive bomblet” means a conventional munition, weighing less than 20 kilograms, which is not self-propelled and which, in order to perform its task, is dispersed or released by a dispenser, and is designed to function by detonating an explosive charge prior to, on or after impact;
14. “Dispenser” means a container that is designed to disperse or release explosive bomblets and which is affixed to an aircraft at the time of dispersal or release;
15. “Unexploded bomblet” means an explosive bomblet that has been dispersed, released or otherwise separated from a dispenser and has failed to explode as intended.

Article 3

Storage and stockpile destruction

1. Each State Party shall, in accordance with national regulations, separate all cluster munitions under its jurisdiction and control from munitions retained for operational use and mark them for the purpose of destruction.
2. Each State Party undertakes to destroy or ensure the destruction of all cluster munitions referred to in paragraph 1 of this Article as soon as possible but not later than eight years after the entry into force of this Convention for that State Party. Each

State Party undertakes to ensure that destruction methods comply with applicable international standards for protecting public health and the environment.

3. If a State Party believes that it will be unable to destroy or ensure the destruction of all cluster munitions referred to in paragraph 1 of this Article within eight years of entry into force of this Convention for that State Party it may submit a request to a Meeting of States Parties or a Review Conference for an extension of the deadline for completing the destruction of such cluster munitions by a period of up to four years. A State Party may, in exceptional circumstances, request additional extensions of up to four years. The requested extensions shall not exceed the number of years strictly necessary for that State Party to complete its obligations under paragraph 2 of this Article.

4. Each request for an extension shall set out:

- (a) The duration of the proposed extension;
- (b) A detailed explanation of the proposed extension, including the financial and technical means available to or required by the State Party for the destruction of all cluster munitions referred to in paragraph 1 of this Article and, where applicable, the exceptional circumstances justifying it;
- (c) A plan for how and when stockpile destruction will be completed;
- (d) The quantity and type of cluster munitions and explosive submunitions held at the entry into force of this Convention for that State Party and any additional cluster munitions or explosive submunitions discovered after such entry into force;
- (e) The quantity and type of cluster munitions and explosive submunitions destroyed during the period referred to in paragraph 2 of this Article; and
- (f) The quantity and type of cluster munitions and explosive submunitions remaining to be destroyed during the proposed extension and the annual destruction rate expected to be achieved.

5. The Meeting of States Parties or the Review Conference shall, taking into consideration the factors referred to in paragraph 4 of this Article, assess the request and decide by a majority of votes of States Parties present and voting whether to grant the request for an extension. The States Parties may decide to grant a shorter extension than that requested and may propose benchmarks for the extension, as appropriate. A request for an extension shall be submitted a minimum of nine months prior to the Meeting of States Parties or the Review Conference at which it is to be considered.

6. Notwithstanding the provisions of Article 1 of this Convention, the retention or acquisition of a limited number of cluster munitions and explosive submunitions for the development of and training in cluster munition and explosive submunition detection, clearance or destruction techniques, or for the development of cluster munition counter-measures, is permitted. The amount of explosive submunitions retained or acquired shall not exceed the minimum number absolutely necessary for these purposes.

7. Notwithstanding the provisions of Article 1 of this Convention, the transfer of cluster munitions to another State Party for the purpose of destruction, as well as for the purposes described in paragraph 6 of this Article, is permitted.

8. States Parties retaining, acquiring or transferring cluster munitions or explosive submunitions for the purposes described in paragraphs 6 and 7 of this Article shall submit a detailed report on the planned and actual use of these cluster munitions and explosive submunitions and their type, quantity and lot numbers. If cluster munitions or explosive submunitions are transferred to another State Party for these purposes, the report shall include reference to the receiving party. Such a report shall be prepared for each year during which a State Party retained, acquired or transferred cluster munitions or explosive submunitions and shall be submitted to the Secretary-General of the United Nations no later than 30 April of the following year.

Article 4

Clearance and destruction of cluster munition remnants and risk reduction education

1. Each State Party undertakes to clear and destroy, or ensure the clearance and destruction of, cluster munition remnants located in cluster munition contaminated areas under its jurisdiction or control, as follows:

(a) Where cluster munition remnants are located in areas under its jurisdiction or control at the date of entry into force of this Convention for that State Party, such clearance and destruction shall be completed as soon as possible but not later than ten years from that date;

(b) Where, after entry into force of this Convention for that State Party, cluster munitions have become cluster munition remnants located in areas under its jurisdiction or control, such clearance and destruction must be completed as soon as possible but not later than ten years after the end of the active hostilities during which such cluster munitions became cluster munition remnants; and

(c) Upon fulfilling either of its obligations set out in sub-paragraphs (a) and (b) of this paragraph, that State Party shall make a declaration of compliance to the next Meeting of States Parties.

2. In fulfilling its obligations under paragraph 1 of this Article, each State Party shall take the following measures as soon as possible, taking into consideration the provisions of Article 6 of this Convention regarding international cooperation and assistance:

(a) Survey, assess and record the threat posed by cluster munition remnants, making every effort to identify all cluster munition contaminated areas under its jurisdiction or control;

(b) Assess and prioritise needs in terms of marking, protection of civilians, clearance and destruction, and take steps to mobilise resources and develop a national plan to carry out these activities, building, where appropriate, upon existing structures, experiences and methodologies;

(c) Take all feasible steps to ensure that all cluster munition contaminated areas under its jurisdiction or control are perimeter-marked, monitored and protected by fencing or other means to ensure the effective exclusion of civilians. Warning signs based on methods of marking readily recognisable by the affected community should be utilised in the marking of suspected hazardous areas. Signs and other hazardous area boundary markers should, as far as possible, be visible, legible, durable and

resistant to environmental effects and should clearly identify which side of the marked boundary is considered to be within the cluster munition contaminated areas and which side is considered to be safe;

(d) Clear and destroy all cluster munition remnants located in areas under its jurisdiction or control; and

(e) Conduct risk reduction education to ensure awareness among civilians living in or around cluster munition contaminated areas of the risks posed by such remnants.

3. In conducting the activities referred to in paragraph 2 of this Article, each State Party shall take into account international standards, including the International Mine Action Standards (IMAS).

4. This paragraph shall apply in cases in which cluster munitions have been used or abandoned by one State Party prior to entry into force of this Convention for that State Party and have become cluster munition remnants that are located in areas under the jurisdiction or control of another State Party at the time of entry into force of this Convention for the latter.

(a) In such cases, upon entry into force of this Convention for both States Parties, the former State Party is strongly encouraged to provide, inter alia, technical, financial, material or human resources assistance to the latter State Party, either bilaterally or through a mutually agreed third party, including through the United Nations system or other relevant organisations, to facilitate the marking, clearance and destruction of such cluster munition remnants.

(b) Such assistance shall include, where available, information on types and quantities of the cluster munitions used, precise locations of cluster munition strikes and areas in which cluster munition remnants are known to be located.

5. If a State Party believes that it will be unable to clear and destroy or ensure the clearance and destruction of all cluster munition remnants referred to in paragraph 1 of this Article within ten years of the entry into force of this Convention for that State Party, it may submit a request to a Meeting of States Parties or a Review Conference for an extension of the deadline for completing the clearance and destruction of such cluster munition remnants by a period of up to five years. The requested extension shall not exceed the number of years strictly necessary for that State Party to complete its obligations under paragraph 1 of this Article.

6. A request for an extension shall be submitted to a Meeting of States Parties or a Review Conference prior to the expiry of the time period referred to in paragraph 1 of this Article for that State Party. Each request shall be submitted a minimum of nine months prior to the Meeting of States Parties or Review Conference at which it is to be considered. Each request shall set out:

(a) The duration of the proposed extension;

(b) A detailed explanation of the reasons for the proposed extension, including the financial and technical means available to and required by the State Party for the clearance and destruction of all cluster munition remnants during the proposed extension;

(c) The preparation of future work and the status of work already conducted under national clearance and demining programmes during the initial ten year period referred to in paragraph 1 of this Article and any subsequent extensions;

(d) The total area containing cluster munition remnants at the time of entry into force of this Convention for that State Party and any additional areas containing cluster munition remnants discovered after such entry into force;

(e) The total area containing cluster munition remnants cleared since entry into force of this Convention;

(f) The total area containing cluster munition remnants remaining to be cleared during the proposed extension;

(g) The circumstances that have impeded the ability of the State Party to destroy all cluster munition remnants located in areas under its jurisdiction or control during the initial ten year period referred to in paragraph 1 of this Article, and those that may impede this ability during the proposed extension;

(h) The humanitarian, social, economic and environmental implications of the proposed extension; and

(i) Any other information relevant to the request for the proposed extension.

7. The Meeting of States Parties or the Review Conference shall, taking into consideration the factors referred to in paragraph 6 of this Article, including, *inter alia*, the quantities of cluster munition remnants reported, assess the request and decide by a majority of votes of States Parties present and voting whether to grant the request for an extension. The States Parties may decide to grant a shorter extension than that requested and may propose benchmarks for the extension, as appropriate.

8. Such an extension may be renewed by a period of up to five years upon the submission of a new request, in accordance with paragraphs 5, 6 and 7 of this Article. In requesting a further extension a State Party shall submit relevant additional information on what has been undertaken during the previous extension granted pursuant to this Article.

Article 5

Victim assistance

1. Each State Party with respect to cluster munition victims in areas under its jurisdiction or control shall, in accordance with applicable international humanitarian and human rights law, adequately provide age- and gender-sensitive assistance, including medical care, rehabilitation and psychological support, as well as provide for their social and economic inclusion. Each State Party shall make every effort to collect reliable relevant data with respect to cluster munition victims.

2. In fulfilling its obligations under paragraph 1 of this Article each State Party shall:

(a) Assess the needs of cluster munition victims;

(b) Develop, implement and enforce any necessary national laws and policies;

(c) Develop a national plan and budget, including timeframes to carry out these activities, with a view to incorporating them within the existing national disability,

development and human rights frameworks and mechanisms, while respecting the specific role and contribution of relevant actors;

(d) Take steps to mobilise national and international resources;

(e) Not discriminate against or among cluster munition victims, or between cluster munition victims and those who have suffered injuries or disabilities from other causes; differences in treatment should be based only on medical, rehabilitative, psychological or socio-economic needs;

(f) Closely consult with and actively involve cluster munition victims and their representative organisations;

(g) Designate a focal point within the government for coordination of matters relating to the implementation of this Article; and

(h) Strive to incorporate relevant guidelines and good practices including in the areas of medical care, rehabilitation and psychological support, as well as social and economic inclusion.

Article 6

International cooperation and assistance

1. In fulfilling its obligations under this Convention each State Party has the right to seek and receive assistance.

2. Each State Party in a position to do so shall provide technical, material and financial assistance to States Parties affected by cluster munitions, aimed at the implementation of the obligations of this Convention. Such assistance may be provided, inter alia, through the United Nations system, international, regional or national organisations or institutions, non-governmental organisations or institutions, or on a bilateral basis.

3. Each State Party undertakes to facilitate and shall have the right to participate in the fullest possible exchange of equipment and scientific and technological information concerning the implementation of this Convention. The States Parties shall not impose undue restrictions on the provision and receipt of clearance and other such equipment and related technological information for humanitarian purposes.

4. In addition to any obligations it may have pursuant to paragraph 4 of Article 4 of this Convention, each State Party in a position to do so shall provide assistance for clearance and destruction of cluster munition remnants and information concerning various means and technologies related to clearance of cluster munitions, as well as lists of experts, expert agencies or national points of contact on clearance and destruction of cluster munition remnants and related activities.

5. Each State Party in a position to do so shall provide assistance for the destruction of stockpiled cluster munitions, and shall also provide assistance to identify, assess and prioritise needs and practical measures in terms of marking, risk reduction education, protection of civilians and clearance and destruction as provided in Article 4 of this Convention.

6. Where, after entry into force of this Convention, cluster munitions have become cluster munition remnants located in areas under the jurisdiction or control of a

State Party, each State Party in a position to do so shall urgently provide emergency assistance to the affected State Party.

7. Each State Party in a position to do so shall provide assistance for the implementation of the obligations referred to in Article 5 of this Convention to adequately provide age- and gender-sensitive assistance, including medical care, rehabilitation and psychological support, as well as provide for social and economic inclusion of cluster munition victims. Such assistance may be provided, *inter alia*, through the United Nations system, international, regional or national organisations or institutions, the International Committee of the Red Cross, national Red Cross and Red Crescent Societies and their International Federation, non-governmental organisations or on a bilateral basis.

8. Each State Party in a position to do so shall provide assistance to contribute to the economic and social recovery needed as a result of cluster munition use in affected States Parties.

9. Each State Party in a position to do so may contribute to relevant trust funds in order to facilitate the provision of assistance under this Article.

10. Each State Party that seeks and receives assistance shall take all appropriate measures in order to facilitate the timely and effective implementation of this Convention, including facilitation of the entry and exit of personnel, materiel and equipment, in a manner consistent with national laws and regulations, taking into consideration international best practices.

11. Each State Party may, with the purpose of developing a national action plan, request the United Nations system, regional organisations, other States Parties or other competent intergovernmental or non-governmental institutions to assist its authorities to determine, *inter alia*:

(a) The nature and extent of cluster munition remnants located in areas under its jurisdiction or control;

(b) The financial, technological and human resources required for the implementation of the plan;

(c) The time estimated as necessary to clear and destroy all cluster munition remnants located in areas under its jurisdiction or control;

(d) Risk reduction education programmes and awareness activities to reduce the incidence of injuries or deaths caused by cluster munition remnants;

(e) Assistance to cluster munition victims; and

(f) The coordination relationship between the government of the State Party concerned and the relevant governmental, intergovernmental or non-governmental entities that will work in the implementation of the plan.

12. States Parties giving and receiving assistance under the provisions of this Article shall cooperate with a view to ensuring the full and prompt implementation of agreed assistance programmes.

Article 7

Transparency measures

1. Each State Party shall report to the Secretary-General of the United Nations as soon as practicable, and in any event not later than 180 days after the entry into force of this Convention for that State Party, on:

(a) The national implementation measures referred to in Article 9 of this Convention;

(b) The total of all cluster munitions, including explosive submunitions, referred to in paragraph 1 of Article 3 of this Convention, to include a breakdown of their type, quantity and, if possible, lot numbers of each type;

(c) The technical characteristics of each type of cluster munition produced by that State Party prior to entry into force of this Convention for it, to the extent known, and those currently owned or possessed by it, giving, where reasonably possible, such categories of information as may facilitate identification and clearance of cluster munitions; at a minimum, this information shall include the dimensions, fusing, explosive content, metallic content, colour photographs and other information that may facilitate the clearance of cluster munition remnants;

(d) The status and progress of programmes for the conversion or decommissioning of production facilities for cluster munitions;

(e) The status and progress of programmes for the destruction, in accordance with Article 3 of this Convention, of cluster munitions, including explosive submunitions, with details of the methods that will be used in destruction, the location of all destruction sites and the applicable safety and environmental standards to be observed;

(f) The types and quantities of cluster munitions, including explosive submunitions, destroyed in accordance with Article 3 of this Convention, including details of the methods of destruction used, the location of the destruction sites and the applicable safety and environmental standards observed;

(g) Stockpiles of cluster munitions, including explosive submunitions, discovered after reported completion of the programme referred to in sub-paragraph (e) of this paragraph, and plans for their destruction in accordance with Article 3 of this Convention;

(h) To the extent possible, the size and location of all cluster munition contaminated areas under its jurisdiction or control, to include as much detail as possible regarding the type and quantity of each type of cluster munition remnant in each such area and when they were used;

(i) The status and progress of programmes for the clearance and destruction of all types and quantities of cluster munition remnants cleared and destroyed in accordance with Article 4 of this Convention, to include the size and location of the cluster munition contaminated area cleared and a breakdown of the quantity of each type of cluster munition remnant cleared and destroyed;

(j) The measures taken to provide risk reduction education and, in particular, an immediate and effective warning to civilians living in cluster munition contaminated areas under its jurisdiction or control;

(k) The status and progress of implementation of its obligations under Article 5 of this Convention to adequately provide age- and gender- sensitive assistance, including medical care, rehabilitation and psychological support, as well as provide for social and economic inclusion of cluster munition victims and to collect reliable relevant data with respect to cluster munition victims;

(l) The name and contact details of the institutions mandated to provide information and to carry out the measures described in this paragraph;

(m) The amount of national resources, including financial, material or in kind, allocated to the implementation of Articles 3, 4 and 5 of this Convention; and

(n) The amounts, types and destinations of international cooperation and assistance provided under Article 6 of this Convention.

2. The information provided in accordance with paragraph 1 of this Article shall be updated by the States Parties annually, covering the previous calendar year, and reported to the Secretary-General of the United Nations not later than 30 April of each year.

3. The Secretary-General of the United Nations shall transmit all such reports received to the States Parties.

Article 8

Facilitation and clarification of compliance

1. The States Parties agree to consult and cooperate with each other regarding the implementation of the provisions of this Convention and to work together in a spirit of cooperation to facilitate compliance by States Parties with their obligations under this Convention.

2. If one or more States Parties wish to clarify and seek to resolve questions relating to a matter of compliance with the provisions of this Convention by another State Party, it may submit, through the Secretary-General of the United Nations, a Request for Clarification of that matter to that State Party. Such a request shall be accompanied by all appropriate information. Each State Party shall refrain from unfounded Requests for Clarification, care being taken to avoid abuse. A State Party that receives a Request for Clarification shall provide, through the Secretary-General of the United Nations, within 28 days to the requesting State Party all information that would assist in clarifying the matter.

3. If the requesting State Party does not receive a response through the Secretary-General of the United Nations within that time period, or deems the response to the Request for Clarification to be unsatisfactory, it may submit the matter through the Secretary-General of the United Nations to the next Meeting of States Parties. The Secretary-General of the United Nations shall transmit the submission, accompanied by all appropriate information pertaining to the Request for Clarification, to all States Parties. All such information shall be presented to the requested State Party which shall have the right to respond.

4. Pending the convening of any Meeting of States Parties, any of the States Parties concerned may request the Secretary-General of the United Nations to exercise his or her good offices to facilitate the clarification requested.

5. Where a matter has been submitted to it pursuant to paragraph 3 of this Article, the Meeting of States Parties shall first determine whether to consider that matter further, taking into account all information submitted by the States Parties concerned. If it does so determine, the Meeting of States Parties may suggest to the States Parties concerned ways and means further to clarify or resolve the matter under consideration, including the initiation of appropriate procedures in conformity with international law. In circumstances where the issue at hand is determined to be due to circumstances beyond the control of the requested State Party, the Meeting of States Parties may recommend appropriate measures, including the use of cooperative measures referred to in Article 6 of this Convention.

6. In addition to the procedures provided for in paragraphs 2 to 5 of this Article, the Meeting of States Parties may decide to adopt such other general procedures or specific mechanisms for clarification of compliance, including facts, and resolution of instances of non-compliance with the provisions of this Convention as it deems appropriate.

Article 9

National implementation measures

Each State Party shall take all appropriate legal, administrative and other measures to implement this Convention, including the imposition of penal sanctions to prevent and suppress any activity prohibited to a State Party under this Convention undertaken by persons or on territory under its jurisdiction or control.

Article 10

Settlement of disputes

1. When a dispute arises between two or more States Parties relating to the interpretation or application of this Convention, the States Parties concerned shall consult together with a view to the expeditious settlement of the dispute by negotiation or by other peaceful means of their choice, including recourse to the Meeting of States Parties and referral to the International Court of Justice in conformity with the Statute of the Court.

2. The Meeting of States Parties may contribute to the settlement of the dispute by whatever means it deems appropriate, including offering its good offices, calling upon the States Parties concerned to start the settlement procedure of their choice and recommending a time-limit for any agreed procedure.

Article 11

Meetings of States Parties

1. The States Parties shall meet regularly in order to consider and, where necessary, take decisions in respect of any matter with regard to the application or implementation of this Convention, including:

- (a) The operation and status of this Convention;
- (b) Matters arising from the reports submitted under the provisions of this Convention;

(c) International cooperation and assistance in accordance with Article 6 of this Convention;

(d) The development of technologies to clear cluster munition remnants;

(e) Submissions of States Parties under Articles 8 and 10 of this Convention; and

(f) Submissions of States Parties as provided for in Articles 3 and 4 of this Convention.

2. The first Meeting of States Parties shall be convened by the Secretary-General of the United Nations within one year of entry into force of this Convention. The subsequent meetings shall be convened by the Secretary-General of the United Nations annually until the first Review Conference.

3. States not party to this Convention, as well as the United Nations, other relevant international organisations or institutions, regional organisations, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and relevant non-governmental organisations may be invited to attend these meetings as observers in accordance with the agreed rules of procedure.

Article 12

Review Conferences

1. A Review Conference shall be convened by the Secretary-General of the United Nations five years after the entry into force of this Convention. Further Review Conferences shall be convened by the Secretary-General of the United Nations if so requested by one or more States Parties, provided that the interval between Review Conferences shall in no case be less than five years. All States Parties to this Convention shall be invited to each Review Conference.

2. The purpose of the Review Conference shall be:

(a) To review the operation and status of this Convention;

(b) To consider the need for and the interval between further Meetings of States Parties referred to in paragraph 2 of Article 11 of this Convention; and

(c) To take decisions on submissions of States Parties as provided for in Articles 3 and 4 of this Convention.

3. States not party to this Convention, as well as the United Nations, other relevant international organisations or institutions, regional organisations, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and relevant non-governmental organisations may be invited to attend each Review Conference as observers in accordance with the agreed rules of procedure.

Article 13

Amendments

1. At any time after its entry into force any State Party may propose amendments to this Convention. Any proposal for an amendment shall be communicated to the Secretary-General of the United Nations, who shall circulate it to all States Parties and shall seek their views on whether an Amendment Conference should be convened to

consider the proposal. If a majority of the States Parties notify the Secretary-General of the United Nations no later than 90 days after its circulation that they support further consideration of the proposal, the Secretary-General of the United Nations shall convene an Amendment Conference to which all States Parties shall be invited.

2. States not party to this Convention, as well as the United Nations, other relevant international organisations or institutions, regional organisations, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and relevant non-governmental organisations may be invited to attend each Amendment Conference as observers in accordance with the agreed rules of procedure.

3. The Amendment Conference shall be held immediately following a Meeting of States Parties or a Review Conference unless a majority of the States Parties request that it be held earlier.

4. Any amendment to this Convention shall be adopted by a majority of two-thirds of the States Parties present and voting at the Amendment Conference. The Depositary shall communicate any amendment so adopted to all States.

5. An amendment to this Convention shall enter into force for States Parties that have accepted the amendment on the date of deposit of acceptances by a majority of the States which were Parties at the date of adoption of the amendment. Thereafter it shall enter into force for any remaining State Party on the date of deposit of its instrument of acceptance.

Article 14

Costs and administrative tasks

1. The costs of the Meetings of States Parties, the Review Conferences and the Amendment Conferences shall be borne by the States Parties and States not party to this Convention participating therein, in accordance with the United Nations scale of assessment adjusted appropriately.

2. The costs incurred by the Secretary-General of the United Nations under Articles 7 and 8 of this Convention shall be borne by the States Parties in accordance with the United Nations scale of assessment adjusted appropriately.

3. The performance by the Secretary-General of the United Nations of administrative tasks assigned to him or her under this Convention is subject to an appropriate United Nations mandate.

Article 15

Signature

This Convention, done at Dublin on 30 May 2008, shall be open for signature at Oslo by all States on 3 December 2008 and thereafter at United Nations Headquarters in New York until its entry into force.

Article 16

Ratification, acceptance, approval or accession

1. This Convention is subject to ratification, acceptance or approval by the Signatories.

2. It shall be open for accession by any State that has not signed the Convention.
3. The instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.

Article 17

Entry into force

1. This Convention shall enter into force on the first day of the sixth month after the month in which the thirtieth instrument of ratification, acceptance, approval or accession has been deposited.
2. For any State that deposits its instrument of ratification, acceptance, approval or accession after the date of the deposit of the thirtieth instrument of ratification, acceptance, approval or accession, this Convention shall enter into force on the first day of the sixth month after the date on which that State has deposited its instrument of ratification, acceptance, approval or accession.

Article 18

Provisional application

Any State may, at the time of its ratification, acceptance, approval or accession, declare that it will apply provisionally Article 1 of this Convention pending its entry into force for that State.

Article 19

Reservations

The Articles of this Convention shall not be subject to reservations.

Article 20

Duration and withdrawal

1. This Convention shall be of unlimited duration.
2. Each State Party shall, in exercising its national sovereignty, have the right to withdraw from this Convention. It shall give notice of such withdrawal to all other States Parties, to the Depositary and to the United Nations Security Council. Such instrument of withdrawal shall include a full explanation of the reasons motivating withdrawal.
3. Such withdrawal shall only take effect six months after the receipt of the instrument of withdrawal by the Depositary. If, however, on the expiry of that six-month period, the withdrawing State Party is engaged in an armed conflict, the withdrawal shall not take effect before the end of the armed conflict.

Article 21

Relations with States not party to this Convention

1. Each State Party shall encourage States not party to this Convention to ratify, accept, approve or accede to this Convention, with the goal of attracting the adherence of all States to this Convention.

2. Each State Party shall notify the governments of all States not party to this Convention, referred to in paragraph 3 of this Article, of its obligations under this Convention, shall promote the norms it establishes and shall make its best efforts to discourage States not party to this Convention from using cluster munitions.

3. Notwithstanding the provisions of Article 1 of this Convention and in accordance with international law, States Parties, their military personnel or nationals, may engage in military cooperation and operations with States not party to this Convention that might engage in activities prohibited to a State Party.

4. Nothing in paragraph 3 of this Article shall authorise a State Party:

- (a) To develop, produce or otherwise acquire cluster munitions;
- (b) To itself stockpile or transfer cluster munitions;
- (c) To itself use cluster munitions; or
- (d) To expressly request the use of cluster munitions in cases where the choice of munitions used is within its exclusive control.

Article 22

Depositary

The Secretary-General of the United Nations is hereby designated as the Depositary of this Convention.

Article 23

Authentic texts

The Arabic, Chinese, English, French, Russian and Spanish texts of this Convention shall be equally authentic.

appendix III

**Joint Ministerial Statement on the
Comprehensive Nuclear-Test-Ban Treaty**

APPENDIX III

Joint Ministerial Statement on the Comprehensive Nuclear-Test-Ban Treaty*

24 September 2008
New York

1. We, the Foreign Ministers who have issued this statement, reaffirm our strong support for the Comprehensive Nuclear-Test-Ban Treaty (CTBT), which would rid the world of nuclear weapons test explosions and would contribute to nuclear disarmament and non-proliferation.
2. In this year marking the 12th anniversary of the Treaty's opening for signature, we emphasize that the CTBT is a major instrument in the field of nuclear disarmament and non-proliferation. The Treaty was an integral part of the 1995 agreements by the States parties to the Nuclear Non-Proliferation Treaty (NPT) allowing the indefinite extension of the Treaty. The early entry into force of the CTBT was recognized at the 2000 Review Conference of the NPT as a practical step to achieving NPT nuclear disarmament and non-proliferation objectives, and has also been reaffirmed as being of central importance by the United Nations General Assembly.
3. We recall the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, that adopted in September 2007 a declaration by consensus outlining measures consistent with international law to encourage further signature and ratification of the Treaty.
4. We affirm that the CTBT will make an important contribution by constraining the development and qualitative improvement of nuclear weapons and ending the development of advanced new types of nuclear weapons, as well as preventing the proliferation of nuclear weapons in all its aspects. The entry into force of the Treaty is vital to the broader framework of multilateral disarmament and non-proliferation efforts. Progress on this issue would also contribute to a positive outcome of the 2010 Review Conference of the NPT.
5. We welcome that the CTBT has achieved near universal adherence with signature by 179 States and ratification by 144 States as of today. Of the 44 States whose ratification is necessary for the entry into force of the Treaty, nine have yet to do so. We welcome the four ratifications that have occurred since the entry into force conference last year, in particular that of Colombia, one of the states whose ratification is necessary for the entry into force of the Treaty. We call upon all States that have not yet done so to sign and ratify the Treaty without delay, in particular those whose ratification is needed for its entry into force. We recognise the extensive range of bilateral and joint outreach efforts by signatories and ratifiers to encourage and assist States which have not yet signed and ratified the Treaty. We commit ourselves individually and together to make the Treaty a focus of attention at the highest political

* A/63/634, annex.

levels and to take measures to facilitate the signature and ratification process. We support the efforts by the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization to facilitate such process by providing legal and technical information and advice.

6. We call upon all States to continue a moratorium on nuclear weapon test explosions or any other nuclear explosions. Voluntary adherence to such a moratorium is a welcome step, but does not have the same permanent and legally binding effect as the entry into force of the Treaty. We reaffirm our commitment to the Treaty's basic obligations and call on all States to refrain from acts which would defeat the object and purpose of the Treaty pending its entry into force. With respect to the nuclear test announced by the Democratic People's Republic of Korea on 9 October 2006, bearing in mind UNGA Res 61/104, we underline the need for a peaceful solution of the nuclear issues through successful implementation of the Six Party Talks Joint Statement of September 2005 and we urge the DPRK to fulfil its commitments therein and to fully comply with Security Council resolutions 1695 and 1718. We note that the verification regime successfully detected the aforementioned event and believe that it highlighted the urgent need for the early entry into force of the Treaty.

7. We welcome the progress made in building up all elements of the verification regime, which shall be capable of verifying compliance with the Treaty at its entry into force. We will provide the support required to complete and operate the verification regime in the most efficient and cost-effective way. We will also promote technical cooperation to enhance verification capabilities under the CTBT.

8. In addition to its primary function, the CTBT International Monitoring System as part of the verification regime is bringing scientific and civil benefits, including for tsunami warning systems and possibly other disaster alert systems, through civil and scientific applications of waveform and radionuclide technologies and use of the data. We will continue to seek ways to ensure that these benefits will be broadly shared by the international community in conformity with the Treaty.

9. We appeal to all States to make maximum efforts towards achieving the early entry into force of the CTBT. On our part we dedicate ourselves to realizing this goal.

Albania	Algeria
Andorra	Argentina
Armenia	Australia
Austria	Azerbaijan
Bahrain	Bangladesh
Belarus	Belgium
Benin	Bosnia and Herzegovina
Brazil	Bulgaria
Burkina Faso	Cambodia
Canada	Chile
Cook Islands	Costa Rica
Cote d'Ivoire	Croatia
Cyprus	Czech Republic
Denmark	Ecuador
Estonia	Finland
France	Germany
Greece	Guyana

Joint Ministerial Statement on the Comprehensive Nuclear-Test-Ban Treaty

Holy See	Hungary
Iceland	Iraq
Ireland	Italy
Jamaica	Japan
Kazakhstan	Kiribati
Kuwait	Lao People's Democratic Republic
Latvia	Lesotho
Libyan Arab Jamahiriya	Liechtenstein
Lithuania	Luxembourg
Malaysia	Malta
Mauritania	Mexico
Moldova	Monaco
Mongolia	Montenegro
Morocco	Netherlands
New Zealand	Nicaragua
Nigeria	Norway
Oman	Palau
Paraguay	Peru
Philippines	Poland
Portugal	Republic of Korea
Romania	Samoa
San Marino	Senegal
Serbia	Singapore
Slovakia	Slovenia
South Africa	Spain
Sweden	Switzerland
The former Yugoslav Republic of Macedonia	
Turkey	Ukraine
United Arab Emirates	United Kingdom

appendix IV

Security Council resolutions

APPENDIX IV

Security Council resolutions

Resolution 1803 (2008) of 3 March 2008

The Security Council,

Recalling the statement by its President of 29 March 2006^a and its resolutions 1696 (2006) of 31 July 2006, 1737 (2006) of 23 December 2006 and 1747 (2007) of 24 March 2007, and reaffirming their provisions,

Reaffirming its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons^b and the need for all States parties to the Treaty to comply fully with all their obligations, and recalling the right of States parties, in conformity with articles I and II of the Treaty, to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

Recalling resolution GOV/2006/14 adopted by the Board of Governors of the International Atomic Energy Agency on 4 February 2006,^c which states that a solution to the Iranian nuclear issue would contribute to global non-proliferation efforts and to realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery,

Noting with serious concern that, as confirmed in the reports of the Director General of the Agency of 23 May,^d 30 August^e and 15 November 2007^f and 22 February 2008,^g the Islamic Republic of Iran has not established full and sustained suspension of all enrichment-related and reprocessing activities and heavy water-related projects as set out in Security Council resolutions 1696 (2006), 1737 (2006) and 1747 (2007), nor resumed its cooperation with the Agency under the Additional Protocol, nor taken the other steps required by the Board of Governors, nor complied with the provisions of resolutions 1696 (2006), 1737 (2006) and 1747 (2007), which are essential to build confidence, and deploring the Islamic Republic of Iran's refusal to take these steps,

Noting with concern that the Islamic Republic of Iran has taken issue with the right of the Agency to verify design information which had been provided by the Islamic Republic of Iran pursuant to the modified Code 3.1, emphasizing that, in accordance with article 39 of the safeguards agreement between the Islamic Republic of Iran and the Agency,^h Code 3.1 cannot be modified nor suspended unilaterally and that the Agency's right to verify design information provided to it is a continuing right

^a S/PRST/2006/15.

^b United Nations, *Treaty Series*, vol. 729, No. 10485.

^c See S/2006/80, annex.

^d GOV/2007/22; see S/2007/303, annex.

^e GOV/2007/48.

^f GOV/2007/58.

^g GOV/2008/4.

^h United Nations, *Treaty Series*, vol. 954, No. 13637.

which is not dependent on the stage of construction of, or the presence of nuclear material at, a facility,

Reiterating its determination to reinforce the authority of the Agency, strongly supporting the role of the Board of Governors, commending the Agency for its efforts to resolve outstanding issues relating to the Islamic Republic of Iran's nuclear programme in the work plan between the secretariat of the Agency and the Islamic Republic of Iran,ⁱ welcoming the progress in the implementation of the work plan, as reflected in the reports of the Director General of 15 November 2007 and 22 February 2008, underlining the importance of the Islamic Republic of Iran producing tangible results rapidly and effectively by completing implementation of the work plan, including by providing answers to all the questions the Agency asks so that the Agency, through the implementation of the required transparency measures, can assess the completeness and correctness of the Islamic Republic of Iran's declaration,

Expressing the conviction that the suspension set out in paragraph 2 of resolution 1737 (2006) as well as full, verified Iranian compliance with the requirements set out by the Board of Governors would contribute to a diplomatic, negotiated solution that guarantees that the Islamic Republic of Iran's nuclear programme is for exclusively peaceful purposes,

Stressing that China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America are willing to take further concrete measures on exploring an overall strategy of resolving the Iranian nuclear issue through negotiation on the basis of their proposals of June 2006,^j and noting the confirmation by those countries that, once the confidence of the international community in the exclusively peaceful nature of the Islamic Republic of Iran's nuclear programme is restored, it will be treated in the same manner as any non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons,

Having regard to the rights and obligations of States relating to international trade,

Welcoming the guidance issued by the Financial Action Task Force to assist States in implementing their financial obligations under resolution 1737 (2006),

Determined to give effect to its decisions by adopting appropriate measures to persuade the Islamic Republic of Iran to comply with resolutions 1696 (2006), 1737 (2006) and 1747 (2007) and with the requirements of the Agency, and also to constrain the Islamic Republic of Iran's development of sensitive technologies in support of its nuclear and missile programmes, until such time as the Council determines that the objectives of those resolutions have been met,

Concerned by the proliferation risks presented by the Iranian nuclear programme and, in this context, by the Islamic Republic of Iran's continuing failure to meet the requirements of the Board of Governors and to comply with the provisions of resolutions 1696 (2006), 1737 (2006) and 1747 (2007), and mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

ⁱ GOV/2007/48, attachment.

^j See S/2006/521, annex; see also resolution 1747 (2007), annex II.

Acting under Article 41 of Chapter VII of the Charter,

1. *Reaffirms* that the Islamic Republic of Iran shall without further delay take the steps required by the Board of Governors of the International Atomic Energy Agency in its resolution GOV/2006/14,^c which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme and to resolve outstanding questions, and in this context affirms its decision that the Islamic Republic of Iran shall without delay take the steps required in paragraph 2 of resolution 1737 (2006), and underlines that the Agency has sought confirmation that the Islamic Republic of Iran will apply the modified Code 3.1;

2. *Welcomes* the agreement between the Islamic Republic of Iran and the Agency to resolve all outstanding issues concerning the Islamic Republic of Iran's nuclear programmeⁱ and progress made in this regard, as set out in the report of 22 February 2008 of the Director General of the Agency,^g encourages the Agency to continue its work to clarify all outstanding issues, stresses that this would help to re-establish international confidence in the exclusively peaceful nature of the Islamic Republic of Iran's nuclear programme, and supports the Agency in strengthening its safeguards on the Islamic Republic of Iran's nuclear activities in accordance with the safeguards agreement between the Islamic Republic of Iran and the Agency;^h

3. *Calls upon* all States to exercise vigilance and restraint regarding the entry into or transit through their territories of individuals who are engaged in, directly associated with or providing support for the Islamic Republic of Iran's proliferation-sensitive nuclear activities or for the development of nuclear weapon delivery systems, and decides in this regard that all States shall notify the Security Council Committee established pursuant to paragraph 18 of resolution 1737 (2006) (hereinafter "the Committee") of the entry into or transit through their territories of the persons designated in the annex to resolution 1737 (2006), annex I to resolution 1747 (2007) or annex I to the present resolution, as well as of additional persons designated by the Council or the Committee as being engaged in, directly associated with or providing support for the Islamic Republic of Iran's proliferation-sensitive nuclear activities or for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the items in paragraphs 3 (b) (i) and (ii) of resolution 1737 (2006);

4. *Underlines* that nothing in paragraph 3 above requires a State to refuse its own nationals entry into its territory, and that all States shall, in the implementation of paragraph 3 above, take into account humanitarian considerations, including religious obligations, as well as the necessity to meet the objectives of the present resolution and resolutions 1737 (2006) and 1747 (2007), including where article XV of the statute of the Agency^k is engaged;

5. *Decides* that all States shall take the necessary measures to prevent the entry into or transit through their territories of individuals designated in annex II to the present resolution as well as of additional persons designated by the Council or the Committee as being engaged in, directly associated with or providing support for the Islamic Republic of Iran's proliferation-sensitive nuclear activities or for the

^k United Nations, *Treaty Series*, vol. 276, No. 3988.

development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the items in paragraphs 3 (b) (i) and (ii) of resolution 1737 (2006) and provided that nothing in the present paragraph shall oblige a State to refuse its own nationals entry into its territory;

6. *Decides also* that the measures imposed by paragraph 5 above shall not apply where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Committee concludes that an exemption would otherwise further the objectives of the present resolution;

7. *Decides further* that the measures specified in paragraphs 12 to 15 of resolution 1737 (2006) shall apply also to the persons and entities listed in annexes I and III to the present resolution, and any persons or entities acting on their behalf or at their direction, and to entities owned or controlled by them and to persons and entities determined by the Council or the Committee to have assisted designated persons or entities in evading sanctions of, or in violating the provisions of, the present resolution, resolution 1737 (2006) or resolution 1747 (2007);

8. *Decides* that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories or by their nationals or using their flag vessels or aircraft to, or for use in or the benefit of, the Islamic Republic of Iran, and whether or not originating in their territories, of:

(a) All items, materials, equipment, goods and technology set out in INFCIRC/254/Rev.7/Part 2 in document S/2006/814, except the supply, sale or transfer, in accordance with the requirements of paragraph 5 of resolution 1737 (2006), of items, materials, equipment, goods and technology set out in sections 1 and 2 of the annex to that document, and sections 3 to 6 as notified in advance to the Committee, only when for exclusive use in light water reactors, and where such supply, sale or transfer is necessary for technical cooperation provided to the Islamic Republic of Iran by the Agency or under its auspices as provided for in paragraph 16 of resolution 1737 (2006);

(b) All items, materials, equipment, goods and technology set out in 19.A.3 of Category II in document S/2006/815;

9. *Calls upon* all States to exercise vigilance in entering into new commitments for public-provided financial support for trade with the Islamic Republic of Iran, including the granting of export credits, guarantees or insurance, to their nationals or entities involved in such trade, in order to avoid such financial support contributing to the proliferation-sensitive nuclear activities, or to the development of nuclear weapon delivery systems, as referred to in resolution 1737 (2006);

10. *Also calls upon* all States to exercise vigilance over the activities of financial institutions in their territories with all banks domiciled in the Islamic Republic of Iran, in particular with Bank Melli and Bank Saderat, and their branches and subsidiaries abroad, in order to avoid such activities contributing to the proliferation-sensitive nuclear activities, or to the development of nuclear weapon delivery systems, as referred to in resolution 1737 (2006);

11. *Further calls upon* all States, in accordance with their national legal authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, to inspect the cargoes to and from the Islamic Republic of Iran of aircraft and vessels, at their airports and seaports, owned or operated by Iran Air Cargo and Islamic Republic of Iran Shipping Line, provided that there are reasonable grounds to believe that the aircraft or vessel is transporting goods prohibited under the present resolution or resolution 1737 (2006) or resolution 1747 (2007);

12. *Requires* all States, in cases when inspection mentioned in paragraph 11 above is undertaken, to submit to the Council within five working days a written report on the inspection containing, in particular, an explanation of the grounds for the inspection, as well as information on its time, place, circumstances, results and other relevant details;

13. *Calls upon* all States to report to the Committee within sixty days of the adoption of the present resolution on the steps they have taken with a view to implementing effectively paragraphs 3, 5 and 7 to 11 above;

14. *Decides* that the mandate of the Committee as set out in paragraph 18 of resolution 1737 (2006) shall also apply to the measures imposed in resolution 1747 (2007) and the present resolution;

15. *Stresses* the willingness of China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America to further enhance diplomatic efforts to promote resumption of dialogue, and consultations on the basis of their offer to the Islamic Republic of Iran, with a view to seeking a comprehensive, long-term and proper solution of this issue which would allow for the development of all-round relations and wider cooperation with the Islamic Republic of Iran based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of the Islamic Republic of Iran's nuclear programme, and inter alia, starting direct talks and negotiation with the Islamic Republic of Iran as long as the Islamic Republic of Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the Agency;

16. *Encourages* the High Representative for the Common Foreign and Security Policy of the European Union to continue communication with the Islamic Republic of Iran in support of political and diplomatic efforts to find a negotiated solution, including relevant proposals by China, France, Germany, the Russian Federation, the United Kingdom and the United States, with a view to creating the necessary conditions for resuming talks;

17. *Emphasizes* the importance of all States, including the Islamic Republic of Iran, taking the necessary measures to ensure that no claim shall lie at the instance of the Government of the Islamic Republic of Iran, or of any person or entity in the Islamic Republic of Iran, or of persons or entities designated pursuant to resolution 1737 (2006) and related resolutions, or any person claiming through or for the benefit of any such person or entity, in connection with any contract or other transaction where its performance was prevented by reason of the measures imposed by the present resolution, resolution 1737 (2006) or resolution 1747 (2007);

18. *Requests* within ninety days a further report from the Director General of the Agency on whether the Islamic Republic of Iran has established full and sustained suspension of all activities mentioned in resolution 1737 (2006), as well as on the process of Iranian compliance with all the steps required by the Board of Governors of the Agency and with the other provisions of resolutions 1737 (2006) and 1747 (2007) and the present resolution, to the Board and, in parallel, to the Council for its consideration;

19. *Reaffirms* that it shall review the actions of the Islamic Republic of Iran in the light of the report referred to in paragraph 18 above, and:

(a) That it shall suspend the implementation of measures if and for so long as the Islamic Republic of Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the Agency, to allow for negotiations in good faith in order to reach an early and mutually acceptable outcome;

(b) That it shall terminate the measures specified in paragraphs 3 to 7 and 12 of resolution 1737 (2006), as well as in paragraphs 2 and 4 to 7 of resolution 1747 (2007) and in paragraphs 3, 5 and 7 to 11 above as soon as it determines, following receipt of the report referred to in paragraph 18 above, that the Islamic Republic of Iran has fully complied with its obligations under the relevant resolutions of the Council and met the requirements of the Board of Governors, as confirmed by the Board;

(c) That it shall, in the event that the report shows that the Islamic Republic of Iran has not complied with resolutions 1696 (2006), 1737 (2006) and 1747 (2007) and the present resolution, adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade the Islamic Republic of Iran to comply with these resolutions and the requirements of the Agency, and underlines that further decisions will be required should such additional measures be necessary;

20. *Decides* to remain seized of the matter.

*Adopted at the 5848th meeting
by 14 votes to none, with 1 abstention
(Indonesia)*

Annex I

1. Amir Moayyed Alai (involved in managing the assembly and engineering of centrifuges)
2. Mohammad Fedai Ashiani (involved in the production of ammonium uranyl carbonate and management of the Natanz enrichment complex)
3. Abbas Rezaee Ashtiani (a senior official at the AEOI Office of Exploration and Mining Affairs)
4. Haleh Bakhtiar (involved in the production of magnesium at a concentration of 99.9%)
5. Morteza Behzad (involved in making centrifuge components)
6. Dr. Mohammad Eslami (Head of Defence Industries Training and Research Institute)

7. Seyyed Hussein Hosseini (AEOI official involved in the heavy water research reactor project at Arak)
8. M. Javad Karimi Sabet (Head of Novin Energy Company, which is designated under resolution 1747 (2007))
9. Hamid-Reza Mohajerani (involved in production management at the Uranium Conversion Facility (UCF) at Esfahan)
10. Brigadier-General Mohammad Reza Naqdi (former Deputy Chief of Armed Forces General Staff for Logistics and Industrial Research/Head of State Anti-Smuggling Headquarters, engaged in efforts to get round the sanctions imposed by resolutions 1737 (2006) and 1747 (2007))
11. Houshang Nobari (involved in the management of the Natanz enrichment complex)
12. Abbas Rashidi (involved in enrichment work at Natanz)
13. Ghasem Soleymani (Director of Uranium Mining Operations at the Saghand Uranium Mine)

Annex II

A. *Individuals listed in resolution 1737 (2006)*

1. Mohammad Qannadi, AEOI Vice President for Research & Development
2. Dawood Agha-Jani, Head of the PFEP (Natanz)
3. Behman Asgarpour, Operational Manager (Arak)

B. *Individuals listed in resolution 1747 (2007)*

1. Seyed Jaber Safdari (Manager of the Natanz Enrichment Facilities)
2. Amir Rahimi (Head of Esfahan Nuclear Fuel Research and Production Center, which is part of the AEOI's Nuclear Fuel Production and Procurement Company, which is involved in enrichment-related activities)

Annex III

1. Abzar Boresh Kaveh Co. (BK Co.) (involved in the production of centrifuge components)
2. Barzagani Tejarat Tavanmad Saccal companies (subsidiary of Saccal System companies) (this company tried to purchase sensitive goods for an entity listed in resolution 1737 (2006))
3. Electro Sanam Company (E. S. Co./E. X. Co.) (AIO front company, involved in the ballistic missile programme)
4. Ettehad Technical Group (AIO front company, involved in the ballistic missile programme)
5. Industrial Factories of Precision (IFP) Machinery (aka Instrumentation Factories Plant) (used by AIO for some acquisition attempts)
6. Jabber Ibn Hayan (AEOI laboratory involved in fuel-cycle activities)

7. Joza Industrial Co. (AIO front company, involved in the ballistic missile programme)
8. Khorasan Metallurgy Industries (subsidiary of the Ammunition Industries Group (AMIG) which depends on DIO. Involved in the production of centrifuge components)
9. Niru Battery Manufacturing Company (subsidiary of the DIO. Its role is to manufacture power units for the Iranian military, including missile systems)
10. Pishgam (Pioneer) Energy Industries (has participated in construction of the Uranium Conversion Facility at Esfahan)
11. Safety Equipment Procurement (SEP) (AIO front company, involved in the ballistic missile programme)
12. TAMAS Company (involved in enrichment-related activities. TAMAS is the overarching body, under which four subsidiaries have been established, including one for uranium extraction to concentration and another in charge of uranium processing, enrichment and waste)

Resolution 1805 (2008) of 20 March 2008

The Security Council,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivation, whenever and by whomsoever committed, and remaining determined to contribute further to enhancing the effectiveness of the overall effort to fight this scourge on a global level,

Recalling its resolution 1373 (2001) of 28 September 2001, pursuant to which it established the Counter-Terrorism Committee, and recalling also its other resolutions concerning threats to international peace and security caused by terrorist acts,

Recalling in particular its resolutions 1535 (2004) of 26 March 2004 and 1787 (2007) of 10 December 2007, which pertain to the Counter-Terrorism Committee Executive Directorate,

Recalling its previous reviews of the Executive Directorate contained in the statements by its President of 21 December 2005¹ and 20 December 2006,^m and reaffirming its conclusions contained therein,

Welcoming the revised organizational plan for the Executive Directorate submitted by its Executive Directorⁿ and the recommendations contained therein,

Noting with appreciation the emphasis by the Executive Directorate on the guiding principles of cooperation, transparency and even-handedness, and its stated intention to adopt a more proactive communications strategy,

Underscoring the central role of the United Nations in the global fight against terrorism, and welcoming the adoption by the General Assembly of the United Nations

¹ S/PRST/2005/64.

^m S/PRST/2006/56.

ⁿ S/2008/80, enclosure.

Global Counter-Terrorism Strategy on 8 September 2006^o and the creation of the Counter-Terrorism Implementation Task Force to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system,

Reminding States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law, and recalling that the Executive Directorate should continue, in accordance with its mandate, to advise the Counter-Terrorism Committee on issues relating to such law in connection with the identification and implementation of effective measures to implement resolution 1373 (2001) and resolution 1624 (2005) of 14 September 2005,

1. *Underlines* that the overarching goal of the Counter-Terrorism Committee is to ensure the full implementation of resolution 1373 (2001), and recalls the crucial role of the Counter-Terrorism Committee Executive Directorate in supporting the Committee in the fulfilment of its mandate;

2. *Decides* that the Executive Directorate shall continue to operate as a special political mission under the policy guidance of the Counter-Terrorism Committee for the period ending 31 December 2010, and further decides to conduct an interim review by 30 June 2009 and a comprehensive consideration of the work of the Executive Directorate prior to the expiration of its mandate;

3. *Welcomes and affirms* the endorsement by the Counter-Terrorism Committee of the recommendations contained in the revised organizational plan for the Executive Directorate;ⁿ

4. *Urges* the Executive Directorate to continue strengthening its role in facilitating technical assistance for the implementation of resolution 1373 (2001) aimed at increasing the capabilities of Member States in the fight against terrorism by addressing their counter-terrorism needs;

5. *Stresses* the importance of a tailored dialogue among the Executive Directorate, the Counter-Terrorism Committee and Member States, including for the development of relevant implementation strategies by Member States, and encourages the Committee and the Executive Directorate to arrange meetings with Member States in various formats;

6. *Urges* the Executive Directorate also to intensify cooperation with relevant international, regional and subregional organizations with a view to enhancing the capacity of Member States to fully implement resolution 1373 (2001) and to facilitate the provision of technical assistance;

7. *Encourages* the Executive Directorate to continue providing the necessary support for the work of the Counter-Terrorism Committee with Member States towards comprehensive implementation of resolution 1624 (2005), as set out in paragraph 6 of that resolution;

8. *Welcomes* the briefing by the Executive Director of the Executive Directorate,^p looks forward to the global survey of the implementation of resolution

^o General Assembly resolution 60/288.

^p See S/PV.5855 and Corr.1.

1373 (2001), and directs the Counter-Terrorism Committee to submit an annual report on the implementation of the present resolution, with its observations and recommendations;

9. *Requests* the Counter-Terrorism Committee, in addition to the report requested in paragraph 8 above, to report orally, through its Chairman, at least every one hundred and eighty days to the Security Council on the overall work of the Committee and the Executive Directorate, and, as appropriate, in conjunction with the reports by the Chairmen of the Security Council Committee established pursuant to resolution 1267 (1999) and the Security Council Committee established pursuant to resolution 1540 (2004), and encourages informal briefings for all interested Member States;

10. *Reiterates* the need to enhance ongoing cooperation among the Counter-Terrorism Committee, the Committee established pursuant to resolution 1267 (1999) and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced information-sharing, coordinated visits to countries, technical assistance and other issues of relevance to all three Committees, and expresses its intention to provide guidance to the Committees on areas of common interest in order better to coordinate counter-terrorism efforts;

11. *Welcomes and emphasizes* the importance of the readiness of the Executive Directorate to participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy,⁹ including within the Counter-Terrorism Implementation Task Force established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system.

Adopted unanimously at the 5856th meeting

Resolution 1810 (2008) of 25 April 2008

The Security Council,

Reaffirming its resolutions 1540 (2004) of 28 April 2004 and 1673 (2006) of 27 April 2006,

Reaffirming also that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security,

Reaffirming further the statement made by the President of the Security Council at the meeting of the Council held at the level of Heads of State and Government on 31 January 1992,⁹ including the need for all Member States to fulfil their obligations in relation to arms control and disarmament and to prevent the proliferation in all its aspects of all weapons of mass destruction,

Reaffirming that prevention of the proliferation of nuclear, chemical and biological weapons should not hamper international cooperation in materials, equipment and technology for peaceful purposes, while goals of peaceful utilization should not be used as a cover for proliferation,

⁹ S/23500.

Affirming its resolve to take appropriate and effective actions against any threat to international peace and security caused by the proliferation of nuclear, chemical and biological weapons and their means of delivery, in conformity with its primary responsibilities, as provided for in the Charter of the United Nations,

Reaffirming its decision that none of the obligations in resolution 1540 (2004) shall be interpreted so as to conflict with or alter the rights and obligations of State parties to the Treaty on the Non-Proliferation of Nuclear Weapons,^r the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction^s and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction^t or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons,

Noting that international cooperation between States, in accordance with international law, is required to counter the illicit trafficking by non-State actors in nuclear, chemical and biological weapons, their means of delivery, and related materials,

Endorsing the work already carried out by the Security Council Committee established pursuant to resolution 1540 (2004) (hereinafter “the 1540 Committee”), in accordance with its fifth programme of work,

Bearing in mind the importance of the report requested in paragraph 6 of resolution 1673 (2006),

Noting that not all States have presented to the 1540 Committee their national reports on implementation of resolution 1540 (2004), and that the full implementation of resolution 1540 (2004) by all States, including the adoption of national laws and measures to ensure implementation of these laws, is a long-term task that will require continuous efforts at the national, regional and international levels,

Recognizing, in that regard, the importance of dialogue between the 1540 Committee and Member States, and stressing that direct contact is an effective means of such dialogue,

Recognizing also the need to enhance the coordination of efforts at the national, subregional, regional and international levels, as appropriate, in order to strengthen a global response to this serious challenge and threat to international security,

Emphasizing, in that regard, the importance of providing States, in response to their requests, with effective assistance that meets their needs, and stressing the importance of ensuring that the clearing-house function for assistance is efficient and accessible,

Taking note of international efforts towards full implementation of resolution 1540 (2004), including on preventing the financing of proliferation-related activities, taking into consideration the guidance of the framework of the Financial Action Task Force,

Acting under Chapter VII of the Charter,

^r United Nations, *Treaty Series*, vol. 729, No. 10485.

^s *Ibid.*, vol. 1974, No. 33757.

^t *Ibid.*, vol. 1015, No. 14860.

1. *Reiterates* its decisions taken in, and the requirements of, resolution 1540 (2004), and emphasizes the importance for all States to implement fully that resolution;

2. *Again calls upon* all States that have not yet presented a first report on steps they have taken or intend to take to implement resolution 1540 (2004) to submit such a report to the 1540 Committee without delay;

3. *Encourages* all States that have submitted such reports to provide, at any time or upon the request of the 1540 Committee, additional information on their implementation of resolution 1540 (2004);

4. *Encourages* all States to prepare on a voluntary basis summary action plans, with the assistance of the 1540 Committee as appropriate, mapping out their priorities and plans for implementing the key provisions of resolution 1540 (2004), and to submit those plans to the 1540 Committee;

5. *Encourages* States that have requests for assistance to convey them to the 1540 Committee, and encourages them to make use of the 1540 Committee's assistance template to that effect; urges States and international, regional and subregional organizations to inform the 1540 Committee, as appropriate, by 25 June 2008 of areas in which they are able to provide assistance; and calls upon States and such organizations, if they have not done so previously, to provide the 1540 Committee with a point of contact for assistance by 25 June 2008;

6. *Decides* to extend the mandate of the 1540 Committee for a period of three years, with the continued assistance of experts, until 25 April 2011;

7. *Requests* the 1540 Committee to complete its report, as set out in paragraph 6 of resolution 1673 (2006), and to submit it to the Security Council as soon as possible but no later than 31 July 2008;

8. *Also requests* the 1540 Committee to consider a comprehensive review of the status of implementation of resolution 1540 (2004) and to report to the Council on its consideration of the matter no later than 31 January 2009;

9. *Decides* that the 1540 Committee shall submit an annual programme of work to the Council before the end of January of each year;

10. *Also decides* that the 1540 Committee shall continue to intensify its efforts to promote the full implementation by all States of resolution 1540 (2004), through its programme of work, which includes the compilation of information on the status of implementation by States of all aspects of resolution 1540 (2004), outreach, dialogue, assistance and cooperation, and which addresses, in particular, all aspects of paragraphs 1 and 2 of that resolution, as well as of paragraph 3, which encompasses (a) accountability, (b) physical protection, (c) border controls and law enforcement efforts, and (d) national export and trans-shipment controls, including controls on providing funds and services, such as financing, to such export and trans-shipment;

11. *Further decides*, in that regard:

(a) To encourage the pursuit of the ongoing dialogue between the 1540 Committee and States on their further actions to implement fully resolution 1540 (2004) and on technical assistance needed and offered;

(b) To request the 1540 Committee to continue to organize and participate in outreach events at the regional, subregional and, as appropriate, national levels promoting the implementation by States of resolution 1540 (2004);

(c) To urge the 1540 Committee to continue strengthening its role in facilitating technical assistance for the implementation of resolution 1540 (2004), including by engaging actively in matching offers and requests for assistance through such means as assistance templates, action plans or other information submitted to the 1540 Committee;

(d) To encourage the 1540 Committee to engage actively with States and relevant international, regional and subregional organizations to promote the sharing of experience and lessons learned in the areas covered by resolution 1540 (2004), and to liaise on the availability of programmes which might facilitate the implementation of resolution 1540 (2004);

(e) To request the 1540 Committee to provide opportunities for interaction with interested States and relevant international, regional and subregional organizations to promote the implementation of resolution 1540 (2004);

12. *Reiterates* the need to enhance ongoing cooperation between the 1540 Committee, the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, and the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, including through, as appropriate, enhanced information-sharing, coordination on visits to countries, within their respective mandates, technical assistance and other issues of relevance to all three Committees, and expresses its intention to provide guidance to the Committees on areas of common interest in order better to coordinate their efforts;

13. *Urges* the 1540 Committee to encourage and take full advantage of voluntary financial contributions to assist States in identifying and addressing their needs for the implementation of resolution 1540 (2004), and requests the 1540 Committee to consider options for developing and making more effective existing funding mechanisms and to report to the Council on its consideration of the matter no later than 31 December 2008;

14. *Decides* that the 1540 Committee shall submit to the Council no later than 24 April 2011 a report on compliance with resolution 1540 (2004) through the achievement of the implementation of its requirements;

15. *Also decides* to remain seized of the matter.

Adopted unanimously at the 5877th meeting

Resolution 1820 (2008) of 19 June 2008

The Security Council,

Reaffirming its commitment to the continuing and full implementation of its resolutions 1325 (2000) of 31 October 2000, 1612 (2005) of 26 July 2005 and 1674 (2006) of 28 April 2006, and recalling the statements by its President

of 31 October 2001,^u 31 October 2002,^v 28 October 2004,^w 27 October 2005,^x 26 October 2006,^y 7 March 2007^z and 23 October 2007,^{aa}

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the resolve expressed in the 2005 World Summit Outcome^{ab} to eliminate all forms of violence against women and girls, including by ending impunity and by ensuring the protection of civilians, in particular women and girls, during and after armed conflicts, in accordance with the obligations that States have undertaken under international humanitarian law and international human rights law,

Recalling the commitments contained in the Beijing Declaration and Platform for Action^{ac} as well as those contained in the outcome documents of the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”,^{ad} in particular those concerning sexual violence and women in situations of armed conflict,

Reaffirming the obligations of States parties to the Convention on the Elimination of All Forms of Discrimination against Women,^{ae} the Optional Protocol thereto,^{af} the Convention on the Rights of the Child^{ag} and the Optional Protocols thereto,^{ah} and urging States that have not yet done so to consider ratifying or acceding to them,

Noting that civilians account for the vast majority of those adversely affected by armed conflict; that women and girls are particularly targeted by the use of sexual violence, including as a tactic of war to humiliate, dominate, instil fear in, disperse and/or forcibly relocate civilian members of a community or ethnic group; and that sexual violence perpetrated in this manner may in some instances persist after the cessation of hostilities,

Recalling its condemnation in the strongest terms of all sexual and other forms of violence committed against civilians in armed conflict, in particular women and children,

Reiterating its deep concern that, despite its repeated condemnation of violence against women and children in situations of armed conflict, including sexual violence in situations of armed conflict, and despite its calls addressed to all parties to armed conflict for the cessation of such acts with immediate effect, such acts continue to occur, and in some situations have become systematic and widespread, reaching appalling levels of brutality,

^u S/PRST/2001/31.

^v S/PRST/2002/32.

^w S/PRST/2004/40.

^x S/PRST/2005/52.

^y S/PRST/2006/42.

^z S/PRST/2007/5.

^{aa} S/PRST/2007/40.

^{ab} See General Assembly resolution 60/1.

^{ac} *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

^{ad} General Assembly resolution S 23/2, annex, and resolution S 23/3, annex.

^{ae} United Nations, *Treaty Series*, vol. 1249, No. 20378.

^{af} *Ibid.*, vol. 2131, No. 20378.

^{ag} *Ibid.*, vol. 1577, No. 27531.

^{ah} *Ibid.*, vols. 2171 and 2173, No. 27531.

Recalling the inclusion of a range of sexual violence offences in the Rome Statute of the International Criminal Court^{ai} and the statutes of the ad hoc international criminal tribunals,

Reaffirming the important role of women in the prevention and resolution of conflicts and in peacebuilding, and stressing the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution,

Deeply concerned about the persistent obstacles and challenges to the participation and full involvement of women in the prevention and resolution of conflict as a result of violence, intimidation and discrimination, which erode women's capacity and legitimacy to participate in post-conflict public life, and acknowledging the negative impact this has on durable peace, security and reconciliation, including post-conflict peacebuilding,

Recognizing that States bear the primary responsibility to respect and ensure the human rights of their citizens, as well as all individuals within their territory, as provided for by relevant international law,

Reaffirming that parties to armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of affected civilians,

Welcoming the ongoing coordination of efforts within the United Nations system, marked by the inter-agency initiative "United Nations Action against Sexual Violence in Conflict," to create awareness about sexual violence in armed conflicts and post-conflict situations and, ultimately, to put an end to it,

1. *Stresses* that sexual violence, when used or commissioned as a tactic of war in order to deliberately target civilians or as a part of a widespread or systematic attack against civilian populations, can significantly exacerbate situations of armed conflict and may impede the restoration of international peace and security, affirms in this regard that effective steps to prevent and respond to such acts of sexual violence can significantly contribute to the maintenance of international peace and security, and expresses its readiness, when considering situations on the agenda of the Security Council, to, where necessary, adopt appropriate steps to address widespread or systematic sexual violence;

2. *Demands* the immediate and complete cessation by all parties to armed conflict of all acts of sexual violence against civilians with immediate effect;

3. *Demands also* that all parties to armed conflict immediately take appropriate measures to protect civilians, including women and girls, from all forms of sexual violence, which could include enforcing appropriate military disciplinary measures and upholding the principle of command responsibility, training troops on the categorical prohibition of all forms of sexual violence against civilians, debunking myths that fuel sexual violence, vetting armed and security forces to take into account past actions of rape and other forms of sexual violence, and evacuation of women and children under imminent threat of sexual violence to safety; and requests the Secretary-General, where appropriate, to encourage dialogue to address this issue in the context of broader discussions of conflict resolution between appropriate United

^{ai} Ibid., vol. 2187, No. 38544.

Nations officials and the parties to the conflict, taking into account, *inter alia*, the views expressed by women of affected local communities;

4. *Notes* that rape and other forms of sexual violence can constitute a war crime, a crime against humanity, or a constitutive act with respect to genocide, stresses the need for the exclusion of sexual violence crimes from amnesty provisions in the context of conflict resolution processes, and calls upon Member States to comply with their obligations for prosecuting persons responsible for such acts and to ensure that all victims of sexual violence, particularly women and girls, have equal protection under the law and equal access to justice, and stresses the importance of ending impunity for such acts as part of a comprehensive approach to seeking sustainable peace, justice, truth and national reconciliation;

5. *Affirms its intention*, when establishing and renewing State-specific sanctions regimes, to take into consideration the appropriateness of targeted and graduated measures against parties to situations of armed conflict who commit rape and other forms of sexual violence against women and girls in situations of armed conflict;

6. *Requests* the Secretary-General, in consultation with the Council, the Special Committee on Peacekeeping Operations and its Working Group and relevant States, as appropriate, to develop and implement appropriate training programmes for all peacekeeping and humanitarian personnel deployed by the United Nations in the context of missions as mandated by the Council to help them to better prevent, recognize and respond to sexual violence and other forms of violence against civilians;

7. *Also requests* the Secretary-General to continue and strengthen efforts to implement the policy of zero tolerance of sexual exploitation and abuse in United Nations peacekeeping operations, and urges troop- and police-contributing countries to take appropriate preventative action, including predeployment and in-theatre awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

8. *Encourages* troop- and police-contributing countries, in consultation with the Secretary-General, to consider steps they could take to heighten awareness and the responsiveness of their personnel participating in United Nations peacekeeping operations to protect civilians, including women and children, and prevent sexual violence against women and girls in conflict and post-conflict situations, including, wherever possible, the deployment of a higher percentage of women peacekeepers or police;

9. *Requests* the Secretary-General to develop effective guidelines and strategies to enhance the ability of relevant United Nations peacekeeping operations, consistent with their mandates, to protect civilians, including women and girls, from all forms of sexual violence and to systematically include in his written reports to the Council on conflict situations his observations concerning the protection of women and girls and recommendations in this regard;

10. *Requests* the Secretary-General and relevant United Nations agencies, *inter alia*, through consultation with women and women-led organizations, as appropriate, to develop effective mechanisms for providing protection from violence, including, in particular, sexual violence, to women and girls in and around United Nations-managed

refugee and internally displaced persons camps, as well as in all disarmament, demobilization and reintegration processes, and in justice and security sector reform efforts assisted by the United Nations;

11. *Stresses* the important role that the Peacebuilding Commission can play by including in its advice and recommendations for post-conflict peacebuilding strategies, where appropriate, ways to address sexual violence committed during and in the aftermath of armed conflict, and ensuring consultation and effective representation of women's civil society in its country-specific configurations, as part of its wider approach to gender issues;

12. *Urges* the Secretary-General and his Special Envoys to invite women to participate in discussions pertinent to the prevention and resolution of conflict, the maintenance of peace and security, and post-conflict peacebuilding, and encourages all parties to such talks to facilitate the equal and full participation of women at decision-making levels;

13. *Urges* all parties concerned, including Member States, United Nations entities and financial institutions, to support the development and strengthening of the capacities of national institutions, in particular of judicial and health systems, and of local civil society networks in order to provide sustainable assistance to victims of sexual violence in armed conflict and post-conflict situations;

14. *Urges* appropriate regional and subregional bodies, in particular, to consider developing and implementing policies, activities and advocacy for the benefit of women and girls affected by sexual violence in armed conflict;

15. *Requests* the Secretary-General to submit a report to the Council by 30 June 2009 on the implementation of the present resolution in the context of situations which are on the agenda of the Council, utilizing information from available United Nations sources, including country teams, peacekeeping operations and other United Nations personnel, which would include information on situations of armed conflict in which sexual violence has been widely or systematically employed against civilians; analysis of the prevalence and trends of sexual violence in situations of armed conflict; proposals for strategies to minimize the susceptibility of women and girls to such violence; benchmarks for measuring progress in preventing and addressing sexual violence; appropriate input from United Nations implementing partners in the field; information on his plans for facilitating the collection of timely, objective, accurate and reliable information on the use of sexual violence in situations of armed conflict, including through improved coordination of United Nations activities on the ground and at Headquarters; and information on actions taken by parties to armed conflict to implement their responsibilities as described in the present resolution, in particular by immediately and completely ceasing all acts of sexual violence and taking appropriate measures to protect women and girls from all forms of sexual violence;

16. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5916th meeting

Resolution 1835 (2008) of 27 September 2008

The Security Council,

Taking note of the 15 September 2008 Report by the Director General of the International Atomic Energy Agency on the Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions (GOV/2008/38),

Reaffirming its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT),

1. *Reaffirms* the Statement of its President, S/PRST/2006/15, of 29 March 2006, and its resolution 1696 (2006) of 31 July 2006, its resolution 1737 (2006) of 23 December 2006, its resolution 1747 (2007) of 24 March 2007, and its resolution 1803 (2008) of 3 March 2008;

2. *Takes note* of the 3 March 2008 Statement of the Foreign Ministers of China, France, Germany, the Russian Federation, the United Kingdom, the United States of America, with the support of the High Representative of the European Union, describing the dual-track approach to the Iranian nuclear issue;

3. *Reaffirms* its commitment within this framework to an early negotiated solution to the Iranian nuclear issue and welcomes the continuing efforts in this regard;

4. *Calls upon* Iran to comply fully and without delay with its obligations under the above-mentioned resolutions of the Security Council, and to meet the requirements of the IAEA Board of Governors;

5. *Decides* to remain seized of the matter.

Adopted unanimously at the 5984th meeting

appendix V

**Disarmament resolutions and
decisions listed by chapter**

APPENDIX V

Disarmament resolutions and decisions listed by chapter

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appendix VI

Abbreviations and acronyms

APPENDIX VI

Abbreviations and acronyms

APLs	anti-personnel landmines
APs	additional protocols
ARF	ASEAN Regional Forum
ASEAN	Association of Southeast Asian Nations
ATT	arms trade treaty
AU	African Union
BANg	Ban All Nukes generation
BICC	Bonn International Center for Conversion
BID	Biological Incident Database
BMD	ballistic missile defence
BMS	Biennial Meeting of States
BWC	Biological Weapons Convention
CANWFZ	Central Asian Nuclear-Weapon-Free Zone
CARICOM	Caribbean Community
CASA	Coordinating Action on Small Arms
CBMs	confidence-building measures
CCM	Convention on Cluster Munitions
CCW	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; Convention on Certain Conventional Weapon
CD	Conference on Disarmament
CIFTA	Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials
CIS	Commonwealth of Independent States
CMC	Cluster Munition Coalition
CNS	James Martin Center for Nonproliferation Studies
COPUOS	Committee on the Peaceful Uses of Outer Space
CSA	comprehensive safeguards agreement
CSBMs	confidence- and security-building measures

CTBT	Comprehensive Nuclear-Test-Ban Treaty
CTBTO	Comprehensive Nuclear-Test-Ban Treaty Organization
CTC	Counter-Terrorism Committee
CTED	Counter-Terrorism Committee Executive Directorate
CWC	Chemical Weapons Convention
DDR	disarmament, demobilization and reintegration
DPI	Department of Public Information
DPKO	Department of Peacekeeping Operations
DPRK	Democratic People's Republic of Korea
EAPC	Euro-Atlantic Partnership Council
EC	European Commission
ECCAS	Economic Community of Central African States
ECOSAP	ECOWAS Small Arms Control Programme
ECOWAS	Economic Community of West African States
ERW	explosive remnants of war
EU	European Union
FMCT	fissile material cut-off treaty
FSC	Forum for Security Co-operation
G-21	Group of 21
GGE	Group of Governmental Experts
GPPAC	Global Partnership for the Prevention of Armed Conflict
HCOC	The Hague Code of Conduct against Ballistic Missile Proliferation
IAEA	International Atomic Energy Agency
ICBL	International Campaign to Ban Landmines
ICNND	International Commission on Nuclear Non-Proliferation and Disarmament
ICRC	International Committee of the Red Cross
IMS	International Monitoring System
INES	International Network of Engineers and Scientists for Global Responsibility
INTERPOL	International Criminal Police Organization
ISACS	international standards for small arms control
ISS	International Scientific Studies
ISU	Implementation Support Unit
IT	information technology

ITDB	Illicit Trafficking Database
ITI	International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons; International Tracing Instrument
ITT	Intangible Technology Transfers
LAS	League of Arab States
LEU	low-enriched uranium
MANPADS	man-portable air defence systems
MESP	Multilateral Enrichment Sanctuary Project
MoU	memorandum of understanding
MTCR	Missile Technology Control Regime
NAM	Movement of Non-Aligned Countries
NAPF	Nuclear Age Peace Foundation
NATO	North Atlantic Treaty Organization
NGOs	non-governmental organizations
NNWS	non-nuclear weapons States
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
NSG	Nuclear Suppliers Group
NSP	Nuclear Security Plan
NSS	IAEA Nuclear Security Series
NSSC	Nuclear Security Support Centre
NTI	Nuclear Threat Initiative
NWFZ	nuclear-weapon-free zone
NWS	nuclear-weapon States
OAS	Organization of American States
OEWG	Open-ended Working Group
OIE	World Organisation for Animal Health
OPANAL	Organization for the Prohibition of Nuclear Weapons in Latin America and the Caribbean
OPCW	Organisation for the Prohibition of Chemical Weapons
OSCE	Organization for Security and Cooperation in Europe
P-6	six Presidents
PAROS	prevention of an arms race in outer space
PGE	Panel of Government Experts
PNP	procurement through national production
PoA	Programme of Action

PoA-ISS	Programme of Action–Implementation Support System
PPWT	Treaty on the Prevention of the Placement of Weapons in Outer Space and of the Threat or Use of Force Against Outer Space Objects
PrepCom	Preparatory Committee
RACVIAC	Regional Arms Control Verification and Implementation Assistance Centre
RCC	Regional Cooperation Council
RCPD	Regional Centre for Peace and Disarmament in Asia and the Pacific
RECSA	Regional Centre on Small Arms
RevCon	Review Conference
SAB	Scientific Advisory Board
SALW	small arms and light weapons
SCO	Shanghai Cooperation Organization
SEANWFZ	South-East Asia Nuclear-Weapon-Free Zone
SEESAC	South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons
SIPRI	Stockholm International Peace Research Institute
SQPs	small quantities protocols
SSOD IV	fourth special session of the General Assembly devoted to disarmament
START	Strategic Arms Reduction Treaty
TCBMs	transparency and confidence-building measures
UNDC	United Nations Disarmament Commission
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNIDIR	United Nations Institute for Disarmament Research
UNIFEM	United Nations Development Fund for Women
UN-LiREC	United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean
UNMAS	United Nations Mine Action Service
UNMIS	United Nations Mission in the Sudan
UNODA	United Nations Office for Disarmament Affairs
UNODC	United Nations Office on Drugs and Crime
UNOWA	United Nations Office for West Africa

UNREC	United Nations Regional Centre for Peace and Disarmament in Africa
UNSAC	United Nations Standing Advisory Committee on Security Questions in Central Africa
UNSCR	United Nations Security Council resolution
UPEACE	University for Peace
VERTIC	Verification Research, Training and Education Centre
WA	Wassenaar Arrangement
WAANSA	West Africa Action Network on Small Arms
WHO	World Health Organization
WINS	World Institute for Nuclear Security
WISP.V	web-based information system for Protocol V
WMD	weapons of mass destruction

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SELECTIVE INDEX

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