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General and complete disarmament

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 and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction

Statement by the
International Committee of the Red Cross (ICRC)
New York, 7 October 2002
Mr. Chairman,

Since the 56th General Assembly we have witnessed important and positive developments in the context of two international humanitarian law treaties governing weapons. These developments illustrate the potential for making significant progress in addressing issues related to weapons when the focus is put on the human implications of the weapons concerned and on fundamental and widely accepted norms of international humanitarian law.

The Second Review Conference of the **1980 Convention on Certain Conventional Weapons** (CCW), in December 2001, took the landmark decision to extend the scope of all of the Convention's Protocols to apply also in non-international armed conflicts. This was a crucial affirmation of the international community's determination to ensure that the fundamental rules prohibiting or governing the use of specific conventional weapons apply in the types of conflicts which are most prevalent today. The extension of the Convention's scope sends a signal both to States and armed groups that the norms contained in the Convention must be respected in all armed conflicts. It will also make the ICRC's promotion of the rules contained in the Convention easier.

States parties to the CCW also agreed to begin formal efforts to address the global problem of **explosive remnants of war** and **anti-vehicle mines** in the framework of a Group of Governmental Experts. In the course of the past two years the ICRC has drawn attention to the widespread and dramatic human consequences of explosive remnants of war which litter post-conflict landscapes throughout the world. In contexts as diverse as Poland and Laos uncleared unexploded ordnance has caused many thousands of casualties and required tens of millions of dollars to clear. As weapon systems capable of delivering huge quantities of explosive devices over great distances proliferate, so too will the human, social and financial costs of explosive remnants of war - unless urgent action is taken. The Expert Group's work has been encouraging. There appears to be a broad consensus that many problems relating to this issue are largely preventable and should be addressed in the CCW context. Many elements of a possible solution have been identified. These include obligations to clear, or assist in clearance of, unexploded ordnance and the provision of essential information to warn local populations and facilitate safe and rapid clearance. However, it is unlikely that significant further progress will be made until specific proposals are considered in a negotiating framework.

Taken in the context of the adoption of new Protocols in 1995 and 1996, the recent extension of scope and the decision to begin work on explosive remnants of war and anti-vehicle mines, the CCW Convention has demonstrated its potential to be a dynamic instrument. It has been able to meet challenges arising from new weapons and the changing nature of warfare. The ICRC urges all CCW States Parties to accede at the earliest possible date to the extended scope of the CCW Convention and to any Protocol to which they are not yet party. We also urge all non-Parties to adhere to the Convention and to join in efforts to address the global problem of explosive remnants of war in this forum. The ICRC considers that future work on explosive remnants of war should be carried out within a mandate for the negotiation of a new legally binding protocol and calls on all State Parties to support such a mandate at the special Meeting of States Parties in December.

The Fourth Meeting of States Parties to the **Convention on the Prohibition of Anti-personnel Mines** in September was another important landmark in efforts to end the scourge of these weapons. The meeting provided evidence of the effectiveness of the Convention in reducing the numbers of mines and in mobilising States, international agencies and NGO's towards the goal of the total elimination of anti-personnel mines along with their horrific effects. The adherence this year by 7 more States, including Afghanistan and Angola which are among those most ravaged by mines, demonstrates the continuing momentum towards universalisation of this Convention. It also reflected an important shift from a past focus on consolidating "lessons learned" in mine action towards the achievement of specific objectives within fixed deadlines. For many States the deadlines for stockpile destruction are as early as 2003, and for mine clearance 2009. The crucial role of the 2004 Review Conference in ensuring that these deadlines are met and adequate resources are mobilised was recognised and preparations begun. The ICRC looks forward to hosting a meeting of States of the Commonwealth of Independent States in Moscow, in early November, to consider together the challenges and promise of this important Convention. We call upon all States not yet party to adhere as a matter of urgency.
Mr. Chairman,

The Biological Weapons Convention, by prohibiting the production, stockpiling and transfer of biological weapons, provides an indispensable complement to the absolute prohibition of the use of such weapons contained in the 1925 Geneva Protocol. The ICRC therefore regrets that lengthy negotiations to strengthen the Convention through a compliance-monitoring regime were not concluded as expected in November 2001. We urge States Parties to spare no effort to ensure that the resumed Fifth Review Conference of the Biological Weapons Convention in November takes steps to ensure that the norms contained in the 1925 Protocol and the 1972 Convention are maintained and strengthened in face of rapid scientific developments.

The ICRC is concerned that the "biotechnology revolution" which has already begun could inadvertently facilitate the use of biological weapons. This led the Institution to issue a rare appeal to governments, scientists and industry on "Biotechnology, Weapons and Humanity" in late September which is being distributed to Permanent Missions. The ICRC recognises that potential benefits of advances in biological sciences and technologies are impressive. These include cures for diseases, new vaccines and increases in food production. However, the warnings of what can go wrong are profoundly disturbing.

Existing biological agents have the potential to cause disease among large numbers of people and to spread fear within populations. New agents and means to deliver them would make the use of biological weapons more dangerous, more difficult to detect and therefore more attractive. The capacity of science to manipulate existing bacteria and to create a virus from information on the Internet and genetic material available by mail order has recently been demonstrated. Unless adequately controlled, the hostile uses of such scientific developments could undermine ancient and modern prohibitions of the use of poison as a method of warfare - with incalculable results.

In face of such risks for humanity the ICRC Appeal calls on governments, the scientific community and the biotechnology industry to work together to ensure that biotechnology will never be put to hostile uses. The Appeal proposes actions within the capacity of each of these groups to ensure that current international humanitarian law norms are reaffirmed and strengthened, that effective controls are placed on potentially dangerous knowledge and agents, and that officials in science and industry understand and assume their moral and legal responsibilities to prevent misuse. Specific proposed measures include: the adoption of laws to ensure that acts prohibited by the 1925 Geneva Protocol and Biological Weapons Convention are prosecuted, codes of conduct for scientists, medical professionals and industry and improved international capacities to detect and respond to outbreaks of infectious disease. Finally, the ICRC has urged States to adopt at a high political level a Declaration on "Biotechnology, Weapons and Humanity" containing a renewed commitment to existing norms and specific commitments to preventative actions.

The ICRC continues to be preoccupied by the ease with which military style arms are available in many regions of the world. Last year's Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects helped draw attention to the enormous human costs of the unregulated availability of such weapons. It was also important that the Conference acknowledged that this trade "undermines respect for humanitarian law, impedes the provision of humanitarian assistance to victims of armed conflict and fuels crime and terrorism". The implementation of the measures agreed upon is now of paramount importance. We urge States to review their laws and policies governing the transfer and availability of arms and ammunition, with a view to limiting access to arms to those who are likely to violate international humanitarian law. We also encourage continued efforts at the national and regional levels to supplement the measures in the Plan of Action and look forward to a careful review of its implementation at the first biennial review meeting next July.

Thank you, Mr. Chairman.