CWC: universality & civil society contributions

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The Trench

Chemical Weapons and the Middle East
Education day for NGOs and reporters
organised by Israeli Disarmament Movement & the CWC Coalition
Tel Aviv, 10 November 2014
## Status CBW prohibition in ME

<table>
<thead>
<tr>
<th>Country</th>
<th>Geneva Protocol</th>
<th>BTWC</th>
<th>CWC</th>
</tr>
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<tbody>
<tr>
<td>Iran</td>
<td>03.08.1929</td>
<td>22.08.1973</td>
<td>03.12.1997</td>
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<td>Iraq</td>
<td>07.04.1931</td>
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<td>Israel</td>
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<td>[Sign: 13/01/1993]</td>
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<td>Kuwait</td>
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<td>Lebanon</td>
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<td>Libya</td>
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<td>19.01.1982</td>
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<td>Oman</td>
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<td>Tunisia</td>
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<td>Yemen</td>
<td>26.01.1971</td>
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Civil society roles in a formal verification regime

Fulfillment of obligations
- National implementation
- National authority
- Safety and security standards
- Cooperation and assistance
- Supplementary reporting requirements

Treaty-based verification
- Conformity of activities
  - Declarations
  - Inspections
  - Data reconciliation
  - Anomaly resolution
  - Investigation of alleged use

Completeness of declarations

Investigation of alleged use

Augmented State Party action
- Enhancing transparency
  - National inspections
  - Peer review
  - Bilateral inspections
  - Intra-regional inspections

Civil society activity

Open-source analysis

Maintenance of norm

Based on a concept by Stian Holen, October 2012
Formal verification

- Centrality of international organisation
  - Division of labour between IO and individual states parties
  - Verification of activities
  - Verification of treaty obligations (e.g., implementation legislation)
  - Investigation of alleged use of prohibited weapons in armed conflict

- States can enhance the verification system
  - On bilateral or regional basis
    - Supplementary verification activities
    - Assistance
  - Open sources and national intelligence
    - Options for bilateral consultations or action through IO

- Civil society: supplementary roles
  - Analysis and reporting on national compliance
  - Open source analysis and reporting
  - Raising concerns about the integrity of the norm (e.g., incapacitants & CWC)
CBW allegation: Possible civil society contribution

WAR

Inside the war zone

Locals reporting
- Combatants
- Medical teams
- Activists
- Humanitarian aid organisations

Press
- Local
- International

Outside the war zone

Expert communities

Activist communities

Critical assessment of allegations
- Social action
- Judgement
- Justice

Governments
- International organisations
- UN Bodies

Action
Allegations of use

- Task differentiation between civil society constituencies in a war zone and those outside it.
- Independent reporting and analysis crucial to:
  - Mobilisation of international action
  - Restraint on certain types of international response (e.g., military retaliatory strikes vs. application of international treaties and mechanisms)
  - Challenge claims to counter propaganda purposes of allegations
  - Inform the public debate on issues and possible options and constraints
- Allegations bring in different types of civil society constituencies who will press for different courses of action, irrespective of the status of relevant international law.
Challenges for civil society

- **Multi-stakeholder environment**
  - On both national and international levels
  - Interests may coincide, compete or conflict (even among civil society constituencies)

- **How to get reports and messages to the appropriate decision-making levels?**
  - Often sent to mid-level bureaucracies, with no guarantee to transference to higher echelons
  - Outreach to press necessary, but with very limited impact ⇒ danger of sensationalism

- **Impact of funding scarcity**
  - Funding source (e.g., a state party) may limit opportunity for independent action
  - Few private foundations; now often government money for specific projects in support of current diplomatic priorities (limits opportunities for strategic thinking)
  - Competition for scarce funds among civil society constituencies ⇒ reinforces tendencies to conform proposals to government priorities of the moment (e.g., topics of the intersessional process, even though these may have little to do with disarmament or the future of the BTWC)

- **Civil society – government relationships**
  - Some NGOs / academic units have become virtual private contractors to governments
  - ‘Revolving door’ practice: who wants to jeopardise possible position in a government?
  - Raises questions about quality of oversight of national activities (if this is what they still do)

- **Single issue NGOs focus on a narrow matter for a limited time, but with little interaction with the broader civil society community (limits impact)**

- **How universal is civil society coverage?**
  - In many countries (e.g., India, Russia, Sri Lanka) the independence of civil society activity (and funding) is becoming increasingly challenged; in many other countries NGO activities are all but banned.
  - A rising view in other parts of the world that civil society serves ‘Western’ interests
  - View is reinforced by civil society – government relationships in Europe and North America