

Iraq / Kuwait

**Note to Mr. Duarte**

**RETENTION OF EXPERTISE FROM FORMER UNITED NATIONS  
MONITORING, VERIFICATION AND INSPECTION COMMISSION  
(UNMOVIC)**

Further to your note to Mr. Nambiar dated 23 March, I can advise that I had put this proposal (received from Mr. Orr's office but in identical terms) to him on 12 March. I attach his response to the proposal.



Nicholas Haysom  
27 March 2009

cc: KWS

29-03372

**Note to Mr. Haysom**

Conversion of four extra-budgetary posts into Regular Budget and their inclusion in  
UNODA's Proposed Programme Budget for the Biennium 2010-2011

Please refer to the note from Mr. Duarte to Mr. Nambiar on the above subject. You would recollect that Mr. Nambiar had on 16 March 2009 written to you on this subject. He had requested that ODA and DM should work out the modalities of finding an appropriate solution (copy of note attached). In this context, it would be appreciated if Mr. Duarte is advised about the views expressed by Mr. Nambiar in his earlier note.

Thank you.



Linda Taylor  
24 March 2009

cc: Mr. Kim

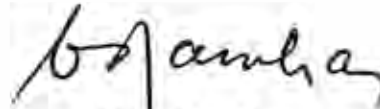
**Note to Mr. Haysom**

Retention of Expertise from Former United Nations Monitoring, Verification and  
Inspection Commission (UNMOVIC)

Please refer to your note dated 12 March 2008 on the above subject. I recollect that the intention behind the extension of contracts for the staff members was to enable ODA to draw upon and absorb the technical expertise and skills possessed by these staff members. It is presumed that that during this period, ODA would have benefited from their knowledge. While the Policy Committee decision No. 2008/5 had alluded to seeking regular budget funding for retaining appropriate capacity after the initial period, it appears difficult in the light of the current financial situation. The substantive departments (ODA and DM) should be requested to work out the modalities for finding an appropriate solution. In this context, I am in general agreement with the views expressed by the Controller.

Having said the above, I feel that we may share the CVs of these staff members with the Organisation of Prohibition of Chemical Weapons (OPCW) so that OPCW may consider utilizing this resource. Additionally, ODA could be requested to examine if the experience and knowledge could be utilized within the existing staff positions.

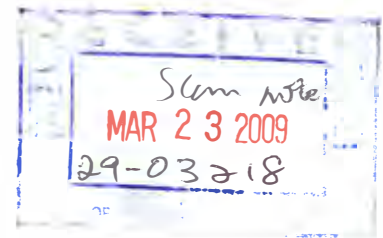
Thank you.



Vijay Nambiar  
16 March 2009

cc: Mr. Kim  
Mr. Orr

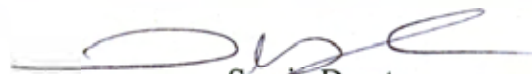
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**Note to Mr. Vijay Nambiar**

**CONVERSION OF FOUR EXTRA-BUDGETARY POSTS INTO REGULAR  
BUDGET POSTS AND THEIR INCLUSION IN UNODA'S PROPOSED  
PROGRAMME BUDGET FOR THE BIENNIUM 2010-2011**

1. Please find attached a note to the Secretary-General requesting his support for the conversion of four extra-budgetary posts into regular posts and their inclusion in UNODA's proposed biennium programme budget for the biennium 2010-2011.
2. Based on the Policy Committee decision (No. 2008/5), UNODA included in its budget proposal for the biennium 2010-2011, the conversion of four of the five GTA/XB posts at the professional category into established posts under the regular budget.
3. In a telephone conversation between myself and the Controller on 6 March 2009, the Controller informed me that the proposed conversion has not been approved.
4. The funding of these extra-budgetary posts was provided by the MacArthur Foundation to retain expertise and institutional memory from the United Nations Monitoring, Verification and Inspection Commission ("UNMOVIC"). This was bridge funding with the understanding that these posts would be established under the regular budget.
5. Subsequent to the Policy Committee Decision cited above, five technical experts joined ODA in March 2008. They are responsible for, *inter alia*, work related to the Secretary-General's mechanism on alleged use investigation of chemical, biological and toxin weapons and to the development of a single comprehensive database on biological incidents.
6. These mandates derive from several General Assembly resolutions as well as the Security Council, especially those related to the Secretary-General's mechanism.
7. In order to maintain the continuity of the work already undertaken by ODA over the last two years, the conversion of these posts is essential so as to preserve technical and scientific expertise, ensure ODA's ability to carry out its responsibilities in an effective manner and allow for the sustained implementation of the existing mandates.

  
Sérgio Duarte  
23 March 2009

cc: Mr. Kim

**Note to the Secretary-General**

**CONVERSION OF FOUR EXTRA-BUDGETARY POSTS INTO REGULAR BUDGET POSTS AND THEIR INCLUSION IN UNODA'S PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 2010-2011**

1. In January 2008, the MacArthur Foundation has awarded to the United Nations a grant in the amount of \$2,000,000 as bridge funding to retain expertise and institutional memory from the United Nations Monitoring, Verification and Inspection Commission ("UNMOVIC") (attachment 1).
2. Five technical experts were subsequently recruited and joined ODA in March 2008. They are responsible for, *inter alia*, work related to the technical guidelines and procedures as well as updating the roster of experts and laboratories available to the Secretary-General for the timely and efficient investigation of alleged use of biological and chemical weapons and the development of a single comprehensive database on biological incidents, as stipulated in the United Nations Global Counter-Terrorism Strategy (A/RES/60/288) (attachment 2).
3. The Policy Committee's decision of 8 February 2008 (No. 2008/5) stipulated that "The ability of ODA to carry out its responsibilities more effectively and efficiently should be enhanced through bridge funding from extra-budgetary resources to preserve expertise from five experts of the former UNMOVIC; regular budget funding should be sought to retain appropriate capacity after the initial period" (paragraph (ii) b).
4. Based on this Policy Committee decision, UNODA included in its budget proposal for the biennium 2010-2011, the conversion of four of the five GTA/XB posts at the professional category into established posts under the regular budget
5. On Friday, 6 March 2009, the Controller informed me that the proposed conversion has not been approved.
6. The conversion of these posts is essential so as to preserve technical and scientific expertise in the area of Weapons of Mass Destruction, with particular emphasis on biological weapons. This will ensure ODA's ability to carry out its responsibilities in an effective manner and to allow for the continued implementation of the existing mandates, in particular as they relate to the Secretary-General's mechanism for investigation of alleged use of chemical, bacteriological (biological) and toxin weapons, (A/Res/42/37 C) as well as Security Council Resolution 620 of 26 August 1988 (S/RES/620 (1988) which require the readiness of the Secretary-General to carry out promptly investigations in response to allegations brought to his



attention by any Member State (attachments 3 and 4) and to the development of a biological incident database.

7. Member States have shown an increased interest in having the Secretary-General's mechanism operational, since no biological verification system currently exists within the framework of the Biological and Toxin Weapons Convention. Furthermore, there is no entity within the United Nations which has the competency to readily and effectively assist the Secretary-General in this area. As a consequence of the non-retention of these technical experts, the United Nations will not be in a position to implement the mandates given to it by Member States and will lose its edge and expertise in this regard.

8. International interest in developing global biological security standards is likely to further increase with the importance that this issue is being given by the U.S. administration, particularly following the recent release of the report of the Congressional Commission on the Prevention of the Proliferation of Weapons of Mass Destruction and Terrorism release, which concluded that there is a very high probability that terrorists would carry out an attack with biological weapons in the next five years and recommended that the US government work with the international community to develop global biological security standards.

9. Additionally, I wish to bring to your attention that the Government of Sweden has offered the first-ever training course for the governmental experts listed in the mechanism's roster (attachment 5).

**Recommendation:**

10. Given the above, and in view of the Policy Committee Decision (No. 2008/5), I kindly request your support in respect of the conversion of these four posts under the regular budget to ensure the continuity of the work already undertaken by ODA over the last two years.

  
Sergio Duarte  
23 March 2009

1

January 16, 2008

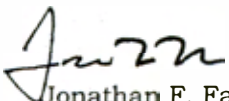
Mr. Sergio Duarte  
High Representative for Disarmament Affairs  
United Nations Office for Disarmament Affairs  
New York, NY 10017

Dear Mr. Duarte:

It is my pleasure to inform you that the MacArthur Foundation has awarded a grant in the amount of \$2,000,000 to the United Nations to provide bridge funding to retain expertise and institutional memory from the United Nations Monitoring, Verification and Inspection Commission ("UNMOVIC"). The terms and conditions of this grant are described in the enclosed agreement. We ask that an authorized representative of your organization execute the agreement and return it to the attention of Marc P. Yanchura, Vice President and Chief Financial Officer of the Foundation. If you or your staff have any questions on the contents of the agreement, please contact Elsa Gutierrez, Program Administrator, at (312) 516-1537.

We wish you every success in your important work which we are pleased to support.

Sincerely,

  
Jonathan F. Fanton  
President

Enclosure  
Grant No. 07-90429-000-GSS

mandates, the United Nations Office on Drugs and Crime and the International Criminal Police Organization, to facilitate its provision;

9. To acknowledge that the question of creating an international centre to fight terrorism could be considered, as part of international efforts to enhance the fight against terrorism;

10. To encourage States to implement the comprehensive international standards embodied in the Forty Recommendations on Money-Laundering and Nine Special Recommendations on Terrorist Financing of the Financial Action Task Force, recognizing that States may require assistance in implementing them;

11. To invite the United Nations system to develop, together with Member States, a single comprehensive database on biological incidents, ensuring that it is complementary to the biocrimes database contemplated by the International Criminal Police Organization. We also encourage the Secretary-General to update the roster of experts and laboratories, as well as the technical guidelines and procedures, available to him for the timely and efficient investigation of alleged use. In addition, we note the importance of the proposal of the Secretary-General to bring together, within the framework of the United Nations, the major biotechnology stakeholders, including industry, the scientific community, civil society and Governments, into a common programme aimed at ensuring that biotechnology advances are not used for terrorist or other criminal purposes but for the public good, with due respect for the basic international norms on intellectual property rights;

12. To work with the United Nations with due regard to confidentiality, respecting human rights and in compliance with other obligations under international law, to explore ways and means to:

(a) Coordinate efforts at the international and regional levels to counter terrorism in all its forms and manifestations on the Internet;

(b) Use the Internet as a tool for countering the spread of terrorism, while recognizing that States may require assistance in this regard;

13. To step up national efforts and bilateral, subregional, regional and international cooperation, as appropriate, to improve border and customs controls in order to prevent and detect the movement of terrorists and prevent and detect the illicit traffic in, inter alia, small arms and light weapons, conventional ammunition and explosives, and nuclear, chemical, biological or radiological weapons and materials, while recognizing that States may require assistance to that effect;

14. To encourage the Counter-Terrorism Committee and its Executive Directorate to continue to work with States, at their request, to facilitate the adoption of legislation and administrative measures to implement the terrorist travel-related obligations and to identify best practices in this area, drawing whenever possible on those developed by technical international organizations, such as the International Civil Aviation Organization, the World Customs Organization and the International Criminal Police Organization;

15. To encourage the Committee established pursuant to Security Council resolution 1267 (1999) to continue to work to strengthen the effectiveness of the travel ban under the United Nations sanctions regime against Al-Qaida and the Taliban and associated individuals and entities, as well as to ensure, as a matter of priority, that fair and transparent procedures exist for placing individuals and entities on its lists, for removing them and for granting humanitarian exceptions. In



2. Notes that the *Ad Hoc* Meeting of Scientific and Technical Experts from States parties to the Convention agreed in its report that the first exchange of information and data should take place not later than 15 October 1987 and that thereafter information to be given on an annual basis should be provided through the Department for Disarmament Affairs of the Secretariat not later than 15 April;

3. Notes with satisfaction that the first such exchange of information and data has commenced;

4. Requests the Secretary-General to render the necessary assistance and to provide such services as may be required for the implementation of the relevant parts of the Final Declaration;

5. Calls upon all signatory States that have not ratified or acceded to the Convention to do so without delay, and also calls upon those States which have not yet signed the Convention to join the States parties thereto at an early date, thus contributing to the achievement of universal adherence to the Convention and to international confidence.

84th plenary meeting  
30 November 1987

#### MEASURES TO UPHOLD THE AUTHORITY OF THE 1925 GENEVA PROTOCOL AND TO SUPPORT THE CONCLUSION OF A CHEMICAL WEAPONS CONVENTION

*The General Assembly,*

Recalling the provisions of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,<sup>39</sup> and other relevant rules of customary international law,

Recalling also the necessity of the adherence by all States to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, signed in London, Moscow and Washington on 10 April 1972,<sup>40</sup>

Reiterating its concern about reports that chemical weapons have been used and over indications of their emergence in an increasing number of national arsenals, as well as about the growing risk that they may be used again,

Noting with satisfaction that the Conference on Disarmament is actively engaged in negotiating a convention on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction,<sup>46</sup> including detailed provisions for the on-site verification of compliance with the convention, and expressing its support for the early and successful conclusion of those negotiations,

Noting also that prompt and impartial investigation of reports of possible use of chemical and bacteriological weapons would further enhance the authority of the 1925 Geneva Protocol,

Expressing its appreciation for the work of the Secretary-General, and noting the procedures available to him in support of the principles and objectives of the 1925 Geneva Protocol,

<sup>46</sup> See Official Records of the General Assembly, Forty-second Session, Supplement No. 27 (A/42/27), sect. III.D.

1. Renews its call to all States to observe strictly the principles and objectives of the 1925 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, and condemns all actions that violate this obligation;

2. Urges all States to be guided in their national policies by the need to curb the spread of chemical weapons;

3. Recognizes the need, upon the entry into force of a chemical weapons convention, to review the modalities available to the Secretary-General for the investigation of reports of the possible use of chemical weapons;

4. Requests the Secretary-General to carry out investigations in response to reports that may be brought to his attention by any Member State concerning the possible use of chemical and bacteriological (biological) or toxin weapons that may constitute a violation of the 1925 Geneva Protocol or other relevant rules of customary international law in order to ascertain the facts of the matter, and to report promptly the results of any such investigation to all Member States;

5. Requests the Secretary-General, with the assistance of qualified experts provided by interested Member States, to develop further technical guidelines and procedures available to him for the timely and efficient investigation of such reports of the possible use of chemical and bacteriological (biological) or toxin weapons;

6. Also requests the Secretary-General, in meeting the objectives set forth in paragraph 4 above, to compile and maintain lists of qualified experts provided by Member States whose services could be made available at short notice to undertake such investigations, and of laboratories with the capability to undertake testing for the presence of agents the use of which is prohibited;

7. Further requests the Secretary-General, in meeting the objectives of paragraph 4 above:

(a) To appoint experts to undertake investigation of the reported activities;

(b) Where appropriate, to make the necessary arrangements for experts to collect and examine evidence and to undertake such testing as may be required;

(c) To seek, in any such investigation, assistance as appropriate from Member States and the relevant international organizations;

8. Requests Member States and the relevant international organizations to co-operate fully with the Secretary-General in the above-mentioned work;

9. Requests the Secretary-General to submit a report to the General Assembly at its forty-third session on the implementation of the present resolution.

84th plenary meeting  
30 November 1987

#### 42/38. General and complete disarmament

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##### BILATERAL NUCLEAR-ARMS NEGOTIATIONS

*The General Assembly,*

Recalling that at their meeting at Geneva in November 1935 the leaders of the Union of Soviet Socialist Republics and the United States of America committed themselves to the objective of working out effective agreements aimed at preventing an arms race in space and terminating it on Earth,<sup>25</sup>

the consent of the Council, to appoint Major-General Slavko Jović, of Yugoslavia, as Chief Military Observer of the United Nations Iran-Iraq Military Observer Group. In a letter dated 11 August 1988,<sup>47</sup> the President of the Council informed the Secretary-General as follows:

"I have the honour to inform you that your letter dated 10 August 1988<sup>48</sup> concerning your proposal to appoint Major-General Slavko Jović of Yugoslavia as the Chief Military Observer of the United Nations Iran-Iraq Military Observer Group has been brought to the attention of the members of the Security Council. They considered the matter in informal consultations held on 11 August 1988 and agreed with the proposal contained in your letter."

In a letter dated 23 August 1988,<sup>49</sup> the Secretary-General informed the President of the Council of his intention to add Peru and Uruguay to the list of contingents included in the United Nations Iran-Iraq Military Observer Group. In a letter dated 26 August 1988,<sup>50</sup> the President of the Council informed the Secretary-General as follows:

"I have the honour to inform you that your letter dated 23 August 1988<sup>51</sup> concerning the additional contingents for the United Nations Iran-Iraq Military Observer Group has been brought to the attention of the members of the Security Council. They considered the matter in informal consultations held on 26 August and agreed with the proposal contained in your letter."

At its 2825th meeting, on 26 August 1988, the Council proceeded with the discussion of the item entitled "The situation between Iran and Iraq: reports of the missions dispatched by the Secretary-General to investigate allegations of the use of chemical weapons in the conflict between the Islamic Republic of Iran and Iraq (S/20060 and Add.1, S/20063 and Add.1 and S/20134)".<sup>52</sup>

#### **Resolution 620 (1988)**

of 26 August 1988

##### **The Security Council,**

Recalling its resolution 612 (1988) of 9 May 1988,

Having considered the reports of 20 and 25 July and of 2 and 19 August 1988<sup>53</sup> of the missions dispatched by the

Secretary-General to investigate allegations of the use of chemical weapons in the conflict between the Islamic Republic of Iran and Iraq,

*Deeply dismayed* by the missions' conclusions that there had been continued use of chemical weapons in the conflict between the Islamic Republic of Iran and Iraq and that such use against Iranians had become more intense and frequent,

*Profoundly concerned* by the danger of possible use of chemical weapons in the future,

*Bearing in mind* the current negotiations in the Conference on Disarmament on the complete and effective prohibition of the development, production and stockpiling of chemical weapons and on their destruction,

*Determined* to intensify its efforts to end all use of chemical weapons in violation of international obligations now and in the future,

1. *Condemns resolutely* the use of chemical weapons in the conflict between the Islamic Republic of Iran and Iraq, in violation of obligations under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,<sup>54</sup> and in defiance of its resolution 612 (1988);

2. *Encourages* the Secretary-General to carry out promptly investigations in response to allegations brought to his attention by any Member State concerning the possible use of chemical and bacteriological (biological) or toxic weapons that may constitute a violation of the 1925 Geneva Protocol or other relevant rules of customary international law, in order to ascertain the facts of the matter, and to report the results;

3. *Calls upon* all States to continue to apply, to establish or to strengthen strict control of the export of chemical products serving for the production of chemical weapons, in particular to parties to a conflict, when it is established or when there is substantial reason to believe that they have used chemical weapons in violation of international obligations;

4. *Decides* to consider immediately, taking into account the investigations of the Secretary-General, appropriate and effective measures in accordance with the Charter of the United Nations, should there be any future use of chemical weapons in violation of international law, wherever and by whomever committed.

Adopted unanimously at the 2825th meeting.

<sup>47</sup> S/20112.

<sup>48</sup> S/20154.

<sup>49</sup> S/20155.

<sup>50</sup> Official Records of the Security Council, Forty-third Year, Supplement for July, August and September 1988, documents S/20060 and Add.1, S/20063 and Add.1 and S/20134.





GKW



REGERINGSKANSLIET

Stockholm, 11 March 2009

Ministry for Foreign Affairs  
Sweden

*Director-General for Political Affairs*

H.E. Sergio de Queiroz Duarte  
High Representative for Disarmament Affairs  
United Nations  
NEW YORK  
Fax No +1-212-9634066

Excellency,

I am pleased to inform you that the Swedish Ministry for Foreign Affairs is financing a training course for experts on the roster of the Secretary-General's mechanism (SGM) for investigation of alleged use of chemical and biological weapons, as set forth in the guidelines and procedures in UN document A/44/561, para. 40.

The two-week training course, to be held from 25 May to 5 June 2009 in Umeå, Sweden, will be organized by the European CBRNE Centre at the University of Umeå. This Centre is conducting advanced studies of societal security and vulnerability, in particular concerning incidents involving chemical, biological, radioactive/nuclear and explosive substances. Partners to the Centre are the Swedish Defence Research Institute, the Swedish Armed Forces' CBRNE School and the Regional Hospital North.

The European CBRNE Centre is ready to cover costs for travel, accommodation and meals associated with the participation of experts on the roster in the training course.

ODA  
OFFICE OF THE  
HIGH REPRESENTATIVE  
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LOG No. 35/3

The Swedish Ministry for Foreign Affairs would highly appreciate if your office could provide its support and cooperation for the training course. We welcome the interaction by your staff with the Centre in developing the curriculum of the course, as well as the participation of your staff as instructors. We would appreciate if your office could provide the Centre with a list of experts from the roster to be invited to the training course.

Accept, Excellency, the assurances of my highest consideration,

ODA  
Weapons of Mass  
Destruction Branch  
Björn Lyrvall

MAR 11 2009

H.H. GKW

11/03

Log No. 29/3

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