

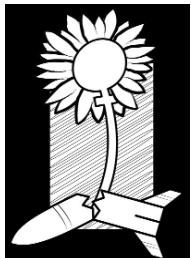
# THE FIRST COMMITTEE MONITOR

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No. 3: October 18-22, 2004



NGO Reporting on the  
*General Assembly First Committee on Disarmament and International Security*



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# THE MONITOR

*The Monitor* is a weekly report produced by the NGO Working Group on the First Committee, a collaborative effort undertaken by 9 non-governmental organizations to make the work of the UN General Assembly First Committee on Disarmament and International Security more transparent and useful for those not based in New York. *The Monitor* is compiled, edited and coordinated by Reaching Critical Will, a disarmament project of the Women's International League for Peace and Freedom.

RCW, supported by the NGO Working Group on the First Committee, provides several services to activists, diplomats, UN staffers, academicians and others including:

- \* Posting statements, draft resolutions, and First Committee background information on line at **[www.reachingcriticalwill.org](http://www.reachingcriticalwill.org)**;
- \* Coordinating an array of briefings, workshops and panels designed to educate diplomats and activists on issues of disarmament, peace and security;
- \* Providing information as requested to individuals by email or phone;
- \* Distributing to the First Committee the materials of NGOs who are not in New York.

The opinions expressed herein are not necessarily those of the Editors, WILPF, or RCW.

## **The contributing groups to THE FIRST COMMITTEE MONITOR include:**

**Amnesty International;**

**Anglican Consultative Council;**

**Global Action to Prevent War;**

**Franciscans International**

**Lawyers' Committee on Nuclear Policy;**

**NGO Committee on Disarmament, Peace and Security;**

**Quaker United Nations Office;**

**United Methodist United Nations Office;**

**Women's International League for Peace and Freedom**

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## Introduction

It's hard to determine whose jobs are more demanding, more time-consuming, or more frustrating: those of the NGOs that spend all weekend chasing down and pulling together the statements, resolutions and notes from the past week in order to produce another edition of the *Monitor*, or the governmental representatives, who stay in their Missions until midnight and beyond all week long, corresponding with capitol on the latest offer of revised text, sending word on a shifted position of a key delegation on their own sponsored resolution.

It's a tough call, and unless somebody has had the opportunity to fill both shoes at some point, there's no way to know for sure. But what is certain is that both roles are necessary if we are to make true progress in achieving a sustainable framework of global security.

That is, after all, the purpose of the General Assembly First Committee, as we have been reminded by some over these past weeks: to express the will of the international community, to advance the cause of international peace through the adoption of resolutions, which impel such progress through the morally binding mandate with which they are endowed.

Yet, like most other international political machinery, the First Committee seems lost in inefficacy, caught up in its own identity crisis. As last week's First Committee Reform report testified, many States seem nervous that the Committee's mandate may be lost amidst all of the hoopla surrounding the debate on its reform. Others warn their colleagues against investing too much in ideas on reform, maintaining that no amount of revitalized working methods can supplant the need for implementation of resolutions already adopted. As Dr. Patricia Lewis of UNIDIR asserted in her remarks to the Committee on Monday, "We need to keep the deliberations of the First Committee rooted in reality and make sure that the words- so hard fought over- lead to practical action."

It doesn't seem, however, that "practical action" is the goal of many delegations, whose representatives, burning the midnight oil, are working ceaselessly to establish a tactical strategy for this next crucial year. States argue how best to refer to

a Fissile Material Cut Off Treaty so ripe it may be rotten by the time it is harvested, debate over the dates for the United Nations Disarmament Commission, (see Disarmament Machinery report, p.3), and struggle to find logistical and financial support for a southern-hemisphere-wide nuclear-weapon-free zone conference (see Regional report, p.7). These arguments imply that the First Committee is wrestling with tactics,

rather than substance, all for the purposes of locating the best position from which to negotiate at the seventh Review Conference of the nuclear Non-Proliferation Treaty, only a few months away.

States- and NGOs- fret over the specifics of language pertaining to regional stability, the length of the New Agenda resolution or the strength of references to the IAEA or the Comprehensive Test-Ban Treaty. We perceive major victories or devastating defeats from the votes cast by a particular country or two, especially if their vote differs from that of the years past. Yet, as Dr. Lewis reminded us all on Monday, "(s)light shifts in positions may cause all sorts of excitement in the room, but this means absolutely nothing in the outside world to the people you are representing."

But even if more people did fully grasp the significance of nuanced diplomatic language- one of the aims of this publication- there still remains significant work to be done in

enhancing the efficacy of all of our efforts. All of these sleep-deprived nights, weekends spent in front of a laptop and hours spent poring over dozens of draft resolutions searching for meaning in the slightest change of text, will remain worthless in the shadows of nuclear weapons that continue to threaten our existence.

As the distinguished Director of UNIDIR told us, "(t)he only way the work of the First Committee could have meaning is for it once again to produce results that have an impact in the real world. It has been done in the past; it needs to do it again, and now."

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The reports contained in this week's edition of the *Monitor* focus primarily on the draft resolutions that were introduced at the Committee this week. With many States choosing not to circulate texts of their statements, including those that are used to introduce the various resolutions, contributors to the *Monitor* are often unable to reference specific quotes from the sponsors, which detracts from their ability to convey the context and feeling surrounding these many drafts.

**We urge all Member States to submit texts of their statements-** both those already delivered during the thematic debate, as well as explanations of votes, to be delivered throughout the next two weeks of action.

**Fax or email your statements to:**

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## Disarmament Machinery

Last year, the Non-Aligned Movement withdrew their draft decision on the “Convening of the fourth special session of the General Assembly devoted to disarmament” before a vote could be taken. Now, with both the UN Disarmament Commission (UNDC) as well as the Conference on Disarmament (CD) trapped in a deadlock, the Non-Aligned are renewing their calls for another special session of the GA, the first of which created the machinery now locked into stalemate.

The draft resolution calling for an SSOD IV (59/L.14) contains only minor revisions to some of the preambular paragraphs contained in its 2003 predecessor. The resolution would re-establish substantive sessions of the open-ended working group which would submit a report on its work, including possible substantive recommendations.

Mexico tabled a draft decision (59/L.15) on a “United Nations conference to identify ways of eliminating nuclear dangers in the context of disarmament.” Draft resolution 59/L.30 also supports the convening of this conference, originally called for in the Secretary-General’s Millennium Report as a way to address the challenges of disarmament, nonproliferation and other hazards wrought by the nuclear age. The 2001 report of the Advisory Board on Disarmament Matters (A/56/418), as cited by India, also supported the SG’s call. Measures for reducing nuclear dangers are, said India, “sine qua non” to achieving international peace and security.

Four years since the Millennium Report, States such as Philippines, Tunisia, Syria and Viet Nam (see Disarmament Machinery report, Week 2) continue to urge the convening of such a conference.

Without specific reference to draft resolution L.15, Nigeria voiced support for a conference to identify ways and means to achieve the total elimination of nuclear weapons.

The United States, which does not support the convening of a fourth special session of the GA, remains intent on reaching consensus on its proposal to revitalize the First Committee. By the end of the close of the thematic debate this week, two draft resolutions on First Committee reform remain on the table: L.1, the United States’ contribution, and L.13, the draft resolution tabled by the Non-Aligned Movement.

The US and NAM, along with recommendations from the EU, will be continuing consultations in the hopes of merging

the two draft resolutions and offering up a revised, joint compromise next week.

The President and Chairman of the CD and the UNDC, respectively, also tabled their draft resolutions reporting on the work of the bodies.

Georgia, which held the chairmanship of the UNDC this year, introduced draft resolution L.42 on the “Report of the Disarmament Commission.” Georgia noted that, without substantive work upon which to base this report, the draft resolution was contrived largely from the informal consultations regarding the deliberative body’s agenda. Operative paragraph 5, which contains the recommendations for the UNDC’s 2005 agenda, remains blank.

It is also likely that the dates of the Commission, noted in OP 6 as 11-28 April, will be changed to July, 2005, so as not to risk jeopardizing negotiations at the 2005 NPT Review Conference by calcifying divergent positions.

The UNDC report, as well as the CD report, (L.27) are likely to be adopted without a vote.

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First Committee Monitors  
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## Conventional Weapons

This week, Member States presented eight draft resolutions regarding conventional weapons to the First Committee.

Colombia, Japan and South Africa, along with 27 other states, have sponsored a resolution (59/L.43) on the illicit trade in small arms and light weapons (SALW) in all its aspects. L.43 differs from last year's (adopted by consensus in the General Assembly) by setting specific dates for the PoA Review Conference (June 26-July 7, 2006), the Preparatory Committee (January 9-20, 2006), as well as the second biennial meeting of States (July 11-15, 2205). This resolution also expresses appreciation for the work of the open-ended working group to negotiate an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons (OEWG), which was established through last year's resolution. Furthermore, the draft resolution requests the Secretary-General to hold broad-based consultations on international cooperation to prevent, combat and eradicate illicit brokering in small arms and light weapons. Informal consultations on brokering will continue.

The Economic Community of West African States (ECOWAS) nations have sponsored a resolution (59/L.21) regarding the assistance of States for curbing the illicit traffic in small arms and collecting them. The resolution, extremely similar to last year's version which was adopted without a vote, calls on the international community to give support to States seeking to curb illicit SALW trafficking. Moreover, the resolution supports the ECOWAS moratorium on SALW, and "encourages the involvement of organizations and associations of civil society in the efforts of the national commissions to combat the illicit traffic in small arms".

Ninety-eight states have co-sponsored draft resolution (59/L.38) on consolidation of peace through practical disarmament measures, a 2003 draft decision on which, sponsored by Germany, was adopted without a vote. L.38 recognizes that "a comprehensive and integrated approach towards certain practical disarmament measures often is a prerequisite to maintaining and consolidating peace and security and thus provides a basis for effective post-conflict peace-building". The resolution encourages efforts to better integrate programs combating the illicit trade in SALW with those aimed at the prevention of armed conflict as well as disarmament, demobilization, and reintegration (DDR) programs for former combatants. (See DDR report, p.14.)

Fifty-six nations co-sponsored draft resolution (59/L.54) on 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). Comparable to the resolution presented last year; L.54 calls on States to become parties to the CCW, supports the decisions of the Meeting of the States Parties and sets the dates for the

Second Review Conference. Canada, New Zealand, Norway, India, Romania, the Republic of Korea, and the EU also voiced support for the CCW.

Sixty-six nations have co-sponsored a new resolution on "Information on confidence-building measures in the field of conventional arms." The resolution (59/L.52) encourages Member States to "engage in a dialogue on confidence-building measures," and calls for the establishment, by the Secretary-General, of "an electronic database containing information provided by Member States" and to assist with the organization of seminars, courses and workshops on new developments in the field.

Argentina, Australia, Kenya, Thailand and Turkey sponsored the first resolution (59/L.49) dealing with man-portable air defense systems (MANPADS). While recognizing the right of Governments to possess MANPADS in order to protect their national security, the resolution notes that "effective control" over MANPADS is crucial "in the context of the intensified international fight against global terrorism." The draft resolution urges States to support current efforts to combat the illicit trade of MANPADS as well as strengthen or enact legislation to better control access to MANPADS and ban their transfer to non-state actors. Furthermore, the resolution "(e)ncourages initiatives to mobilize resources and technical expertise to assist States . . . in enhancing national control and stockpile management practices to prevent unauthorized access to, use and transfer of MANPADS and to destroy excess or obsolete stockpiles of such weapons."

Bulgaria, France and Netherlands co-sponsored a draft decision (59/L.48) to include the issue of "Problems arising from the accumulation of conventional ammunition stockpiles in surplus" in the agenda of the sixtieth session of the General Assembly.

This week, the First Committee undertook informal consultations with Ambassador Thalmann, Chair of the OEWG. Various States gave oral replies to the fifteen questions distributed in advance by Amb. Thalmann, with more detailed written replies forthcoming. The questions were organized by topic: scope and definition, record-keeping, cooperation in tracing, implementation of the instrument, and final provisions.

While many States supported including ammunition in the work of the OEWG, several States raised concerns, noting that ammunitions were not included in the mandate of the OEWG and that discussions on the issue were not yet "ripe."

While disagreement persisted over the role of Interpol in the handling of SALW issues, most States supported an administrative role of the UN in the implementation of the international instru-

*continued on page 5*

## Prevention of an Arms Race in Outer Space

This week, Egypt introduced draft resolution L.36 on the "Prevention of an arms race in outer space", an identical text to that of resolution 58/36 of last year. Although L.36 has decidedly fewer co-sponsors than earlier versions, they are still hoping for the broadest possible support.

Canada characterized outer space as "simply too precious to leave unprotected by multilateral action," and urged that States which have not ratified in the 1967 Outer Space Treaty (OST)- what they referred to as the "Magna Carter of Space"- to do so before 2007. Ambassador Meyer also recalled the statement by Prime Minister Martin in the General Debate of the General Assembly, as demonstrative of Canada's commitment to PAROS: "Space is our final frontier. It has always captured our imagination. What a tragedy it would be if space became one big weapons arsenal and the scene of a new arms race. In 1967, the United Nations agreed that weapons of mass destruction must not be based in space. The time has come to extend this ban to all weapons."

China concurred, maintaining that existing controls, including the OST, are limited and insufficient. Russia, too, viewed

### *Conventional Weapons Continued*

ment. States also discussed practical issues of marking, such as where on the weapon they should be placed, and the nature of various national practices which could possibly form the basis of the international instrument for keeping records.

The Chair of the OEWG did not include a question on whether or not the international instrument should be legally binding. Several States, however, took up this issue during Thursday's thematic debate on conventional weapons; Brazil (on behalf of the MERCOSUR nations), France, Senegal, Nigeria, and the European Union were among those who requested that the international instrument be legally binding.

Illicit brokering of SALW promises to be a divisive issue in the coming weeks. During the thematic debates, Norway, Austria, Canada, the Republic of Korea and the EU all stated that further steps need to be taken in order to determine whether an international instrument combating illicit brokering needs to be established. The EU declared that they are, "convinced that the establishment of a national legislation and regionally accepted rules and practices on brokering activities is essential and urgent."

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existing international space law as having "obvious gaps" with a "clear need for improvement."

Many called for the establishment of a subsidiary body of the Conference on Disarmament to deal with PAROS. Sweden, speaking in a national capacity, suggested that the CD also hold periodic technical meetings, inviting the participation of international governmental organizations, space agencies, space law academia and representatives from the civil and military space sectors, in order to obtain an "overall perspective" on the issue. Sweden also suggested inviting the Office for Outer Space Affairs (OOSA) to brief the First Committee on the work of the Committee on the Peaceful Uses of Outer Space (COUPOS).

Russia discussed the growing dependence on "space technology" and challenged their colleagues to imagine the result of attacks on these space objects. Russia implored the international community to embark on "cooperation not confrontation" in order to protect these peaceful uses. Russia also notably declared that, "as of today and for the near future," they have no plans to deploy weapons in outer space, and encouraged others to adopt a similar moratorium, "a serious step to demonstrate our responsibility" that would constitute an "indispensable safety net" in the absence of a legal instrument on PAROS.

China, too, described the various peaceful usages of outer space as further argument against its militarization, noting that "combat theories and concepts" increasingly use outer space and threaten the peaceful benefits. Deploying weapons in space would, China maintained, "result in great fallout" and damage existing arms control agreements, especially those pertaining to nuclear weapons and missiles. China also noted "constructive proposals" from delegations such as Canada, France, Sri Lanka, Italy and others.

Draft resolution L.50 on the Hague Code of Conduct (see Missiles report, p.6) also confirms the commitment of the General Assembly to an outer space reserved for peaceful uses. A broadly accepted HCOC would, affirmed the European Union, contribute to the campaign to prevent an arms race in outer space. The EU also supported a subsidiary body of the Conference on Disarmament to begin discussions on PAROS, based on a mandate agreeable to all.

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## Fissile Materials

On October 19, Canada introduced draft resolution A/C.1/59/L.34, urging the Conference on Disarmament to agree on a program of work and immediately commence negotiations on a “non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.” Co-sponsored by 20 countries, the draft resolution is unchanged from last year’s version, which was adopted without a vote. Although L.34 remains the solitary resolution specifically focused on a fissile materials treaty (FMT), its operative language is included in several other resolutions, including those put forward by the New Agenda Coalition (A/C.1/59/L.22), Japan and others (A/C.1/59/L.23), and Myanmar and others (A/C.1/59/L.26).

In remarks on October 18, U.S. Ambassador Jackie Sanders reiterated that an FMT cannot be effectively verified. As paraphrased by the UN press release, she explained that “the treaty would ban production of fissile material for nuclear weapons, but allow production for other activities.” Establishing non-compliance would be problematic, because the “date and purpose of production” of any material in question would have to be proven. It is unclear how the present U.S. position affects prospects for agreement on a program of work in the CD. Its opposition to verification provisions could be raised in the negotiations. As Canada said in introducing its resolution, “It remains our view that the existing mandate permits any CD member to raise any issue or concern about the envisaged treaty during the course of negotiations.” Canada reportedly declined a suggestion that the reference to an “effectively verifiable” treaty be removed from the title of the resolution. Generally, the U.S. has yet to state its stance regarding the A-5 proposal for a CD program, and civil society should press it to do so.

There is no doubt of the need for an instrument or instruments addressing issues including- but going beyond- a ban on the future production of “military” fissile materials. Some relevant sources of information and analysis: In an upcoming report in the Bulletin of the Atomic Scientists based on its updated inventory, the Institute for Science and International Security says that military stocks in India, Pakistan, and Israel continue to grow. Further, the global stocks of plutonium and HEU, both “civil” (but usable in weapons) and military continue to rise, with more than 3,700 metric tons in about 60 countries at the end of 2003. Based in part on concern about vulnerability of weapons-usable material to terrorist acquisition, the recent Carnegie Endowment for International Peace study, “Universal Compliance” [p. 50,], proposes a *continued on page 10*

## Missiles

Two resolutions on missiles were officially introduced this week: Iran, on behalf of Indonesia and Egypt, introduced L.6, entitled “Missiles”, and Chile introduced L.50, entitled “Hague Code of Conduct against Ballistic Missile Proliferation”.

In the preamble, L.6 states its conviction that missiles need to be approached in a comprehensive, balanced and non-discriminatory manner, taking into account the security concerns of Member States at regional and international levels. It also recalls the resolutions establishing the first two Panels of Governmental Experts, reaffirms the centrality of the United Nations in the field of arms control and disarmament, and notes the complexity of the issue of missiles in all its aspects, a factor which some Member States said prevented the second governmental panel from reaching consensus on a final report this year.

To address this problem, the resolution requests for the first time this year that the Secretary-General, with the assistance of UNIDIR, identify areas where consensus can be achieved, and then establish a new Panel of Governmental Experts in 2007 “to explore further ways and means to address within the United Nations the issue of missiles in all its aspects” and then submit a report to the General Assembly. Said Iran, “This mandate, in contrast with the mandates of the previous panels which were general, has been narrowed down for the purpose of enabling the Group of Governmental Experts to be more specified and focused in their discussions.”

With 104 co-sponsors, L.50 is the first resolution to be introduced in the First Committee on the Hague Code of Conduct (HCOC). In its preamble, L.50 notes the increased security challenges caused by the proliferation of ballistic missiles capable of carrying WMDs, as well as the role of the UN in international peace and security. If passed, it will affirm the General Assembly’s conviction that the HCOC will contribute to enhancing transparency and confidence among states, while confirming the rights of the use of space for peaceful purposes. The draft also encourages “the exploration of further ways and means” to deal with missiles.

Critics of the HCOC argue that it is not universal or legally binding, but proponents see it as a first step with a great deal of support. In its statement this week, Chile said, “The HCOC is a political undertaking intended to contribute positively to international security and to strengthen all Disarmament and Arms Control Treaties and mechanisms. Negotiated in a transparent manner and open to all the United Nations Members, the Code asserts its multilateral vocation and purpose.”

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## Regional Disarmament

Ten draft texts affirming the importance of regional initiatives were tabled at the First Committee this week, most of which containing only minor revisions to similar resolutions adopted in the past.

Uzbekistan introduced draft decision L.7 on a Nuclear Weapon Free Zone (NWFZ) in Central Asia on behalf of Kazakhstan, Tajikistan and Turkmenistan. In the 7 years since the first GA resolution on a CANFWZ, the draft protocol intended for signature by the Nuclear Weapon States has been completed, and, as Uzbekistan noted, the Central Asian States are currently in the midst of negotiating with the Nuclear Weapon States on accession to that protocol.

Mongolia introduced draft resolution L.19 on "Mongolia's international security and nuclear-weapon-free status," which contains new language in operative paragraph 2 that expresses appreciation to the Secretary-General for his efforts in support of their NWFZ status. Mongolia also noted partnerships it has reached with its neighbors, including neighboring nuclear China, and invites others to cooperate with the institutionalization of its status at the international level.

Mexico's draft resolution L.41, the 2003 version of which was withdrawn from the 58th session, gives support to the proposed conference of States Parties signatories to the NWFZ treaties, to be held in Mexico prior to the NPT Review Conference. The need for such a conference, maintained Mexico, is "even clearer" in the light of terrorism.

States in the Mediterranean tabled draft resolution L.35, on "Strengthening... security and cooperation" in their region, the exact replica of A/RES/58/70. L.47 on "Regional disarmament" is also a carbon copy of the 2003 version, 58/38, which was adopted without a vote last year. (See Conventional Weapons report, p.4.)

Language contained in draft resolution L.55 on the "...good-neighbourliness, stability and development in South-Eastern Europe," reflects the progress that has been made in the region since the last time the resolution was tabled in 2002. The 2004 version also calls upon all States to "intensify cooperation with and render all necessary assistance to" the International Criminal Tribunal on the Former Yugoslavia, and to "bring all at-large indictees to surrender to the Tribunal in line with Security Council resolution 1503 (2003)".

Bangladesh, Germany, Liberia, Nepal, Pakistan, Peru, Macedonia, and Ukraine have co-sponsored a draft resolution (59/L.46) on "Conventional arms control at the regional and subregional levels", also extremely similar to last year's version, adopted by a 158 to 1 vote. L.46 notes the significance of

regional and subregional efforts regarding conventional arms control, and requests the Conference on Disarmament to formulate principles "that can serve as a framework for regional agreements on conventional arms control".

Pakistan's draft resolution 59/L.45 on "Confidence-building measures in the regional and subregional context" contains major revisions to last year's text, 58/L.18, which received less positive votes than all of the negative and abstention votes combined. The new text reflects many of the reservations that Member States voiced last year when vote on the resolution was taken.

In addition to the omission of strong language in preambular paragraph 8 and the reference to the UN Charter in OP 1, the new text completely omits an operative paragraph that had called upon Member States, in high tension regions, to engage in open consultations "without preconditions". In exchange, there is a new operative paragraph that "reaffirms the ways and means regarding confidence- and security-building measures set out in the report of the Disarmament Commission on its 1993 session."

Most importantly, language stressing the importance of "the maintenance of military balance" has been dropped in favor of "objectives of strategic stability, consistent with the principle of undiminished security at the lowest level of armament".

Lastly, Egypt introduced two draft resolutions dealing with the Middle East, draft resolutions 59/L.8 and L.37.

Draft resolution L.8 on the "establishment of a nuclear-weapon-free zone in the region of the Middle East" calls for all countries of the region to place all nuclear activities under IAEA safeguards. Previous versions of this resolution have been adopted by consensus. L.37, by contrast, focuses specifically on Israel in both preambular and operative paragraphs, and calls upon it to accede to the NPT and IAEA safeguards.

Israel, which remained largely silent throughout the First Committee (and which holds, incidentally, the Vice-Chairmanship of the Committee), exercised its right of reply on Friday. After States such as Oman and the United Arab Emirates criticized Israel for failing to sign the NPT, Israel rebutted, claiming that the NPT does not provide the necessary security assurances for the country and that a NWFZ cannot be a first step in the creation of peace, but rather a final step to be taken after the development of a new framework for regional security.

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## A New Agenda

The draft resolution put forward by the New Agenda Coalition (Brazil, Egypt, Ireland, Mexico, New Mexico, South Africa, Sweden) entitled, "Accelerating the implementation of nuclear disarmament commitments" is drastically cut down from last year's comprehensive resolution and mostly uses consensus language from the 2000 NPT Review Conference. It is designed to obtain the widest possible support - including from NATO states - heading into the 2005 NPT Review Conference.

In its preambular paragraphs, the draft expresses concern over the lack of implementation of binding disarmament obligations, reaffirms that non-proliferation and disarmament processes are mutually reinforcing, and recalls the unequivocal undertaking to eliminate nuclear arsenals. In its operative paragraphs, the resolution calls for full compliance with disarmament and non-proliferation commitments; universal adherence to the NPT and early entry into force of the CTBT; accelerated implementation of the practical disarmament steps agreed to at the 2000 NPT Review Conference; further steps to reduce non-strategic arsenals and non-development of new types of nuclear weapons; and establishment of subsidiary body within the CD to address nuclear disarmament. It also agrees to resumption of negotiations in the CD on an effectively verifiable FMCT and to completion of arrangements for nuclear weapon states to place excess military fissile material under international verification, and underlines the principles of irreversibility and transparency and the development of verification capabilities.

The intent in selecting these measures and topics from the much wider range addressed in previous years' resolutions reportedly was to identify areas in which the Nuclear Weapon States (NWS) could begin action prior to the Conference. Such action in turn could at least reengage those States in the nuclear arms control process and make a successful Conference possible. Thus the resolution is not necessarily purporting to identify what is most important for achievement of a nuclear weapon free world. For example, an obviously important step not mentioned by the resolution is further - and verified - deep cuts in U.S./Russian arsenals. Rather, the resolution highlights existing commitments on which short-term action can be reasonably expected. Even given these criteria, it is regrettable that there is no mention of the 2000 commitment to "concrete agreed measures to further reduce the operational status of nuclear weapons systems". Standing down nuclear forces - removing warheads from missiles, withdrawing submarines from deployment,

etc. - has the most potential of quickly transforming the nuclear landscape for the better, and would also greatly reduce ongoing risks. As it is now, the U.S. and Russia remain locked in Cold War style postures allowing nuclear launches that could annihilate nations in a matter of minutes.

The decision to offer a short, concise resolution means that details in past resolutions are absent this year. Last year's resolution set forth a comprehensive set of steps for reduction of non-strategic nuclear arms, while this year's simply calls for reduction; also, unlike last year, there is no separate New Agenda resolution on non-strategic reductions. There is no reference at all this year to such matters as negative security assurances, nuclear weapon free zones, the IAEA additional protocol, or establishment of an ad hoc committee at the CD on PAROS.

Given that the resolution mostly employs language and commitments which NPT NWS have approved in the past, and which most countries continue to actively support, arguments against the resolution focus not so much on what is in the resolution, as on what is not: the resolution does not discuss specific cases of potential or actual proliferation; it does not acknowledge the reductions in numbers that the U.S. and Russia have accomplished.

However, the resolution frequently refers to the need for non-proliferation as well as disarmament, and focuses on the lack of progress in meeting the 2000 commitments, rather than in quantitative reduction.

Given the document's moderate tone and its strict adherence to existing commitments, what is really at stake is that NATO countries, Japan, and Australia must choose between endorsing widely recognized commitments or bowing to U.S. demands. The U.S. is waging an intense campaign for "no" votes or abstentions, motivated in part by the desire to prevent the New Agenda group from playing the central role in negotiations at the 2005 NPT Review Conference that they had in 2000. While much can change before the vote is taken and decisions are made at the ministerial level, indications to date are that some U.S. allies will support the resolution, as Canada alone did in last year's vote.

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## Terrorism

This week at the First Committee, India introduced draft resolution on “Measures to prevent terrorists from acquiring weapons of mass destruction”. Draft 59/L.31 calls on all Member States to strengthen national measures to prevent terrorists from acquiring weapons of mass destruction, their delivery means and related materials and technologies. The draft invites Member States to inform the Secretary-General, on a voluntary basis, of steps taken in this regard. It also asks the Secretary-General to compile a report on measures already taken and to seek the views of Member States on other ways to combat terrorism.

Last year, an identical resolution was adopted without a vote in the First Committee and the General Assembly. In explanation of the vote in 2003, Israel and the US made strong statements in support of the resolution pointing to the urgent threat of the nexus of terrorism and WMD proliferation. Pakistan voted in support of the resolution but stressed the need to address the underlying causes of terrorism, namely suppression, injustice and deprivation.

Although the proposed resolution is a strong statement in support of multilateralism as the only effective way of addressing the threat of terrorist groups acquiring WMDs, it does not explicitly call for disarmament, non-proliferation or strengthening of export controls to help prevent such as threat. Further, the resolution does not include any enforcement mechanisms, and only calls for voluntary reporting by Member States to the Secretary-General. The resolution has some value as a political statement that shows universal support from the UN's members. But in practical terms it accomplishes nothing.

Until 2004, this GA resolution was the only UN resolution to address the issue of terrorism and WMD proliferation. But on April 14 the SC unanimously adopted resolution 1540, calling on all States to “refrain from supporting by any means non-State actors that attempt to acquire, use or transfer nuclear, chemical or biological weapons and their delivery systems.” By adopting 1540, the Council decided that States must establish domestic controls and adopt legislative measures to prevent proliferation of weapons and means of delivery, including appropriate controls over related materials.

The Council further decided to establish, for a period of no longer than two years, a committee comprising all Council members, to monitor the implementation of the resolution. The Committee Chair, Ambassador Mihnea Ioan Motoc of Romania, reported late last month that it was close to completing the first stages of its work and is fully operational and functional. Noting the approaching October 28 submission

deadline for the first national reports, he stressed the need for all States to report to the Committee in order for it to be effective in dealing with new dimensions of terrorist threats. (To date only two States have submitted their reports to the committee.)

Like India's proposed GA resolution, SC Resolution 1540 is a strong signal in favor of multilateralism, specifically to counter the black market for WMD and related materials. The resolution addresses the gap in international law in dealing with the risk of terrorists and non-state actors acquiring WMD, but leaves the matter of specific legislation to national action by States. The text also encourages Member States that can't afford to implement the resolution to seek assistance from other States. The strength of 1540 is that it is a binding obligation that applies without favor to all Member States.

Yet, unlike the GA resolution, it is adopted by a body composed of only 15 of the 191 Member States and is not the result of a universal or open negotiating process. SC resolution 1540 is also inadequate in that it places very little emphasis on the connection between disarmament and non-proliferation, and contains no explicit language on the importance of verification, security assurances and regional security arrangements.

Thus the international community now has two resolutions on WMD proliferation and terrorism: one that is universal but toothless, and one that has the force of international law but is incomplete and lacking in legitimacy.

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## Disarmament Education

While disarmament and non-proliferation education was not specifically addressed during the thematic debates until the Friday afternoon session, references to education in dealing with export/import of SALW and confidence-building measures have been made in a number of draft resolutions throughout the week.

Mexico, speaking on behalf of twenty-three other countries, introduced resolution A/59/L.53, emphasizing the importance of education in nuclear disarmament and international security and recognizing appreciation of civil society and NGOs' work in implementing recommendations made by the UN Study on Disarmament and Education.

Nigeria introduced draft resolution "United Nations Disarmament Fellowship, Training and Advisory Services" (59/L.4). The resolution acknowledges the contributions made by Nigeria's training programme for diplomats in the area of disarmament and calls for Member States to consider gender equality while nominating candidates for the programme. Nigeria expressed its gratitude to the Member States and organizations that have continuously supported the program. Since its establishment in 1978, the program has trained a significant number of officials currently working for their respective Governments in the field of disarmament and international security.

Japan, in its statement on Friday, October 22nd, provided a list of its past and current disarmament education activities. In conjunction with UN Disarmament Fellowship Program, Japan has been hosting government officials since 1983 on an annual basis. Ambassador Yoshiki Mine expressed his hope that diplomats' visit to Hiroshima and Nagasaki this year would "provide an insight into the reality of atomic bombing." A UN Conference on Disarmament Issues was held in Sapporo in July, 2004. The Conference was aimed at raising awareness among local educators on the issues of disarmament and non-proliferation. Experts, teachers, members of international organizations, and civil society attended the seminars. Japan's Ministry of Foreign Affairs has published Japan's Disarmament and Non-Proliferation Policy. The English-version copies of the book are usually available outside of Conference Room 4.

Canada expressed their support of efforts made by civil society to promote disarmament education, and discussed the annual consultations on non-proliferation and disarmament issues as an example of their work. Canada listed awards for research on Peace and Disarmament at the University of

British Columbia and a program developed to educate children in secondary schools as a couple of examples of Canada's attempts to promote education in the field of disarmament.

The representatives of the UN Centres on Peace and Disarmament in Latin America and the Caribbean, in Africa, and in Asia, shared their work in the field of disarmament education, which included numerous capacity-building seminars and workshops, joint projects among various states to enhance understanding of disarmament and international security, etc. Centres are willing to cooperate with each other and with other international organizations. A single common problem that all the Centres addressed in their statements was the lack of finances to carry out their programmes.

Due to time limitations, the discussion on Disarmament and Non-proliferation Education was not finished on Friday, Oct. 22nd and will be resumed on Monday, October 25th in the Conference Room 2.

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### *Fissile Materials Continued*

plutonium and HEU for any purpose - weapons, ship propulsion, reactor operation. South Africa has proposed that an FMT would verify the control and disposition of fissile materials declared "excess" to military needs, thus tying the FMT to a process of reducing stocks and warheads.

More broadly, in 1999, Zia Mian of the Program on Science and Global Security at Princeton University proposed an agreement that like the Climate Change Convention would establish a framework for phased negotiations regarding reduction of weapons usable fissile materials, summarized at <http://lcn.org/disarmament/npt/multilateralforumsandinstruments.htm>

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## Nuclear Disarmament

In addition to the New Agenda resolution, A/C.1/58/L.22, "Accelerating the implementation of nuclear disarmament commitments" (see A New Agenda report, p.8), six other resolutions relating to nuclear disarmament have been tabled this past week.

Japan's resolution, "A path to the total elimination of nuclear weapons," has, as they noted, been submitted annually since 1994. For the most part, this year's version, 59/L.23, is nearly identical to last year's version, 58/L.53 (A/RES/58/59), with a few notable exceptions.

In addition to slightly elongated preambular paragraphs, including references welcoming Libya's decision to disarm, Security Council resolution 1540 and Cooperative Threat Reduction programs, L.23 includes new elements to its operative paragraphs as well.

OP 3, which again "stresses the central importance of...practical steps for the systematic and progressive efforts to implement Article VI" of the Nuclear Non-Proliferation Treaty (NPT), now also calls for "the inclusion of the principle of irreversibility to apply to nuclear disarmament."

OP 8, which again "stresses the importance of further development of the verification capabilities", now includes the Comprehensive Test Ban Treaty verification regime as one which, in addition to the IAEA, "will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world."

Last year, some States voiced disappointment with the "weak language" of this operative paragraph, and urged the 2004 version to adopt stronger language that conveys the high importance most Member States place on the IAEA. With identical language again this year, these States will likely remain disappointed.

Last year, 146 States approved the resolution. 16 abstained, with only India and the United States voting against. While India did not give an official explanation of vote (EoV), it is most likely the reverence for the NPT in both preambular as well as operative paragraphs that prevented India from supporting the resolution. The US, as stated in their EoV, rejects "importance of urgent signature and ratification of the Comprehensive Nuclear Test Ban Treaty, with a view to achieving its early entry into force." Using the strongest language to date, they declared that, "The United States...does not support the CTBT and will not become a party to it."

On Tuesday, Myanmar introduced draft resolution 59/L.26, "Nuclear disarmament," which carries 34 co-sponsors- down from last year's list of 50.

Among the concerns voiced regarding last year's resolution, some objected to the two preambular references to disarmament within a specified time frame; these references have been retained in 59/L.26. China, the only NWS to vote in favor of last year's draft resolution, nevertheless maintained "the view that any nuclear disarmament measures, including interim steps, must follow the principle of maintaining global strategic stability and undiminished security for all countries." Germany, too, supported the notion that disarmament will be possible only through an "incremental approach," such as the plan outlined in the 13 Steps, which remains the "performance benchmark" in the disarmament process.

Norway also supported a "balanced step by step incremental approach", noting that progress pertaining to the implementation of the 2000 NPT Review Conference Final Document was "lagging behind", and more must be done, including the reduction of tactical nuclear weapons, as called for in Step 9 (c).

Russia, however, argued that fears over tactical nuclear weapons are exaggerated; all nuclear weapons, they maintained, are equally awful. Russia accredited their "responsible attitude" toward tactical nuclear storage and other safety measures, noting that there has never been an accident with tactical weapons.

The United States, too, was on the defensive during Monday's thematic debate on nuclear weapons. The "unjust and untrue" accusations of non-compliance with Article VI come "to our surprise," US delegate Thomas Cynkin declared, delving into a litany of disarmament measures that make up "nearly 90%" of the 1991 arsenal.

These measures comprise the text of draft resolution L.56, "Bilateral strategic nuclear arms reductions and the new strategic framework," submitted jointly by the Russian Federation and the United States. As a follow-up resolution to 57/68, L.56 welcomes the entry-into-force of the Moscow Treaty and recognizes it as "an important result of the new bilateral strategic relationship" between the former super-power rivals. Other operative paragraphs recognize reductions undertaken by both countries under the START framework, as well as other steps taken towards disarmament, including their mutual fissile material production moratoria.

India introduced two draft

*continued on page 12*

## Comprehensive Test Ban Treaty

One of the most important commitments of the 2000 NPT Review Conference, as affirmed by the New Agenda Coalition, was to pursue the early entry into force (EIF) of the Comprehensive nuclear Test Ban Treaty (CTBT). Four years later, it is reaching “quasi- universality” according to Brazil, speaking on behalf of MERCOSUR. Sweden and Nigeria are pleased by the signature and ratification of the CTBT by three Nuclear Weapon States (NWS), Japan welcomed the ratification by the Congo and the EU welcomed Libya’s accession to the Treaty.

However, 11 of the 44 Annex II States whose ratification is essential for the EIF of the Treaty still have to sign and/or ratify it (see CTBT report, week 1).

In the thematic debate on nuclear weapons, a draft resolution on the CTBT (A/C.1/59/L.25) was again presented by New Zealand, Australia and Mexico, stressing the importance of the CTBT. Japan described the Treaty as a major pillar of the NPT regime. The EU, MERCOSUR and the Republic of Korea also expressed their belief that the CTBT has an essential role in the nuclear disarmament and non proliferation regime by preventing the proliferation of materials, technologies and knowledge that can be used for nuclear weapons. The General Joint Ministerial Declaration of September 23rd, initiated by Australia, Finland, the Netherlands and Japan, also affirms this role.

Other draft resolutions devoted to nuclear disarmament including L4, L8, L22 and L23 have mentioned the importance of the CTBT.

The draft called for the urgent EIF of the Treaty. It calls upon all states that haven’t ratified it yet to do so and to respect their moratoriums on NW test explosions or other explosions.

In this respect, the EU, Sweden, Canada, Nigeria, Norway, Switzerland, South Africa and Russia reiterated their call for the EIF of the CTBT as soon as possible. And the EU, MERCOSUR, Canada, the Republic of Korea, Nigeria, Japan and Norway called on those states that haven’t yet signed or ratified the treaty, especially the 11 Annex II countries, to find the political will and do so without conditions or delay. Sweden asked the two remaining NWS to do the same.

The EU, Brazil, Sweden, Nigeria and Japan agreed on the need to uphold the moratoria. However, Norway thinks that “such unilateral steps cannot substitute the significance of the legally binding commitment provided by the CTBT.”

Executive Secretary of the Preparatory Commission for the

CTBT Organization (PCCTBTO) Wolfgang Hoffmann spoke on the cooperation between the United Nations and the PCCTBTO at the First Committee and at a DPI/NGO briefing on October 21st. He noted that the 11 States which have not yet signed (North Korea, India and Pakistan) or ratified the CTBT (Indonesia, Vietnam, Colombia, China, the USA, Israel, Iran and Egypt), have not yet done so for administrative, legal, financial or political reasons.

Ambassador Hoffmann explained the four elements of the CTBT global verification regime: the International Monitoring System (IMS) which will detect evidence of possible nuclear explosions; a consultation and clarification process; the possibility by a State Party to request an on-site inspection of possible test explosion and confidence building measures useful to resolve compliance concerns. He also developed all additional benefits that these technologies have the potential to offer, such as seismic and infrasound data.

A vote on the draft resolution is expected to take place early next week.

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### *Nuclear Disarmament Continued*

resolutions, L.29, “Convention on the Prohibition on the Use of Nuclear Weapons” and L.30, “Reducing nuclear danger.” (See Disarmament Machinery report, p.3.)

L.29 calls upon the CD to “reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances”, and, as noted by India in their introduction of the draft, encompasses language adopted at the last ministerial meeting of the Non-Aligned Movement, and recalls the International Court of Justice Advisory Opinion on the Legality of the Use or Threat of Use of Nuclear Weapons.

The draft resolution on the ICJ Advisory Opinion, 59/L.39, introduced by Malaysia, carries significantly fewer co-sponsors this year, despite the near-verbatim repetition of the texts. Last year’s resolution (L.31) was sponsored by 47 Member States; only 25 sponsor this year’s version.

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## Negative Security Assurances

On Tuesday, Pakistan introduced draft resolution A/C.1/59/L.44, "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons." While nearly identical to the last two years' resolutions of the same name (A/RES/58/35 and 57/56), the resolution gained eight new sponsors to those already signed on: Brunei Darussalam, Democratic People's Republic of Korea, El Salvador, Indonesia, Syrian Arab Republic, Viet Nam, and Zambia.

In their introduction to L.44, Pakistan asserted that the codification of security assurances is "an obligation that arises from the Charter" of the United Nations itself. The demand for NSAs, the Pakistani delegate noted, started in the 1960s and "crystallized" during the 1968 negotiations on the nuclear Non-Proliferation Treaty, and again during the Treaty's 1995 Review and Extension Conference.

Pakistan, like other vocal proponents of a legally binding instrument on security assurances, insisted on Tuesday that the existing agreements remain "inadequate," including Security Council resolutions 255 and 984, the latter of which remains "insufficient, qualified and partial." Pakistan further referred to "open ended" Article VI obligations, nuclear alliances, new doctrines of nuclear policy that are contrary to SCR 255 and 984, and the emergence of new nuclear powers as other challenges that should expedite negotiations on codified security assurances.

A number of states concerned with the promotion of NSAs also endorsed resolution A/C.1/59/L.26, "Nuclear Disarmament," in which operative paragraph 8 "calls upon all States to conclude an internationally and legally binding instrument on security assurances or non-use and non-threat of use of nuclear weapons against non-nuclear weapon States." Operative paragraph 16 also "calls for the conclusion of an international legal instrument or instruments on adequate security assurances to non-nuclear-weapon States." Algeria, India, and Myanmar all voiced support for this resolution in their statements.

While the EU recognized existing assurances as legally binding- including those given through Nuclear-Weapon-Free Zone protocols as well as Security Council resolutions-, Cuba, Pakistan, South Africa, and Nigeria directly called into question the effectiveness of unilateral declarations. South Africa asserted that "multilaterally negotiated legally binding security assurances must be given by nuclear weapon States" and should be discussed through a sub-

sidary body of Main Committee I at the 2005 Review Conference of the NPT, a call supported by Cuba.

Nigeria maintained that "by transforming the disparate assurances declared by the nuclear powers into a unified, legally-binding obligation, the nuclear powers will not only be fulfilling part of their commitments towards these States but also reinforcing the non-proliferation regime against possible future setbacks."

The NAC, too, voiced their support for NSAs, calling upon the NWS to "continue to uphold and reiterate their commitments with regards to security assurances, pending the conclusion of legally binding security assurances for all non-nuclear weapon States parties to the NPT."

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**Franciscans International**

**Lawyers' Committee on Nuclear Policy;**

**NGO Committee on Disarmament, Peace and  
Security;**

**Quaker United Nations Office;**

**United Methodist United Nations Office;**

**Women's International League for Peace and  
Freedom**

## Panel: Disarmament, Demobilization and Reintegration

On October 19, 2004, UNIFEM and the Permanent Mission of the Republic of Benin to the UN hosted a panel to discuss disarmament, demobilization, and reintegration and to launch UNIFEM's new publication, "Getting it Right, Doing it Right: Gender and Disarmament, Demobilization, and Reintegration." The publication serves as an evaluation of the extent to which gender has been mainstreamed throughout DDR efforts undertaken by the UN system.

The publication includes two in-depth case studies, on Liberia and on Bougainville-Papua New Guinea; lessons learned and recommendations; and a Standard Operating Procedure on Gender and DDR, developed in cooperation with the Department of Peacekeeping Operations and UNDP's Bureau for Crisis Prevention and Recovery as part of an inter-agency process to develop a coherent UN approach to DDR.

The panel, chaired by the Republic of Benin, included Joanne Sandler, Deputy Director of UNIFEM; Dyan Mazurana, author of *Where Are the Girls?*; Sam Barnes, Deputy Director of the Bureau of Crisis Prevention and Recovery, UNDP; Comfort Lamptey, Gender Adviser, Best Practices Unit, DPKO; and Espérance Kanani, President of the Ndabaga Association in Rwanda (the first association of Female ex-combatants in the Great Lakes region). After an introduction of armed conflict, DDR, and DDR at the UN by the Republic of Benin, each panelist presented her view on the status of engendering DDR, as well as recommendations for what must be done.

Sam Barnes and Joanne Sandler gave overviews of DDR as related to women and girls, as well as an overview of UNIFEM's role in DDR. Ms. Lamptey spoke of the DPKO's Gender Resource Package and of the lack of female military observers as a problem in inclusion of women in the DDR process. Ms. Lamptey also noted the great need to re-define the traditional definition of "combatant" - a topic many of the panelists touched on.

Ms. Mazurana spoke extensively of girls as part of government, militia, paramilitary and/or armed opposition forces in 55 countries, and their involvement in armed conflict in 38 of those countries. In the 55 countries where they are present, girls were recruited by the fighting forces. She elaborated on the exclusion of women and girls from DDR programs for a

variety of reasons- not being with a 'family', girls being held on to longer than boys, or the requirement of trading arms for entry.

The panel served as an informative introduction to UNIFEM's new publication and the panelists clearly delineated the need for greater attention to women and girls in DDR for long-term success. A comparison of Liberia and Burundi highlighted the difference in improvement based on engendering DDR, underscoring that this is issue of utmost importance. "Getting it Right, Doing it Right: Gender and Disarmament, Demobilization, and Reintegration" is an important step forward in the process of including a gender perspective in the process of disarmament and reconstruction, and is available at <http://www.womenwarpeace.org/issues/ddr/gettingitright.pdf>

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## Disarmament and Development

Whether Member States addressed the problem of illicit arms trade/trafficking, establishment of the Nuclear Weapon Free Zones, confidence-building measures, or any other issue of the thematic debates last week, many of them emphasized the nexus between the disarmament and development in their resolutions.

Malaysia, on the part of the Non-Aligned (NAM), introduced draft resolution entitled "Relationship Between Disarmament and Development." (A/59/L.28) The resolution requests the United Nations, through its appropriate organs, to implement the action programme of the International Conference on the Relationship between Disarmament and Development (1987). The resolution suggests the incorporation of disarmament into the strategies on achieving the Millennium Development Goals and encourages international organizations, NGOs, research institutes, etc. to take into account the report of the Group of the Governmental Experts (GGE) on the relationship between disarmament and development. The representative of NAM expressed concern "at increasing global military expenditures, which could otherwise be spend on development, poverty eradication and elimination of diseases, in particular in the developing countries."

Mexico, in its draft resolution "UN Regional Centre for Peace, Disarmament, and Development in Latin America and the Caribbean," (A/59/L.18) expresses its "strong support" for the Regional Centre and acknowledges the importance of the Centre's work in promoting cooperation in the region in dealing with nuclear weapons and conventional arms, including SALW. Mexico calls upon all Member States (especially the ones in the region), international organizations, NGOs, etc. to provide (or increase) financial support needed for the Centre to carry out its programme on disarmament and development. Mexico also made a reference to the report of the Group of the Governmental Experts (A/57/65), which highlights the role of the Regional Centre in promoting economic and social development as they relate to peace and disarmament. Resolution 59/L.18 also includes a welcoming remark on the Centre's effort to include "gender perspective" in its work.

Some States (including countries of ECOWAS and Mediterranean) brought attention to the problem of regional conflicts possible due to availability of mostly conventional arms. Ambassador Owoseni (Nigeria) began his statement with: "The problem of illicit trade in small arms and light

weapons is of particular concern to Nigeria as it constitutes a major impediment to peace, stability, security and economic development of many developing countries."

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