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Reaching Critical Will | A programme of the
Women's International League for Peace and
Freedom

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The views in this publication are not necessarily those of the Women's International League for Peace and Freedom or the Reaching Critical Will programme.

Cover image: Banksy

Reaching Critical Will is the disarmament programme of the Women's International League for Peace and Freedom (WILPF), the oldest women's peace organization in the world. Reaching Critical Will works for nuclear and conventional disarmament, the reduction of global military spending, and the demilitarization of politics and economics in order to achieve human security and social, economic, and environmental justice.

Reaching Critical Will is your primary source for information, documents, and analysis about the United Nations General Assembly First Committee and other multilateral disarmament conferences and processes.

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- A calendar of events for this First Committee;
- All editions of the *First Committee Monitor*;
- Statements, documents, and analysis from meetings of the First Committee, Conference on Disarmament, nuclear Non-Proliferation Treaty, Arms Trade Treaty, Programme of Action on small arms, and more;
- Research and analysis of critical issues related to disarmament and arms control; and
- News and information about civil society engagement on disarmament and arms control.

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EDITORIAL: OR, HOW I LEARNED TO STOP WORRYING AND BAN THE BOMB

Ray Acheson | Reaching Critical Will of WILPF

With the adoption of the Arms Trade Treaty, said Ambassador Ulibarri of Costa Rica, we have “generated a healthy ‘spirit of New York,’ which we hope will help drive additional successes.”

What best reflects this “spirit of New York”? Is it present in First Committee?

This month, outside of the UN, the internationally renowned graffiti artist Banksy is tagging the streets of New York City. His art offers political and social commentary, often relevant specifically to the locale in which he is working. In that spirit, his work “Bomb Hugger” is portrayed on the cover of this week’s First Committee Monitor. It is there to reflect the biggest obstacle preventing concrete action on nuclear disarmament: love for the bomb.

Based on the initial thematic interventions on nuclear weapons, it is clear that some governments have an (unhealthy) attachment to nuclear weapons. As Ambassador John W. Ashe, the President of the General Assembly, said, “Where we put our time, resources and energy is an indicator of what we truly value. And so when we say we value education, healthcare, poverty reduction, and sustainable development, our actions and choices must likewise offer proof of that.” When we say we value nuclear disarmament, our actions and choices must facilitate that objective,

not undermine it. But the actions and choices of some governments are not consistent with their stated goal of achieving a nuclear weapon free world.

Instead, it is clear that some governments do value nuclear weapons. These include the nuclear-armed states as well as their allies who protect the continued existence of nuclear weapons by relying on them in their security doctrines and who preserve the status quo by insisting that the only way forward is the “step-by-step approach,” which the nuclear-armed states consistently fail to implement.

Some of these governments seem exhibit extreme dissonance about nuclear weapons. They recognize the catastrophic humanitarian and environmental consequences that nuclear weapons cause when detonated. They worry about proliferation because they know that more nuclear weapons would make the world even more insecure. Yet at the same time, they act as if the nuclear weapons that do exist—at least some of them, the ones in the “right hands”—keep them safe.

The incongruity of these positions and policies means that while these governments know that nuclear weapons are dangerous, destructive, and despicable, they want to keep them around because the world is insecure. The tools they see as being the best response to insecurity are those that themselves cause the most



insecurity. These governments are, by defending the continued existence of nuclear weapons and their inclusion in security doctrines, saying that they are ready to use nuclear weapons *while knowing full well the inevitable results*. They refuse to draw the ineluctable conclusion that the way to increase security, prevent proliferation, and preclude the unspeakable suffering that would be caused by the use of nuclear weapons is to prohibit and eliminate these weapons once and for all.

"The inconsistency is obvious and the conclusion clear," said Ambassador Kmentt of Austria. "All WMD—particularly nuclear weapons—cannot be reconciled with today's understanding of international law and international humanitarian law (IHL). They should have no place in the 21st century and we need to redouble our efforts for a world without nuclear weapons or any other WMD."

So what is the "spirit of New York" when it comes to nuclear weapons? Is the spirit best reflected in "those who always want to have a dominant position for the purpose of national security to the exclusion of the interests and concerns of others," and "those who wish to continue maintaining their own set of rules outside of international norms," as Ambassador Andanje of Kenya described? Or does the "spirit of New York," as Ambassador Ulibarri hopes, represent "a renewed optimism of our capacity to confront humanity's greatest challenges"?

The ATT was adopted at a time when the global arms trade is increasing. The prohibition and elimination of other weapon systems have taken place in regions of conflict and in countries with financial investments in those systems. The destruction of chemical weapons in Syria is taking place in the midst of a bloody civil war. Now is the time to confront the challenge of nuclear weapons. Excuses that the "conditions" are not yet "ripe" are unjustifiable and unacceptable. The conditions that the nuclear-armed states want—such

as the solving of all other international and national challenges—will likely never exist. Are we then to assume that nuclear disarmament is never to be achieved?

According to the UK delegation, we need an environment "in which no state feels the need to possess nuclear weapons." The overwhelming majority of countries in the world do not feel the "need" to possess nuclear weapons already. Those that do feel this "need" are outliers of the robust international norm against the possession of such abhorrent weapons. What is this "need" based on—a need for power, for violent coercion? The rest of the world, like Costa Rica, uses the multilateral system and international law as "its only instruments of defense." Why do a few states insist that they "need" anything more than that?

"It is the conviction of Kenya that it is time States considered a legal ban on nuclear weapons, even if nuclear armed States refuse to participate," declared Ambassador Andanje. As highlighted at last Thursday's side event hosted by Indonesia and Switzerland along with Reaching Critical Will and Article 36, banning nuclear weapons is a necessary and practical step towards a world in which all weapons of mass destruction have been outlawed and are being eliminated.

Suggestions that the humanitarian initiative to prohibit nuclear weapons is unproductive or unrealistic are meant to distract governments from the reality that the days of nuclear weapons are over. So are the days of the rest of the world putting up with rhetorical commitments to disarmament without any meaningful accompanying actions. It is time for states to decide, now, if they want nuclear weapons to be legal or illegal, for them to exist or not exist. They cannot have it both ways. As Ambassador Andanje warned, "So long as we continue to practice Orwellian double-speak, we may end up blowing ourselves to extinction." •

NUCLEAR WEAPONS

Mia Gandenberger | Reaching Critical Will of WILPF

The thematic debate on nuclear weapons began on Thursday, 17 October 2013. States used the opportunity to reassert their positions on these weapons, which some had already highlighted during the general debate. While many states renewed their call for the Comprehensive Test Ban Treaty to enter into force and the universalization of the nuclear Non-Proliferation Treaty, calls for tangible progress on complete nuclear disarmament dominated the debate.

Many states again drew a connection between the catastrophic impact of the use of chemical weapons in Syria and the need for the elimination of all weapons of mass destruction. "[A]ll WMD—particularly nuclear weapons—are relicts of the past that cannot be reconciled with today's understanding of international law and international humanitarian law (IHL). They should have no place in the 21st century and we need to redouble our efforts for a world without nuclear weap-



ons or any other WMD,” said Ambassador Kmentt of Austria in this context.

As it was during the first week, the humanitarian impact of nuclear weapons was highlighted by many delegations, as, according to the Austrian ambassador, “[t]he increased focus on their humanitarian consequences was long overdue.” In the same vein, Ambassador Rodriguez of Cuba, on behalf of the Community of Latin American and Caribbean States (CELAC), called on the international community to “reiterate its concern on the humanitarian consequences of nuclear weapons whenever the debate on this type of weapons takes place.” Both France and the United States, however, called discussions about this issue a distraction from “more realistic efforts,” as the US representative put it.

The three most important developments with regard to nuclear disarmament deliberations in the past year have been the conference on the humanitarian impact of nuclear weapons in Oslo, the convening of the open-ended working group on “taking forward proposals for multilateral nuclear disarmament,” and the first UN high-level meeting (HLM) on nuclear disarmament on 26 September 2013. Many delegations said they look forward to the follow-up to the Oslo conference in Nayarit, Mexico, on 13–14 February 2014, to which the Mexican representative repeated the invitation to all member states of the UN, international organizations, and civil society.

The Non-Aligned Movement reiterated its proposal for follow-up measures to the HLM, which are contained in draft resolution L.6. The draft resolution calls for the urgent commencement of negotiations on a nuclear weapons convention in the Conference on Disarmament; decides to convene another HLM on nuclear disarmament, no later than 2018, to review progress made; and declares 26 September as the “International Day for the Total Elimination of Nuclear Weapons devoted to furthering this objective, including through enhancing public awareness and education about the threat posed to humanity by nuclear weapons and the necessity for their total elimination, in order to mobilize international efforts towards achieving the common goal of a nuclear-weapon-free world.” The draft requests the UN Secretary-General to make the necessary arrangements and calls on member states, the UN system, and civil society to commemorate and promote this day.

Such new initiatives and suggestions for moving forward were not welcomed by the nuclear-armed states. They cautioned that such initiatives undermine the implementation 2010 NPT action plan, refusing once again to recognize that in fact these mechanism

are designed to ensure that this plan—and previous commitments to nuclear disarmament—are effectively implemented.

Instead of agreeing to work with nuclear weapon free states, the NPT nuclear-armed states focused on what they see as progress. The representatives of China, France, the United Kingdom (UK), and the United States (US) highlighted the increased cooperation among the five nuclear-armed states of the NPT since the review conference in 2010. Both France and the UK drew attention to the small size of their arsenals and reassured the international community that these nuclear weapons would only be used under “extreme circumstances”. Meanwhile, the US highlighted the agreements reached with the Russian Federation in regards to bilateral reductions.

Some states welcomed this limited progress with regard to arms control efforts by the nuclear-armed states. Others, however, criticized the long-term investments in the modernization of nuclear weapons systems. “In a world of finite resources, there is a close relationship between expenditure on armaments and economic and social development,” argued Ambassador Hannan of Bangladesh. “The hundreds of billions of dollars together with the human, technical and technological resources spent annually on the manufacture, maintenance and improvement of nuclear weapons are in somber contrast to the want and poverty in which two thirds of the world’s population live.”

The UN High Representative for Disarmament Affairs, Ms. Angela Kane, reminded states that the work of the First Committee will “provide important indicators of whether we are facing a renaissance of multilateral disarmament, or a new dark age of fragmentation and decline” and joined many states in underscoring the need to make progress. To that end, Ambassador Dengo of Costa Rica explained, “those who live in hope live happier than those who have lost hope altogether.” Accordingly, “Complete and verifiable nuclear disarmament should be our compass,” as the only guarantee against the use or threat of use of nuclear weapons is their total elimination.

One of the greatest obstacles to achieve this much needed progress towards total elimination, as Ambassador Andanje of Kenya pointed out, is the desire of some states “to have a dominant position for the purpose of national security to the exclusion of the interests and concerns of others.” Therefore, he said, “It is time States considered a legal ban on nuclear weapons, even if nuclear armed States refuse to participate.” •

BIOLOGICAL AND CHEMICAL WEAPONS

Mia Gandenberger | Reaching Critical Will of WILPF

During the final two days of general debate, states again expressed their concern with the use of chemical weapons in Syria and therefore welcomed the adoption of UN Security Council resolution 2118 (2013), the decision of the Executive Council of the Organization for the Prohibition of Chemical Weapons (OPCW), and Syria's accession to the Chemical Weapons Convention (CWC).

Some states highlighted the diplomatic achievement which those decisions represent, and called for the timely elimination of Syria's chemical weapons. Ambassador Milan Milanovic of Serbia expressed his country's hope that the complete elimination of these weapons would be followed "by strong diplomatic efforts aimed at putting an end to violence and reaching a sustainable solution" to the Syrian conflict. As during the previous week, the use of chemical weapons caused states to address the issue of weapons of mass destruction in general. Austria's Ambassador Alexander Kmentt, for example, called on states to "to reflect more broadly on the place of weapons of mass destruction in the 21st century" as the international community had rightly underscored there was no scenario in which the use of these weapons could be justifiable.

Ms. Kathleen Lawand of the International Committee of the Red Cross reminded states "that customary international humanitarian law absolutely prohibits the use of chemical weapons, by any actor, anywhere in the world." As others, she called on Angola, Egypt, Israel, the Democratic People's Republic, Myanmar, and South Sudan to ratify or accede to the CWC without delay, as there is no justification for any state to remain outside this treaty.

First Committee also heard the report of the Organisation for the Prohibition of Chemical Weapons

(OPCW), during the high-level panel on Thursday, 17 October 2013. OPCW Deputy Director-General, Ambassador Grace Asirwatham, outlined the timeline of decisions and activities of the OPCW and the UN as well as their joint mission in response to the use of chemical weapons in Syria. While the mission has made steady progress, she reported, the most immediate goal remains the functional destruction of all production facilities and mixing and filling equipment by 1 November 2013.

With regard to its other responsibilities Ambassador Asirwatham informed states of the verified destruction of 58,170 metric tonnes, amounting to close to 82%, of the total of 71,000 metric tonnes of chemical weapon stockpiles that have been declared by states parties of the CWC. All of the 70 declared chemical weapons production facilities have been inactivated, and nearly 92% of them have been either destroyed or permanently converted for peaceful purposes, she pointed out. Ambassador Asirwatham called on states parties to further pursue national implementation to ensure the effectiveness of the CWC as an international instrument.

States also called for universal adherence to the Biological and Toxin Weapons Convention (BTWC). Hungary submitted the annual draft resolution on the BTWC, A/C.1/68/L.10. The text includes minor changes compared to last year's resolution on this issue. The second preambular paragraph, instead of noting the 165 states parties to the convention, now notes with appreciation that "with four additional States [Cameroon; Nauru; Guyana; and Malawi] having acceded to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction in 2013, there are 170 States parties to the Convention, including all the permanent members of the Security Council."

Operational paragraph 4 contains amended dates for the meeting of experts from 12–16 August 2013 and includes the dates for the meeting of states parties from 10–14 December 2012, which "successfully addressed the three standing agenda items and the biennial item on the agenda."

Other changes are limited to modifications of sentence structure. •

OPCW Director-General Ahmet Üzümcü addresses the media on 11 October 2013 on the occasion of the organisation's winning of the Nobel Peace Prize.



WMD FREE ZONE IN THE MIDDLE EAST

Jacqueline Treboschi | NGO Committee on Disarmament, Peace and Security

During the second week of First Committee meetings, delegations once again emphasized that nuclear weapon free zones are a pragmatic and attainable goal toward strengthening the international non-proliferation regime, as stated by article VII of the nuclear Non-Proliferation Treaty (NPT), and that the establishment of such a zone in the Middle East in particular continues to be a priority.

The majority of interventions regarding a MEWMDFZ revolved around the existence of nuclear weapons in the region. Some delegations specifically cited Israel's possession of nuclear weapons and its refusal to operate under IAEA safeguards and supervision as the most significant challenge delaying the progress of a MEWMDFZ. In its statement on behalf of the Non-Aligned Movement, Iran's Ambassador Mohammad Khazaee demanded that Israel renounce its nuclear stockpile, accede to the NPT, and place control of its nuclear programme under IAEA provisions without precondition or delay. Iraq's delegation also called for Israel to adhere to the NPT and IAEA, asserting that not only would this course of action relieve tensions in the region, but that Israel's failure to do so would further jeopardize peace and security in the Middle East.

In his statement, Israeli Ambassador David Roet focused on proliferation concerns that his government

has about other countries in the region. He cited what Israel perceives as Arab states' attempts to "alienate and isolate" Israel as a predominant reason for Israel's current diplomatic decisions. He also rejected the argument that the conference to establish a MEWMDFZ was postponed because of Israel, arguing that his country "has demonstrated a positive commitment to participate in a direct consultation with our Arab neighbors based on the principle of consensus." However, delegates from Bahrain, Kuwait, Iraq, and others expressed their fervent disapproval of Israel's lack of cooperation and its preconditions for the holding of the international conference.

The issue of the postponed 2012 international conference and hopes for its swift rescheduling was once again a prominent point of discussion throughout the First Committee's second week. Some countries, such as Mexico, suggested that the holding of such a conference would help to foster an environment of trust in the region. Thus the consultations to be held this upcoming week in Glion, Switzerland, will be important for making progress on this issue. A number of delegations made it clear that they wish for facilitators of the international conference to remain diligent in their efforts, in hopes that establishing this zone will bring about the success of peace desired by so many in the Middle East and around the world. •

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OUTER SPACE

Adam Wolf | NGO Committee on Disarmament, Peace and Security

Delegations convened this week to further discuss matters of disarmament, including the risk of weapons proliferation in outer space. As member states continue to emphasize the importance of working multilaterally in disarmament, it is clear international cooperation will be important in approaching outer space for peaceful purposes. Cameroon's delegation echoed these sentiments by reiterating that many disarmament concerns are inter-linked and they must be addressed globally by all member states. Included within the concerns listed was weapons proliferation in outer space.

Member states of the southern hemisphere again voiced that outer space affects the entirety of the international community. The ambassador of Pakistan noted that outer space is the common heritage of humankind and proliferating weapons into space would risk setting back current international disarmament efforts.

Such sentiments were also expressed by Myanmar's representative, who also stressed that outer space can benefit the international community if it were to be used peacefully.

Myanmar's ambassador thus expressed support for an international legally-binding instrument to prevent the proliferation of weapons in outer space. Such an instrument, he argued, would contain two key concepts to secure outer space for peaceful purposes. The first is the assurance of space-faring nations that their operations in space will not be servant to military purposes. Secondly, the instrument should state that no state is allowed to place weapons of any kind in outer space.

One of the main concerns expressed by delegations, particularly Kenya, was the risk that militarizing outer space imposes on current disarmament efforts.

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Kenya's ambassador noted that placing weapons in outer space would impede current efforts in disarmament and would escalate geo-political tensions globally. Given that weaponized space machinery could grant states a large advantage militarily, it is evident that the international community is largely concerned with the risk of an arms race by space-faring nations.

In understanding the risks of weapons proliferation and use in outer space, delegations also emphasized the linkages of outer space with other important issues. Pakistan's ambassador argued that the risk of an arms race in outer space correlates with the development of advanced weaponry. Furthermore, Pakistan expressed concern about the increasing use of armed

drones in relation to cyber security and its applications to outer space. Developing and advancing such weapons further increases the risk of using outer space for military means, including weaponization.

This session of First Committee has once again shown that the issue of outer space affairs can encompass many different issues. Though often overshadowed by concerns of weapons of mass destruction proliferation, outer space security continues to touch upon many different realms of concern for member states. It is evident that such concerns will continue to develop given the connectivity of issues being discussed within the Committee. •

HIGH-TECH WEAPONS

Tereza Steinhublova | Global Action to Prevent War

During the second week, high-tech weapons, including missiles, anti-missile systems, armed drones, and fully autonomous weapons, received some attention. Many delegations commented on rapid technological changes related to the development of these weapons and raised questions about their compliance with international law.

Missiles

This week, the topic of missiles was discussed mainly during the thematic debate on nuclear weapons. Delegates of the European Union (EU) and Pakistan discussed the threat posed by modernization of missile systems. Mr. András Kos, Minister Counsellor of the EU, stated that the EU is "very concerned by the risks caused by the proliferation of missiles that could be used to deliver WMDs, including ballistic missiles of increasingly greater range and sophisticated technologies." Moreover, the EU condemned middle and intermediate-range missile tests carried out in violation of UN Security Council resolutions and other mechanisms.

The delegations of Egypt, Indonesia, and Iran submitted a draft decision on missiles, A/C.1/68/L.8. In this draft decision the General Assembly recalls past decisions and decides to include the topic of missiles in the provisional agenda of its sixty-ninth session.

Anti-missile systems

The delegation of Pakistan raised the issue of anti-missile systems. Ambassador Akram spoke about the unease regarding the development of anti-ballistic missiles (ABM) and non-nuclear strategic weapon systems, which have disastrous effects. Moreover, he called for a creation of a "universal and non-discrim-

inatory agreement for addressing concerns arising from development, deployment and proliferation of ABM systems, which are inherently destabilizing."

Drones

The delegations of Austria, Costa Rica, and Pakistan, as well the International Committee of the Red Cross (ICRC), all remarked on the increasing use of drones in armed conflicts and emphasized their negative humanitarian consequences. Pakistan's Ambassador Akram noted that drones have "grave human rights and humanitarian implications due to the indiscriminate killing of innocent civilians including women and children." Similarly, Ambassador Eduardo Ulibarri of Costa Rica expressed his delegation's concern over devastating collateral effects of drones.

Delegates also focused on the legal implications of the use of armed drones. Pakistan's ambassador emphasized that the use of drones in the territory of another state outside conflict constitutes a violation of international law and challenges state sovereignty. Austria, Pakistan, and the ICRC all stressed the need for the use of drones to comply with international humanitarian law (IHL) standards. Pakistan also called for development of rules and law to "ensure that armed drones are only used in accordance with the provisions of the United Nations charter, international human rights and humanitarian law." The legality of drone use is especially debatable in relation to the aspect of proportionality of the use of force and the ability to distinguish civilians from combatants. On the issue of accountability, the ICRC explained that under IHL provisions, accountability for action falls on those operating the drone, just as it would on the pilot of an aircraft.



Fully autonomous weapons

Fully autonomous weapons, also known as lethal autonomous robots, received a substantial amount of discussion. Pakistan argued that these weapons “pose a fundamental challenge to the protection of civilians and the notion of affixation of responsibility.” Similarly, the ICRC warned against the development of such weapons, arguing that it remains unclear whether these weapons would be able to successfully distinguish between civilian and combatant targets adhere to IHL, namely in issues of proportionality and precaution in attacks. Ambassador Kmentt of Austria argued that the implications of fully autonomous weapons for IHL require “urgent engagement by relevant UN forums and further discussion with a view to ensure that these weapons will not be used in a way that violates universally recognized principles of IHL.”

All delegations pointed to questions arising from attacks without human decision. The ICRC also questioned issues pertaining to accountability, urging states to thoroughly consider all legal and ethical implications before progressing in the development of fully autonomous weapons. Likewise, Pakistan called for the need to place fully autonomous weapons under international regulations, arguing that this could be done through the UN General Assembly and the First Committee, but also through the Convention on Certain Conventional Weapons (CCW) Conference of State Parties. •



**CAMPAIGN TO STOP
KILLER ROBOTS**

United Nations General Assembly First Committee on Disarmament & International Security

SIDE EVENT

Civil society views on fully autonomous weapons

Monday, October 21, 2013

13:15-14:30
(Sandwiches provided)

Conference Room 6
North Lawn Building
United Nations
New York

The Campaign to Stop Killer Robots, a global coalition of non-governmental organizations launched in April 2013, seeks a preemptive and comprehensive ban on weapons systems that would be able to select targets and use violent force without human intervention.

At this side event, our representatives will discuss the campaign's concerns with fully autonomous weapons, also known as lethal autonomous robotics, and the campaign's expectations for government action.

Speakers:

- Ms. Jody Williams, 1997 Nobel Peace laureate and chair [Nobel Women's Initiative](#)
- Prof. Noel Sharkey, chair of the [International Committee on Robot Arms Control](#)
- Mr. Richard Moyes, managing partner [Article 36](#)

This event will be chaired by the coordinator of the Campaign to Stop Killer Robots, Ms. Mary Wareham of [Human Rights Watch](#).

Other members of the campaign's [Steering Committee](#) will be present from [IKV Pax Christi](#), [Mines Action Canada](#), [Pugwash Conferences on Science & World Affairs](#), and [Women's International League for Peace and Freedom](#).

For more information see www.stopkillerrobots.org or please contact:

- Mary Wareham, Human Rights Watch, Tel. +1-646-203-8292 (mobile), wareham@hrw.org

ARMS TRADE TREATY

Matthew Bolton | Control Arms/Pace University

In their statements to the UN General Assembly First Committee this week, both the President of the General Assembly and the overwhelming majority of states welcomed the adoption of the Arms Trade Treaty (ATT). Portugal's ambassador took the Treaty's success as “an important sign that multilateralism works.” Ambassador Ulibarri of Costa Rica commented that it had “generated a healthy ‘spirit of New York’” and “planted a renewed optimism of our capacity to confront humanity's greatest challenges.”

The importance of the Treaty was also recognized by several non-signatory states, including Kuwait and Pakistan, though some hedged their statements with reservations. Cuba, on behalf of the Community of Latin American and Caribbean States (CELAC), stated that the ATT could contribute to “an effective response” to “the illicit and non-regulated arms trade.” However, this was qualified with a call for “balance, transparent and objective” implementation that respects states' sovereignty.

Several non-signatory states were less equivocal. Kenya reported that its “internal consultations to initiate signature are at an advanced stage.” Israel's ambassador stated the ATT “strengthens international norms and national tools for arms trade control, while taking into consideration national security concerns.” Israel thus indicated it was completing “an internal review process with the goal of considering favorably the signature of the Treaty.”

Most states focused on the impact the ATT would have on peace, security and stability. The ambassador of Macedonia said the Treaty will prevent conventional arms “from being used to ... destabilize regions,” thus promoting “human security.” Cape Verde's ambassador indicated the ATT “will provide the basis to discourage terrorism, urban violence and insecurity as well as drug trafficking activities and international organized crime.” Guatemala and many other states welcomed the ATT as “an important tool in the fight for the eradication of the illicit weapons market.”

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However, states also highlighted what Norway called “the humanitarian dimension of the treaty.” Guatemala’s delegation stated that the ATT aims to “reduce the human cost of arms proliferation” and recognized the treaty’s significant contribution to protecting people from sexual and gender-based violence. Costa Rica’s ambassador indicated that the Treaty would “have a tangible impact in the daily life of citizens” through the “reduction of violence and armed conflict.” The delegation of Macedonia noted the impact this could have on “economic and social development.” The International Committee of the Red Cross was “pleased to note” that with 113 signatories to the ATT so far, “more than half the countries in the world have ... endorsed its objective of reducing human suffering.”

Some states focused on specific items covered by the ATT. Describing small arms and light weapons (SALW) as “weapons of mass destruction,” Benin’s ambassador reported that their inclusion in the ATT’s scope prompted “enormous rejoicing” by African states. Argentina, Guatemala, and Peru also noted favorably the Treaty’s controls on SALW. Peru welcomed the ATT’s provisions on ammunition, though Guatemala stated that it “wished” the treaty had included “more coverage” for “ammunition, parts and components.” Norway’s representative called on states to apply the Treaty’s “provisions to the broadest range of conventional arms.”

Peru and Norway reminded states that none of these provisions will have much impact until the Treaty enters into force and is accepted as a global norm. “We owe it to the thousands of victims of armed vio-

lence to ensure that this instrument is applied,” said Guatemala’s representative. The Albanian delegation echoed this call, stating, “The universality and proper implementation of the ATT are essential in order to best achieve its goals and purpose.” Austria, Benin, Guatemala, Macedonia, and Norway all reported taking steps toward ratification.

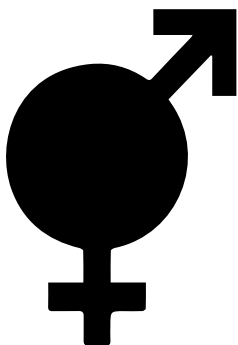
Putting the ATT into action will require states to develop partnerships with other global institutions. Cape Verde’s ambassador noted that “regional organizations have a vital role to play” in the implementation of the treaty. Austria’s ambassador stated that civil society’s role in the treaty “cannot be valued highly enough.” Likewise, the representative of Norway said his government wanted to “pay tribute” to civil society’s contribution to the treaty and “encourage” the sector to contribute to implementation. Morocco’s representative also welcomed the “dynamic role played by civil society” during ATT negotiations and hoped it will continue related work.

In addition to its provisions, the process of achieving the ATT has been encouraging for those seeking alternatives to traditional disarmament approaches. Austria’s ambassador welcomed “the more inclusive and open negotiation process in the General Assembly.” The delegation of Norway called on states to “learn from the valuable experience” of the Mine Ban Treaty and the Convention on Cluster Munitions in ATT implementation. Rather than adhering merely to the strict letter of the treaty’s provisions, states should seek to fulfill what Norway called the ATT’s “humanitarian potential,” allowing it to “be a dynamic and living instrument.” •

controlarms

Making it work: the ATT’s gender-based violence criterion

23 Oct. / 1:15 - 2:45 / NLB-CR7



The Panel

Ambassador Gréta Gunnarsdóttir, Iceland
Permanent Representative to the UN

Ambassador Matthew Rowland, United Kingdom
*Permanent Representative to the
Conference on Disarmament*

Gerhard Doujak, Austria
*Head of Department for Human Rights
and International Humanitarian Law*

Ray Acheson
Reaching Critical Will, WILPF

Claire Mortimer
Oxfam

Description

Including the gender-based violence (GBV) criterion within the Arms Trade Treaty was a significant topic of negotiations. More than 100 States gave a joint statement calling for such a criterion and the provision was incorporated into the final text of the Treaty. Article 7 of the Treaty requires States to consider risks of gender-based violence in their arms transfer decisions. As States sign and ratify the ATT, they are looking to ensure effective implementation of all aspects. This side event will examine some of the necessary procedures for risk assessment to include in order for the GBV provisions to be adequately applied. Overviews of complementing instruments and case studies will also be offered as part of the program.



Reaching Critical Will

SMALL ARMS AND LIGHT WEAPONS

Marianne Rijke | Global Action to Prevent War

During the remainder of general debate interventions, delegations continued to express concern for the illicit use, illicit transfer and trade, and the accumulation of small arms and light weapons (SALW) and their ammunitions.

Several delegates, such as Ambassador Ahidjo of Cameroon, highlighted that SALW continue to kill and maim people and to feed violence. Ms. Kathleen Lawand, Senior Legal Adviser of the International Committee of the Red Cross (ICRC) called SALW “the greatest threat to civilians”. She explained that SALW are often used in populated areas, exposing civilians to risk of incidental or indiscriminate death or injury. Several representatives, including those from Armenia, Morocco, and Peru, underlined that SALW still form a huge impediment for peace and security, growth, development, and safety. “They facilitate human rights violations, exacerbate poverty, place heavy burdens on social and health care services, steal innocence of youth and divert limited resources away from human development,” noted the President of the General Assembly, Ambassador John W. Ashe. He urged delegations to continue looking at possibilities of how progress can be made in this area and to use “resources for social and economic development, not weapons.”

The delegations of Afghanistan, Kenya, and Peru pointed out the linkages between the illicit trade of SALW and terrorism. Ambassador Andanje of Kenya explained that the trafficking of SALW has led to illicit arms falling in the hands of militant groups such as Al-Qaeda and Al-Shabaab, the latter of which has claimed to be responsible for the terrorist siege Westgate Mall in Nairobi on 23 and 24 September 2013.

“The reason for the illicit trafficking of small arms and light weapons,” as pointed out by the ambassador of Sudan, “are porous borders.” The Community of Latin American and Caribbean States (CELAC) recognized the value of addressing the illicit trade in SALW across borders. CELAC believes this is best done through the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade of Small Arms and Light Weapons in all its Aspects (UNPoA) and by cooperation on this matter through the appropriate channels with full respect for each state’s sovereignty over its own borders.

The UNPoA was mentioned by several other delegations. Ambassador Nazarian of Armenia described the UNPoA as the only global instrument in its field and highlights its reflection of the shared understanding of the common responsibility and commitment

to stop the proliferation of SALW. “We consider this international instrument as the key universal starting point to respond to the challenges posed by the illicit trade and excessive accumulation of small arms and light weapons at national, regional, and global levels,” he explained.

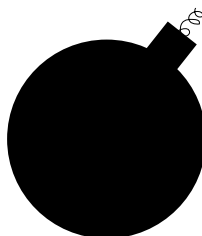
The ambassador of Cameroon stated that the instruments dealing with SALW still need to be consolidated, universalized, and implemented effectively. The importance of the full implementation of the UNPoA and its monitoring mechanisms was also stressed by the representatives of Afghanistan, Cuba, Guatemala, and Morocco. The ambassador of Cuba, who spoke on behalf of CELAC, said that work at the multilateral level should be continued within the framework of UNPoA in order to move towards the adoption of legally-binding instruments on marking and tracing and on illicit brokering of SALW. He expressed his hope to move forward on this issue at the upcoming fifth Biennial Meeting of States (BMS5) to consider the UNPoA, which will be held from 16–20 June 2014.

Several delegations, including those of Argentina and Morocco, welcomed the first-ever UN Security Council resolution devoted to SALW (UNSCR 2117), adopted on 26 September 2013. The Ambassador of Guatemala noted that this resolution “not only recognizes the responsibility of states to protect their civilian populations of harmful effects of the proliferation of small arms and light weapons but also its link with the exacerbation of sexual violence and gender.” •

control arms

How can the Arms Trade Treaty help reduce armed violence?

22 Oct. / 1:15 - 2:45 / Mission of Trinidad & Tobago to the UN



The Panel

Ambassador Eden Charles, Trinidad and Tobago
Deputy Permanent Representative

Ambassador Terje Hauge, Norway
Ambassador for ATT and SALW

Ms. Shorna-Kay Richards
Deputy Permanent Representative of
Jamaica to the United Nations

Anna Macdonald
Oxfam



CLUSTER MUNITIONS

Amelie Chayer | International Campaign to Ban Landmines – Cluster Munition Coalition

The second week of general debate was marked by strong statements emphasizing the need to further universalize the Convention on Cluster Munitions (CCM). States continued to condemn the use of cluster munitions by Syria or to express concern about the use of cluster munitions by any actor under any circumstances.

On behalf of the Community of Latin American and Caribbean States (CELAC), the ambassador of Cuba said any use of cluster munitions against civilian populations would be a clear violation of international humanitarian law. The ambassador of the Republic of Congo stated his government's support for efforts aimed at stopping the use of cluster munitions. Costa Rica, which will host the Fifth Meeting of States Parties to the CCM in September 2014, noted that the international community reiterated its condemnation of cluster munition use by Syria at the recent Fourth Meeting of States Parties held in Zambia. Portugal's delegation strongly condemned the use of cluster munitions by Syria and urged all parties involved to refrain from using the weapon.

Several countries expressed support for the universalization or implementation of the CCM, Afghanistan

reiterated that it is fully committed to the eradication of cluster munitions, and noted that it does not stockpile the weapon anymore. The ambassador of Austria emphasized that instruments such as the CCM have played a crucial role in strengthening the normative framework for the protection of civilians, and he called on all states to join the Convention. Cameroon's delegation called for the full universalization of the CCM and for its effective implementation. Costa Rica's ambassador invited the Latin American and Caribbean region to draw inspiration from the Tlatelolco model to make the region cluster munition-free. Portugal, as Co-Coordinator of the Convention's Working Group on Universalization, reported on its efforts to promote the CCM jointly with Ghana and Japan.

Two non-signatory states addressed the issue of cluster munitions as well. Armenia's ambassador said the CCM is an important instrument to achieve the eradication of an entire category of excessively injurious weapons, and stated his country is ready to consider accession if other states in the region joined simultaneously. Viet Nam, also a non-signatory to the CCM, said it "strongly shares the humanitarian purpose" of international efforts addressing the impact of cluster munitions. •

ANTIPERSONNEL LANDMINES

Amelie Chayer | International Campaign to Ban Landmines – Cluster Munition Coalition

All states that took the floor on antipersonnel mines during the second week of general debate expressed support for the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines (or Mine Ban Treaty, MBT) or for its humanitarian aims.

In a particularly strong statement, Portugal's ambassador emphasized that the goal of a mine-free world is still "as important as it was when the World took the decision to ban the use of landmines" and shared the hope that next year's Third Review Conference of the MBT would adopt a new set of measurable, realistic, and ambitious commitments. The Community of Latin American and Caribbean States (CELAC) noted that the issue of antipersonnel mines remains "an important focus of attention" of the international community and shared the hope that the successes achieved in recent years would continue.

Several delegations addressed the importance of cooperation and assistance on mine-related actions.

The ambassador of Austria hailed the collective efforts deployed to implement remedial measures preventing further loss of life due to landmines. CELAC stressed the importance of cooperation for land clearance and victim assistance, a view also shared by the Republic of Congo. Afghanistan's delegation spoke about its efforts to become mine-free by 2023 and called on the international community to financially support its clearance activities. The Afghan ambassador also noted that "the continued use of these weapons by the Taliban is very serious and concerning."

The Austrian ambassador called on all states to join the MBT if they have not yet done so. Cameroon expressed the view that the MBT needs to be further universalized and fully implemented. Armenia, a state not party, recognized that the human and social cost of the use of antipersonnel mines far outweighs their military utility, and said it was ready to consider accession if other states in the region joined simultaneously. The ambassador of Viet Nam, also a state not party, noted that antipersonnel mines directly



affect the daily lives of innocent people. He expressed support for the humanitarian efforts to address these impacts.

The draft resolution on the implementation of the MBT, tabled by Algeria, Cambodia, and Slovenia is the

same as last year's, with technical updates to reflect the upcoming Thirteenth Meeting of States Parties (Geneva, Switzerland, 2-5 December 2013) and Third Review Conference (Maputo, Mozambique, 30 June–4 July 2014). •

DISARMAMENT MACHINERY

Beatrice Fihn | Reaching Critical Will of WILPF

The second week of First Committee continued with more concerns about the lack of progress on the disarmament machinery but also some positive comments about ongoing efforts to break out of the deadlock. But as the President of the General Assembly, Ambassador John W. Ashe noted, while these successes are noteworthy, “we must acknowledge that we continue to struggle in many ways.” The UN High Representative of Disarmament Affairs Angela Kane argued that the work of the First Committee this year would provide important indicators of whether we are facing a renaissance of multilateral disarmament, or a “new dark age of fragmentation and decline.”

Most speakers continued to highlight the positive outcome of the open-ended working group on nuclear disarmament (OEWG), to welcome the high-level meeting on nuclear disarmament (HLM), and to look forward to the coming conference on the humanitarian impact of nuclear weapons in Mexico early next year. The Arab Group hoped that the HLM and other support that nuclear disarmament has received lately would be used as a launching pad towards the complete elimination of nuclear weapons.

Ambassador Dengo of Costa Rica, the chair of the OEWG, presented his report to First Committee. In his national capacity, he noted that “it became clear that nuclear disarmament is not merely an issue of interest for nuclear-weapon states. We all have a role to play.” Austrian Ambassador Kmentt highlighted that the OEWG discussions had been “substantive, interesting, engaged, constructive, non-confrontational and focused on assessing the various options of achieving and maintaining a world without nuclear weapons.” He also noted that it had provided an opportunity to conduct these discussions in “a more 21st century way—open to all interested states and more interactive with excellent contributions of experts and civil society organizations.”

On behalf of 18 states, Ambassador Dengo introduced draft resolution L.34, “Taking Forward Multilateral Nuclear Disarmament Negotiations”. The resolution is a follow-up to the establishment of the OEWG from

last year, and requests the Secretary-General to gather views from states on how to take forward multilateral disarmament negotiations and to assess progress made in implementation of further exploration of options to move forward. The resolution also notes that this could, if necessary, be done through another session of the OEWG.

Meanwhile, efforts are also being made to revitalize the CD. Deputy Secretary-General of the Conference on Disarmament, Mr. Jarmo Sareva, pointed at the recently established informal working group tasked to develop a programme of work at the CD as a positive step forward, and noted it was based on a set of recommendations developed by the Secretary-General of the CD, Mr. Kassym-Jomart Tokayev. He argued that while this decision is a welcomed new approach, it must not be used as a “diversion from substantive work” and a reiteration of well-known positions. Mr. Sareva argued that it is important that this informal working group continues next year.

Pakistan took the opportunity to defend the CD and its rules of procedure, noting that success of the disarmament machinery is sometimes “solely being equated with the start of negotiations on a treaty banning the production of fissile materials.” He further noted that both the Disarmament Commission and the First Committee are not successful in bringing about disarmament, and wondered why the CD alone is criticized for its inaction. The Kenyan delegation saw matters slightly differently. Ambassador Anthony Andanje noted “the great discomfort for a few who routinely prefer to skirt around substantive issues outside the CD that impede the adoption and implementation of a programme of work rather than address them head on,” and noted that he did not expect that status quo to change anytime soon. He continued, “It seems there are those who wish to continue maintaining their own set of rules outside of international norms.” He concluded by providing a concrete suggestion for getting out of the deadlock, “It is the conviction of Kenya that it is time States considered a legal ban on nuclear weapons, even if nuclear armed States refuse to participate.”

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The nuclear-armed states continued to worry about these new initiatives. The US representative complained about "distraction from more realistic efforts," while China's delegation wants to maintain "the authority, universality and effectiveness of existing multilateral disarmament mechanisms" and argued that "issues related to nuclear disarmament should be dealt with in the existing mechanism.. France's ambassador once again "stroved to warn" the General Assembly of the probable consequences of "certain initiatives" which create parallel forums,

and expressed disappointment of "the reopening of discussions on the step-by-step approach and the negotiating priority."

The continued discussion around the disarmament machinery is building up a critical mass of dissatisfaction with the current lack of progress. While some might still describe the CD as the "single multilateral negotiating body for disarmament," this is ringing hollow lower than ever. •



We invite you to join the World Future Council, the United Nations Office for Disarmament Affairs and the Inter-Parliamentary Union at a gala event with UN Secretary-General Ban Ki-moon (tbc), UN High Representative for Disarmament Affairs Angela Kane, IPU Secretary General Anders B. Johnsson, and WFC founder Jakob von Uexkull, as well as the high-level representatives of this year's winning policies' countries.

César López, the inventor of the Escopetarra - a rifle transformed into a guitar - together with musicians from the UN Symphony Orchestra will give a special musical performance at the ceremony.

Wednesday, 23 October, 6:00 pm



THE 2013 FUTURE POLICY AWARD CEREMONY

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United Nations Headquarters, New York
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6:00 pm: Arrival | 6:15 - 7:30 pm: Award Ceremony
7:30 - 8:30 pm: Hors d'Oeuvres Reception

Registration / inquiries:

Nanny Berr, fpa@worldfuturecouncil.org
Tel +49-40-3070914-15 | Fax +49-40-3070914-14

WOMEN, GENDER, AND DISARMAMENT

Sofia Tuvestad | Women's International League for Peace and Freedom, Swedish Section

The second week of First Committee saw few references to gender aspects of disarmament. The only exception in this regard was Guatemala, which welcomed and recognised the Arms Trade Treaty (ATT) as a significant contribution to combating sexual and gender-based violence. The Guatemalan delegate also referred to the gender provisions of UN Security Council resolution 2117 (2013), in which the Council recognizes that the illicit transfer, destabilizing accumulation, and misuse of small arms and light weapons (SALW) exacerbates sexual and gender-based violence. It also urges states, UN entities, and organizations to take further measures for women's participation in combating the negative effects of SALW.

This year's draft of the annual resolution on "Women, disarmament, non-proliferation and arms control" (A/C.1/68/L.7), with Trinidad and Tobago as lead sponsor, lacks any substantial changes or improvements. The only addition is the welcoming of the report of the Secretary-General on implementation measures taken by states, organisations and UN entities to implement last year's resolution 67/48. (A short analysis of this report can be found in First Committee Monitor No. 1, 2013.) It is disappointing that the draft lacks any references to the adoption of the ATT, the first-ever treaty to recognise the linkages between the international arms trade and gender-based violence and violence against women.

However, while First Committee debates have seen far too little promotion of gender equality in disarmament, the momentum around this issue has been reflected in other parts of the UN machinery this week. On 18 October, the Security Council held its an-

nual open debate on the Women, Peace and Security agenda. The UN Secretary-General notes in his annual report on this theme that one of the "emerging protection-related concerns" is the proliferation of SALW posing "a serious security concern for women". The debate did indeed see a number of gender and disarmament references, for example by Sweden, Chile, France, and Australia, which welcomed the gender provisions of the ATT as a tool to combat gender-based violence and violence against women.

A new Security Council resolution was adopted during the open debate, and WILPF is happy to see disarmament references included in the text. UNSCR 2122 notes that exporting states parties to the ATT shall take into account the risk of arms or items being used to commit or facilitate gender-based violence or violence against women, and the Security Council is "looking forward to the important contribution that implementation of the Arms Trade Treaty can make to reducing violence perpetrated against women and girls in armed conflict and post-conflict situations." Drawing on UNSCR 2117, the new resolution also "urges member states and UN entities to ensure women's full and meaningful participation in efforts to combat and eradicate the illicit transfer and misuse of small arms and light weapons."

First Committee has so far been a disappointment in terms of advancing gender equality in disarmament. But there are still plenty of opportunities for states to do so, as the debate moves on to conventional weapons. The above shows a number of already adopted provisions upon which states can draw on and to which they can reaffirm commitment. •

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DISARMAMENT AND DEVELOPMENT

Anna Eknor | Reaching Critical Will of WILPF

Many delegations referred to UN Secretary-General Ban Ki-moon's famous quote that "the world is over-armed and peace is underfunded" when they discussed development issues during the second week of First Committee. The issue of opportunity cost from excessive military expenditure was central to the statements connecting military spending and development.

The President of the General Assembly, Ambassador John W. Ashe, stressed the need for reviewing priorities made by looking at where and how time, energy, and resources are spent. Ambassador Ashe called on states to divert military funds to economic and social

development, in which he was joined by the Arab Group, Cape Verde, Costa Rica, Community of Latin American and Caribbean states (CELAC), Kuwait, Mexico, and Peru. Cape Verde called for a shift from a military security paradigm to a paradigm of human security and development and quoted Dwight Eisenhower, highlighting that "[e]very gun that is made, every warship launched, every rocket fired signifies in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed."

The delegates from Bangladesh and Mexico called on nuclear-armed states to divert funds spent on nuclear

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weapons to development. Mexico's Ambassador Montaño contrasted the vast expense of maintaining and modernizing nuclear weapon arsenals to "the heart-breaking reality of poverty," and called for nuclear disarmament. Ambassador Hannan of Bangladesh stressed the urgent need for diverting nuclear weapons expenses to social and economic development and to achieving the Millennium Development Goals. Furthermore, Austria and Mexico's delegations highlighted the devastating impact on development that a nuclear weapon detonation would bring.

The devastating impact of the illicit trade in conventional weapons and in particular in small arms and light weapons (SALW) on development was emphasized by Armenia, CELAC, Guatemala, Macedonia, and Morocco, as well as the President of the General Assembly. CELAC and Peru's representatives accentuated the destabilizing effect of the illicit trade in SALW as it fuels other illicit activities. Furthermore, CELAC stressed that the illicit trade in SALW absorbs "sizeable resources that could be used for development".

Ambassador Balé of Congo emphasized that conventional weapons such as landmines, cluster munitions,

and SALW are frequently used in developing countries and are particularly harmful for development in these countries. Guatemala's representative highlighted that the illicit trade in conventional weapons is driven by social inequalities and governments' inability to guarantee the rule of law. In this way, the cycle of weapons, conflict, and development challenges is perpetuated, as lack of social and economic development drives the illicit trade in conventional weapons while use of these weapons undermines development.

Sudan's ambassador called attention to the Geneva Declaration on Armed Violence and Development, which demonstrates how the two are interlinked and highlights the need for disarmament. Furthermore, Ambassador Daffa-Alla Elhag Ali Osman stressed that development dimensions must be accorded pride of place as most modern day conflicts have to do with underdevelopment, lack in resources, and environmental concerns, which is evident in the case of the Darfur conflict. The Sudan representative emphasized that the root causes of conflict must be dealt with and not merely the symptoms, which he complained is what is typically done by the UN Security Council. •

SIDE EVENT REPORT: ROUNDTABLE ON TRANSPARENCY IN MILITARY SPENDING

Anna Eknor | Reaching Critical Will of WILPF

This First Committee side event was chaired by Daniel Prins, Chief of the Conventional Arms Branch at the UN Office of Disarmament (UNODA). The event was organized apropos to the newly available easy-to-use database and submitting platform for transparency in national military expenditure, available at un.org, search word: milex. Among other interesting information, the site offers compiled charts of global trends in military expenditure over time. States can choose between making a detailed account or a simple total figure account of their military spending. The submission rate of reported military expenditure is currently low; only one-third of UN member states have provided information. Mr. Prins expressed hope that the number of states submitting information about their military expenditure will increase when the Arms Trade Treaty (ATT) enters into force. The ATT requires states parties to submit annual reports on authorized or actual exports and imports of conventional arms (though unfortunately these reports "may exclude commercially sensitive or national security information." Some hope this will encourage greater overall transparency related to arms sales and procurement and expenditure.

Virginia Gamba, Director and Deputy to the UN High Representative for Disarmament Affairs, highlighted the continued increases in global military expenditure, which amounted to a staggering US\$1,750,000,000,000 in 2012. Ms. Gamba argued that this spending should be kept to a minimum as it undermines the obligation of states to supply fundamental services such as education, health care, and so on. Article 26 of the Charter of the United Nations states the principle that military expenditure should be so low that it would least impact "human and economic resources". Article 26 was repeatedly referenced throughout the event. As all UN member states have joined the Charter, they have made a commitment to refrain from excessive military spending.

Randy Rydell, Head of the Strategic Planning Unit at UNODA, compared the total official development aid, which is US\$128 billion, to global military expenditure of US\$1.75 trillion in order to highlight the opportunity cost. Quoting UN Secretary-General Ban Ki-moon, Mr. Rydell emphasized the need to keep in mind that economic opportunity cost should rather be viewed as "human opportunity cost".



The event participants discussed how to define “excessive” military spending. The representative of the Organization for Security and Co-operation in Europe (OSCE) pointed to the treaty on Conventional Armed Forces in Europe (CFE) as an example of how dialogue can lead to progress in increasing transparency in military spending. The CFE includes ceilings of expenditure in different weapon categories and is an example of how transparency and possibly disarmament can be achieved through dialogue and diplomacy. What constitutes excessive is thus clearly defined as an amount that exceeds the ceiling. Many participants spoke of the opportunity cost by vast military expenditure, focusing mainly on the comparison with minimal funds put towards development.

The representative of Congo highlighted the issue of what drives decisions of military spending. One participant accentuated the security dilemma in which states spend funds on military ends because other states do so. In this light, lack of trust seems to be the root of the problem. Mr. Prins pushed for dialogue as the best way to achieve greater transparency and argued that this will increase trust among states. Mr. Rydell noted that the US is responsible for 40% of global military

spending and that no possible opponent is powerful enough to justify that amount. One participant suggested that to reverse the increases in military spending and encourage disarmament and decreasing of military expenditure, these would need to be made to seem prestigious. Transparency would make this possible since it would incite a spirit of competition to diminish military expenditure.

The representative of the Holy See stressed the need for discussion of military expenditure to be a discussion of priorities, which should be shifted towards facilitating education and the right to life.

Randy Rydell highlighted that military transparency in post-conflict settings is of particular importance since it is a tool that makes economical priorities more visible which is of important in a time of serious economic strain. To put funds towards military ends in order to restore order is not the adequate, continued Rydell, highlighting that funds spent on social services is also a way to increase security and restore order. Virginia Gamba accentuated that transparency in military expenditure will promote trust, especially at regional levels such as in post-conflict settings. •

SIDE EVENT REPORT: STRENGTHENING NON-PROLIFERATION: GAME-CHANGING IDEAS

Mia Gandenberger | Reaching Critical Will of WILPF

On 16 October 2013, the British American Security Information Council (BASIC) together with the Swiss Federal Department of Foreign Affairs held a side event on strengthening non-proliferation. After brief words of welcome by the Swiss ambassador Benno Lagner, the participants heard a panel discussion followed by a lively question and answer session.

The panel consisted of Ward Wilson, Senior Fellow at BASIC, and Barry Blechmann, co-founder of the Stimson Center, and was chaired by Ms. Angela Kane, UN High Representative for Disarmament Affairs. Her opening remarks focused on the current state of the nuclear disarmament and non-proliferation discussion. Ms. Kane underlined the need to explore new ideas to find a way out of the “nuclear dead end”. In quoting US President Lincoln’s annual message to Congress in 1862: “The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise—with the occasion. As our case is new, so we must think anew, and act anew.” In order to deal with the Gordian knot of nuclear weapons the international community will have to be a little uncomfortable, she said.

The centerpiece of the side event was the presentation of his new paper on “Strengthening Nonproliferation” by Ward Wilson. The paper discusses the policy implications of thinking about nuclear weapons more as symbolic icons rather than weapons. He described how over the course of several hundred years, symbolic icons such as the chariots and dreadnoughts have become symbols of power. He argued that this misconception with regard to nuclear weapons might lead to the desire among non-nuclear possessing states to acquire these weapons.

Mr. Wilson proposed several specific steps to “deflate the overinflated symbolic value of nuclear weapons,” including substituting nuclear assurances with conventional ones; taking nuclear weapons off high-alert status; not using nuclear weapons to threaten others during crises; changing the way nuclear weapons are portrayed in declaratory statements; and suspending modernization programmes. He pointed out that acknowledging the humanitarian consequences of the use of nuclear weapons could help reduce the symbolic value and focus attention on the real risks of these weapons. He also found that continued disarmament

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would be the “strongest symbol” that nuclear weapons have little symbolic power.

Barry Blechman agreed with the point that some states uphold the symbolic value of nuclear weapons and pointed out that this might lead to problems for the “non-proliferation regime” and the 2015 NPT Review Conference. He also highlighted the risks of vertical proliferation in this context. Mr. Blechmann added that nuclear weapons are mistakenly thought to improve national security, which had been the motivation behind acquiring them for some nuclear possessing states. He welcomed Mr. Wilson’s recommendations and pointed out that in order to further devalue the symbolic aspects of nuclear weapons, NATO states should deemphasize the nuclear component of their alliance and remove the remaining tactical nuclear weapons from European soil.

To kick-off the question and answer session, Ms. Kane reminded participants of states that have actively chosen not to rely on nuclear weapons as a status symbol, including Argentina, Belarus, Brazil, Kazakhstan, South Africa, and Ukraine. Many questions arose in the following discussion aimed at the battlefield value of nuclear weapons, the motivation of nuclear possessing states to deemphasize the role of nuclear

weapons, and the possibility of states trying to compensate conventional arms lag by acquiring nuclear weapons.

In that context, Rebecca Sharkey of ICAN UK underlined that reframing the debate by reminding the international community of the humanitarian consequences would be a very good tool to devalue nuclear weapons and could create a level playing field for discussions about nuclear disarmament. Ambassador Alexander Kmentt of Austria explained that the iconic and symbolic value of nuclear weapons is extremely important in the debate and thought that the push-back from nuclear possessing states with regard to humanitarian arguments stemmed from their fear of including moral considerations. He also pointed out that while nuclear possessing states might have acquired nuclear weapons for security reasons, their value had at some point shifted to symbolic icons of power.

Another participant thought the problems of nuclear disarmament were part of a bigger picture in which the use of force as a solution to conflicts seemed to have come back into fashion. He affirmed the need for the international community to return to an order guided by norms and international law. •

SIDE EVENT REPORT: THE HUMANITARIAN IMPACT OF NUCLEAR WEAPONS

Sofia Tuvestad | Women’s International League for Peace and Freedom, Swedish Section

This side event evolved around the release of the new UNIDIR publication *Viewing Nuclear Weapons Through a Humanitarian Lens*. The report is a compilation of contributions from scholars, research and policy advisers, as well as NGO representatives, presenting their analyses on benefits and possible challenges with applying a humanitarian perspective on nuclear weapons. The event was chaired by Tim Caughley, Resident Senior Fellow at UNIDIR, and the panel included Dr. Patricia Lewis, Research Director for International Security at Chatham House and contributor to the report, and María Antonieta Jáquez Huacuja, Deputy Director-General for Disarmament, Non-Proliferation and the GA, at the Directorate General for the United Nations of the Foreign Affairs Secretariat, Mexico. It also included Thomas Nash, Director of Article 36 and contributor to the report, as well as Dr. John Borrie, Senior Researcher and Policy Adviser at UNIDIR, editor as well as contributor to the report.

As Dr. Lewis noted, the step-by-step approach to nuclear disarmament relies a great deal on the meet-

ings within the Non-Proliferation Treaty (NPT) and the Conference on Disarmament (CD). Yet, it is clear that very little movement has been taking place in these fora since the adoption of the Comprehensive Test Ban Treaty (CTBT) in the General Assembly in 1996. Dr. Lewis rightly pointed out that there is a “lack of purpose and sense of direction” in the disarmament arena and this has led to frustration amongst those wanting to move forward.

An underlying problem is that nuclear weapons are on the one hand treated as if they were special and worthy of “a sacred role in defence postures,” as Dr. Lewis put it, while on the other hand we try to treat them as ordinary weapons. The combination of these two very different approaches has caused problems for decades, but this has not been addressed. One of the benefits of the humanitarian approach is thus that it very clearly turns nuclear weapons into weapons again—it’s putting them just where they should be, said Dr. Lewis.



So what does it mean, applying a humanitarian perspective on nuclear weapons? The humanitarian lens is wider than just the legal international humanitarian law (IHL) aspects; it encompasses moral and political imperatives as well. What Dr. Borrie held out as most important, is that the humanitarian approach privileges evidence and critical argument. This perspective is thus anything but “soft” or “fuzzy”. Rather, it demands higher rigour in terms of evidence, and the evidence-based approach is one of the factors that have made NGO campaigns on humanitarian disarmament so effective. Mr. Nash drew parallels to the campaign to ban antipersonnel landmines, which was very successful in researching, analysing, and informing about health consequences of landmines as an absolutely central part of delegitimizing these weapons.

Mr. Nash also spoke about his experiences from the process leading up to the ban on cluster munitions, during which the campaign was challenged by the argument that cluster weapons are essential for national defence. The documentation of the humanitarian impact of these weapons was absolutely central to overcome these difficulties. As Mr. Nash put it, there was no effective challenge to the humanitarian case. “If you want to argue that these weapons are acceptable, then you have to make the argument—I believe it was never really made,” he argued. It seems the same would be true for nuclear weapons.

A landmark for the humanitarian debate on nuclear weapons was the Oslo conference in March this year,

hosted by the Norwegian Ministry of Foreign Affairs. The humanitarian impact of nuclear weapons was analysed and discussed by nearly 130 states, UN entities, scholars, and NGO representatives, leading to the conclusion that it is not possible to address humanitarian needs after a nuclear weapons attack. Further research on impact and responses will be presented by UNIDIR next year.

Next year will also see the follow-up conference to Oslo, which will take place in Mexico. Ms. Jáquez Huacuja said that the aim of the Mexico meeting is to address those issues that were not analysed as profoundly in Oslo. This includes further discussion on long-term effects, including public global health consequences, displacements of people, as well as the impact on transports, communications, and economic development. All states are invited to the meeting, which is set for 13–14 February 2014.

As Ms. Jáquez Huacuja said, which Dr. Borrie and Dr. Lewis also pointed out, the humanitarian perspective on nuclear weapons is not an entirely new thing. The process leading up to the Partial Test Ban Treaty in the 1960s, for example, evolved around humanitarian concerns. Nonetheless, it is clear that the last decades of nuclear weapons debates have been far too distanced from the humanitarian approach, resulting in nuclear weapons being framed as “sacred” rather than as the horribly destructive weapons of mass destruction they really are. The rapidly growing humanitarian initiative for nuclear disarmament is indeed a game-changer. •

SIDE EVENT REPORT: THE HUMANITARIAN INITIATIVE TO PROHIBIT NUCLEAR WEAPONS

Mia Gandenberger | Reaching Critical Will of WILPF

On Thursday, 17 October 2013, Reaching Critical Will hosted a side event on the humanitarian initiative to prohibit nuclear weapons together with Article 36, the Permanent Mission of Indonesia, and the Swiss Ministry of Foreign Affairs, with the participation of the Los Alamos Study Group and IKV Pax Christi.

Ambassador Desra Percaya of Indonesia reviewed the history of the humanitarian initiative since the first joint statement by sixteen states on the catastrophic humanitarian consequences of nuclear weapons during the NPT preparatory committee in Vienna in 2012. He noted steady increase in support for this approach to nuclear weapons and highlighted the need to educate especially young adults in this context. Ambassador Percaya underlined the central role of civil society,

but noted that governments too need to convey the message of the humanitarian consequences of nuclear weapons in a clear and concise manner.

Thomas Nash of Article 36 presented a report on “Banning nuclear weapons” published earlier this year as well as a briefing paper entitled “Simply banning nuclear weapons”. The report provides a brief introduction to the humanitarian impacts of the use of nuclear weapons and surveys some of the main multilateral instruments that address nuclear weapons and nuclear disarmament. It calls for a treaty banning nuclear weapons as a responsible way for states to implement their disarmament obligations as under article VI of the NPT and outlines key elements of such a treaty.

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The briefing paper focuses on the contributions of a treaty banning nuclear weapons to support current nuclear disarmament efforts. Mr. Nash underlined that “simply banning nuclear weapons [would] not guarantee their elimination,” but would be a necessary and practical step towards a world in which all weapons of mass destruction have been outlawed, and are being eliminated. He also highlighted the fact that the preambles of both the Chemical Weapons Convention and the Biological and Toxin Weapons Convention call for the “the prohibition and elimination of all types of weapons of mass destruction.” Mr. Nash reminded participants that in the past political and social changes have often seemed inconceivable until they happened and once the political space had been created for them to do so.

Beatrice Fihn of Reaching Critical Will presented the paper “Preventing collapse: the NPT and a ban on nuclear weapons.” It highlights the significant value of the NPT with regard to its near universality, being the only legally-binding commitment to nuclear disarmament in a multilateral treaty, and providing for inspections through safeguards. Therefore it is important to address the challenges the NPT is currently facing. These include the lack of progress in disarmament, the challenges of meeting commitments related to a zone free of weapons of mass destruction in the Middle East, and the politicization of safeguards.

According to the paper written by Ms. Fihn and Ms. Acheson, a treaty banning nuclear weapons could serve to level the playing field by not making the distinction between those possessing nuclear weapons and those states that do not. It would affect the calculations of nuclear-armed states, challenge the assertion that nuclear weapons provide security, and thus, stigmatize nuclear weapons. Ultimately it would help restore trust through a multilateral rejection of all nuclear weapons.



Photos by Christian Wittmann



Greg Mello of the Los Alamos Study Group focused on the effects that a treaty banning nuclear weapons would have on nuclear-armed states, especially the United States. He explained that current plans for the modernization of nuclear weapons warheads in the US alone add up to about 275 million over the next 25 years. This figure increases to half a trillion for the entire US nuclear weapons system. Mr. Mello underlined that existing diplomacy instruments such as the NPT are not sufficient to address the challenges of nuclear disarmament. He encouraged participants to continue their efforts towards a ban, as the status quo in the US could change rather quickly. The plans and programmes are fragile; the recent incidents of high-ranking military personnel of the nuclear force are an illustration of that, he said.

Mr. Mello cautioned that merely emphasizing the humanitarian consequences of nuclear weapons could result in a renewed push for minimizing nuclear weapons. Therefore, a treating prohibiting the possession of nuclear weapons is needed. He pointed out that currently extended deterrence is key for the support for nuclear weapons in the US complex and subject to a lot of skepticism from within. Hence nuclear deterrence would urgently have to be addressed from outside the US.

Susi Snyder of IKV Pax Christi presented the recently released “Don’t Bank on the Bomb” report on the financing of nuclear weapons producers. Currently 298 financial institutions are significantly involved in financing the nuclear weapons industry with 314 billion USD. The report identifies 27 companies based in the US, the United Kingdom, France, India, the Netherlands, and Germany that are involved in the

production, maintenance, and modernization of nuclear weapons. She reminded participants that the private sector has a significant role to play and that divestment campaigns have in the past been very effective in “stigmatizing inhumane weapons, spurring political action and engaging the public in concerted campaigns.”

Ms. Snyder explained that some financial institutions had been outraged by “accusations” of investing in nuclear weapons. Others have already excluded nuclear weapons companies from their investment portfolios, some of them in anticipation of a treaty banning nuclear weapons in the near future. The report has been well received and individuals have immediately tried to see whether their own bank is among the 298 institutions investing in nuclear weapons. Therefore, the stigma already exists to a certain extent.

The question and answer session was kicked-off by Swiss Ambassador Urs Schmidt, who expressed appreciation for the increased debate on the humanitarian dimension of nuclear weapons and highlighted the important role civil society plays in that connection. With regard to Ms. Snyder’s report, he drew attention to the Swiss Act on War Material from 2013, which among other weapons prohibits any investment in the production of nuclear weapons.

Both participants and panelists took part in the ensuing discussion which among other things addressed existing obstacles for a treaty banning nuclear weapons, short-comings of existing instruments and approaches for nuclear disarmament, and the need to continue to engage with civil society and diplomats on this issue. •

SIDE EVENT REPORT: NUCLEAR WEAPONS AND INTERNATIONAL LAW

Guy Quinlan | Lawyers Committee on Nuclear Policy

This event on 18 October was sponsored by the Permanent Missions of New Zealand and Switzerland to the UN. Ambassador Dell Higgie of New Zealand moderated, noting in her opening remarks that international law issues are too often ignored in discussions about nuclear weapons. Ambassador Benno Laggner of Switzerland offered brief concluding remarks, noting the commitment made in the outcome document of the 2010 nuclear Non-Proliferation Treaty Review Conference to comply consistently with the obligations of international humanitarian law.

Professor Daniel Thürer of the University of Zurich presented an analysis and critique of the landmark 1996 opinion of the International Court of Justice (ICJ) on the legality of the use or threatened use of nuclear weapons. He prefaced his remarks by noting that the legality of such weapons had been sharply questioned by international law experts almost immediately after the bombing of Hiroshima and Nagasaki. At that time, critics noted the failure to discriminate between military and civilian targets, as well as the lack of any military necessity for the attacks. Thus Professor Thürer suggested that nuclear weapons are already illegitimate under international law. The first statement on this subject by the International Committee of the Red Cross was issued as early as 1950.

Professor Thürer elicited surprise and some controversy by suggesting that it might have been better if the ICJ in 1996 had declined to hear the case; its decision

has caused significant misunderstanding and confusion, since the failure to definitively condemn the use of nuclear weapons even in existential self-defense has been wrongly construed as an affirmative approval of such use. Other panelists took issue with this view, asserting that the ICJ decision, while not conclusively resolving all the issues, had helped to undermine the legitimacy of nuclear weapons.

Professor Roger Clark of Rutgers School of Law argued that nuclear weapons are already condemned by existing international law, since their use would constitute war crimes under the Rome Statute. He also argued that depending on the circumstances, the use of nuclear weapons could also constitute crimes against humanity, genocide, and “grave breaches” of the Geneva Conventions. He noted that the existing international conventions on these subjects are “weapons-neutral”: while not explicitly mentioning nuclear weapons, they certainly do not exempt any use of such weapons which would otherwise fall within their terms.

Professor Andrew Clapham, Director of the Geneva Academy of IHL and HR, noted that much discussion about the legality of nuclear weapons has neglected the distinction between the lawfulness of using force (*jus ad bellum*) and the law of armed conflict (*jus in bello*). Even if a state is justified in using force in self-defense, it is still obligated in such use to observe the principles of international humanitarian law, such

as the prohibition on attacking civilian populations and the obligation to minimize civilian casualties. The requirement of proportionality, which is often misunderstood, requires that the responding use of force be limited to what is necessary to repel the attack. In the discussion that followed the panelists agreed that, although nuclear weapons may be illegal under existing

international law, a convention is needed for purposes of verification and enforcement. A suggestion was made from the audience that a future program in this series should address the disarmament obligations of the nuclear weapons states under Article VI of the Non-Proliferation Treaty. •

SIDE EVENT REPORT: FISSILE MATERIAL CUT-OFF TREATY: THE GGE AND BEYOND

Adam Wolf | NGO Committee on Disarmament, Peace and Security

The Permanent Missions of Canada and the Netherlands to the UN co-hosted this side event to provide information on the process towards establishing negotiations for a fissile materials cut-off treaty (FMCT). Expertise was also provided from the United Nations Institute for Disarmament Research (UNIDIR) and the Program on Science and Global Security at Princeton University. Moderated by Theresa Hitchens, Director of UNIDIR, the event aimed to provide insight on how the group of governmental experts (GGE) can set the framework for negotiations to an instrument that bans the production of weapons-grade fissile material.

Tim Caughley of UNIDIR was the first to speak on the precedents of FMCT negotiations. He noted that the idea of an FMCT is 60 years old, but as of 2010, there has been no substantive work on the issue and negotiations in the Conference on Disarmament (CD) have been deadlocked. Such deadlock stems from conflicting views on eliminating existing fissile material stockpiles, as opposed to just prohibiting future production after the FMCT would enter into force. He said that the future GGE brings hope that some consensus can be established to lay the foundation for more productive negotiations.

Both Elissa Golberg, Permanent Representative of Canada to the CD, and Henk Cor van der Kwast, Permanent Representative of the Netherlands to the CD, provided further insight on potential discussions the GGE could undertake. The purpose of convening a GGE is to help resume substantive discussions in face of a sterile debate in the CD. Ambassador Golberg emphasized that the GGE should consist of experts who can discuss technical details in great depth. Furthermore, such experts should unveil upon which elements member states can reach consensus and what aspects will be conflicting. It was also noted that the composition of the GGE would be revealed by the UN Secretary-General by the conclusion of this First Committee session.

Concrete discussions can lay the framework for the FMCT's structure, such as scope, definitions, entry into force, withdrawals, and roles of associated institutions. Ambassador van der Kwast strongly supported the International Atomic Energy Agency (IAEA) as the main body to help provide oversight and verification of fissile material stockpiles designated under the scope of the FMCT. He emphasized that the current IAEA safeguards already provide a plausible foundation for verification and that additional costs could be met by FMCT states parties.

Detailed technical issues were covered by Zia Mian of the Program on Science and Global Security at Princeton University. Professor Mian addressed the concerns of what an FMCT will mean to states with diverging definitions related to possessed fissile material, arguing that fail to do so can lead to confusion in verification and transparency. He cited the example of the US military moving weapons-grade uranium through various military and fuel cycles not related to weapons purposes. This complicates the process of verification and raises the question of certain materials that might need to be excluded. In conclusion, Professor Mian emphasized that the GGE needs to address various questions relating to dismantling of fissile material. When should it start, when should it be completed, and to what standard?

Questions during the open discussion raised the responsibility of nuclear-armed states and how to address the already existing stockpiles of weapons grade fissile material. The panel generally agreed that in order for such a treaty to be effective, existing stockpiles must be encompassed within the scope in order to fully address the entire issue of nuclear disarmament. Going forward, the panel emphasized that the GGE will not be a substitute for substantive negotiations but rather serve as a stepping stone towards progress on the issue. •

CALENDAR OF EVENTS FOR THE WEEK OF 21-25 OCTOBER 2013

When	What	Where	Who
Monday, 21 October 13:15-14:30	Civil society views on fully autonomous weapons	Conference Room 6 North Lawn Building	Campaign to Stop Killer Robots
Monday, 21 October 13:15-14:30	Enhancing the practical applications of the ISACS	Conference Room A Conference Building	UNIDIR
Tuesday, 22 October 13:15-14:30	How can the ATT help reduce armed violence	Mission of Trinidad and Tobago to the UN	Permanent Missions of Trinidad and Tobago, Norway, Jamaica, and Australia; Control Arms
Tuesday, 22 October 13:15-14:30	Lethal autonomous robotics: shared concerns, different approaches? A dialogue with special rapporteur Christoph Heyns	Conference Room A North Lawn Building	UNIDIR
Tuesday, 22 October 19:00-21:00	2013 Global Fissile Materials Report by the International Panel on Fissile Materials	Conference Room 6 North Lawn Building	Permanent Mission of Japan to the UN
Tuesday, 22 October 13:15-14:30	Cesar Lopez, inventor of the Escopetarra, plays songs of peace	Conference Room 3 Conference Building	UN Office for Disarmament Affairs
Tuesday, 22 October 13:15-14:30	Multiple perspectives on nuclear disarmament: hibakusha, humanitarian, and youth	777 UN Plaza, B1 (First Ave & 44th St)	Peace Boat, Nuclear Age Peace Foundation, Hibakusha Stories
Wednesday, 23 October 13:15-14:30	Operationalising the gender-based violence criterion in the Arms Trade Treaty	Conference Room 7 North Lawn Building	Permanent Missions of Iceland, Austria, and UK to the UN; Control Arms; WILPF; Oxfam
Wednesday, 23 October 13:15-14:30	The 2013 Future Policy Awards Ceremony: Celebrating the world's best disarmament policies	Conference Room 3 Conference Building	World Future Council; UN Office for Disarmament Affairs; Inter-Parliamentary Union
Thursday, 24 October 13:15-14:30	Ratifying the ATT and achieving entry into force	ECOSOC Chamber Conference Building	Permanent Mission of New Zealand, Nigeria, Switzerland, Costa Rica, and Mexico; Control Arms; Parliamentarians for Global Action; Saferworld
Thursday, 24 October 13:15-14:30	Argentine initiative on disarmament	Conference Room 3 Conference Building	Permanent Mission of Argentina to the UN
Friday, 25 October 13:15-14:30	US-UK briefing on verification	Conference Room 3 Conference Building	Permanent Mission of the United States to the UN

FIRST COMMITTEE MONITOR

The *First Committee Monitor* is a collaborative NGO effort undertaken to make the work of the First Committee more transparent and accessible. The *Monitor* is compiled, edited, and coordinated by **Reaching Critical Will** of the Women's International League for Peace and Freedom (WILPF).

Contributing organizations and programmes to this edition:

Cluster Munition Coalition

Control Arms

Global Action to Prevent War

International Campaign to Ban Landmines

Lawyers Committee on Nuclear Policy

NGO Committee on Disarmament, Peace and Security

Reaching Critical Will of WILPF

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Reaching Critical Will