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Reaching Critical Will | A programme of the
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Cover image: *The Little Prince*

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In this edition:

Editorial	3
Nuclear weapons	4
Biological and chemical weapons	6
Calendar of events	6
WMD free zone in the Middle East	8
Outer space	9
GGE on space succeeds ... now what?	10
High-tech weapons	11
Out of control	11
Arms Trade Treaty.	12
Small arms and light weapons	13
Explosive weapons in populated areas	14
Disarmament machinery	15
Disarmament and development	17
Side event: Civil society views on fully autonomous weapons	17
Side event: Enhancing the practical application of the ISACS	18
Side event: How can the ATT help reduce armed violence?	19
Side event: Lethal autonomous robotics: shared concerns, different approaches?. . .	20
Side event: 2013 Global Fissile Materials Report by IPFM	21
Side event: Perspectives on disarmament: hibakusha, humanitarian, and youth	22
Side event: Making it work: the ATT's gender-based violence criterion	23
Side event: Ratifying the ATT and achieving entry into force	25
Side event: Argentine initiative on disarmament	26
Side event: US-UK briefing on verification. .	27



Reaching Critical Will

EDITORIAL: OVERCOMING OBFUSCATION

Ray Acheson | Reaching Critical Will of WILPF

When 125 states collectively raise their voices to say that it is “in the interest of the very survival of humanity that nuclear weapons are never used again,” and that the only way to guarantee this “is through their total elimination,” it is time for serious action.

The condemnation of the use of chemical weapons in Syria has demonstrated universal abhorrence of weapons of mass destruction. Why then are nuclear weapons not on “equal footing” with other WMD, which are already subject to global prohibitions due to their devastating impact, as noted by Ambassador Laggner of Switzerland? Could it be because most of the states that possess nuclear weapons are militarily (and in some cases, economically) stronger than those who would dare to demand disarmament?

“The willingness of the world as a whole to move forward in a constructive manner to eliminate nuclear weapons has never been more evident,” said Archbishop Chullikatt of the Holy See. “Yet a very small number of States stand in the way, trying to block progress and to find a comprehensive solution to the problem that goes on year after year in paralysis and obfuscation.”

This handful of states—principally the nuclear-armed states and those propping up the continued possession nuclear weapons through military alliances—continue to say that a “step-by-step process” is the only way forward. This effectively prevents any tangible progress from being made.

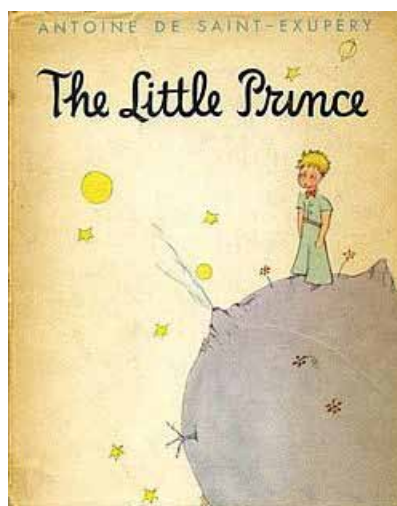
Yet some governments that possess nuclear weapons seem to think it ridiculous that the rest of the world expects them to comply with their obligations. These governments accuse those urging new approaches of seeking a comprehensive solution. Yet it is they who seem to want to solve all of the world’s problems at once.

The common refrain from the handful of states blocking progress is that they cannot, as the Russian delegate said, “naively commit to nuclear disarmament” without the right conditions. Anyone who demands disarmament, he suggested, is a “radical dreamer” who has “shot off to some other planet or outer space.” But on what planet will the conditions be “ripe” for these governments that are holding the rest of the world hostage with their capacity to destroy us all thousands of times over?

This threat of destruction “must guide our deliberations and motivate our efforts to outlaw and eliminate these weapons,” argued the Philippines delegation. This is one of the reasons why the vast majority of countries have highlighted and welcomed the growing discourse on the humanitarian and environmental consequences of nuclear weapons. This debate might not be new, but as Ambassador Mamabolo of South Africa noted, it has not been at the core of our deliberations for many years.

The Russian delegation believes that since “children in school already understand” how horrific nuclear weapons are, we should “not waste time on such useless topics.” But to say that the impact of nuclear weapons does not need to be considered by all of us is to suggest, as Ambassador Higgie of New Zealand pointed out, that we should simply rely on the nuclear-armed states to consider and understand, on our behalf. This “would run counter to our undertakings in the NPT and our collective responsibility to work to eliminate nuclear weapons.”

Perhaps children in school should guide our policies on security and disarmament. If the dangers are so simple to understand, then so are the solutions. It is not just, responsible, safe, or acceptable for some governments to wield monstrous weapons and pretend that anyone or anything other than their own policies is preventing them from changing this situation. “If somebody wants a sheep, that is a proof that one exists,” said the Little Prince, the title character of the novella by Antoine de Saint-Exupéry. If we all aspire to a world free of nuclear weapons, as Mr. O’Reilly of Ireland suggested, then that is proof that we can build it. •



NUCLEAR WEAPONS

Mia Gandenberger | Reaching Critical Will of WILPF

Last week saw the humanitarian consequences of nuclear weapons again at the centre of the debate on nuclear weapons in First Committee. On 21 October, 142 states specifically addressed this topic. The vast majority of those states reached the logical conclusion that the “only way to guarantee that nuclear weapons will never be used again is through their total elimination.” In this context, the Philippines and Holy See called for a ban on nuclear weapons.

Speaking in her national capacity, Ambassador Dell Higgie of New Zealand pointed out that the growing support for the humanitarian initiative reflects a more general impetus to focus on human security. This approach “puts the priority where it should and must be: it takes nothing away from existing processes, and establishes no structures of its own. It reminds us all that it is the destination - the end result - of where we are going that matters, and it lends urgency to our reaching that destination,” she said.

While some like to call this discourse on the humanitarian consequences of nuclear weapons a distraction and a threat to the NPT, in reality, states have allowed themselves to become sidetracked by discussions about the conditions of a world free of nuclear weapons and various versions of the step-by-step approach. As a result of the increased room for discussion of the humanitarian consequences, “there has been a new sense of focus, priority and purpose” in the collective discussion on nuclear weapons over the past year as Mr. O’Reilly of Ireland pointed out. He and Ambassador Higgie, among others, emphasized that the humanitarian approach is fully consistent with the NPT.

Looking ahead to the next preparatory committee of the NPT, states called for the full implementation of the 2010 action plan and some particularly highlighted the reporting by nuclear weapon states under action 5. The majority of speakers also looked forward to the follow-up conference on the humanitarian impact of nuclear weapons to be held in Mexico from 13 to 14 February 2014.

There is urgent need for progress in these discussions on nuclear disarmament, because what states do or don’t do in disarmament fora has a very real impact on people’s lives, as Mr. O’Reilly of Ireland rightly reminded member states.

Draft resolutions

Egypt introduced **L.18** entitled “Towards a nuclear-weapon-free-world: accelerating the implementation of nuclear disarmament commitments” on behalf of

the New Agenda Coalition. This year’s resolution contains many substantive updates and additions.

PP 2 has been extended to include “which should inform all deliberations, decisions and actions relating to nuclear disarmament and nuclear non-proliferation.” PP 3 now recalls the 2010 NPT Review Conference’s “resolve to seek a safer world for all and to achieve the peace and security of a world without nuclear weapons.”

PP 4–6 are new and reflect the developments within the past year, including the Oslo and Mexico conferences, the high-level meeting, and the open-ended working group. PP 7 is also new and reflects the importance of nuclear disarmament and non-proliferation education.

Former PP 4 is now PP 8. Former PPs 5 and 6 have been combined in PP 9. The list of names of 1995 decisions and resolutions as been removed and a reference to them being “the basis upon which the Treaty was indefinitely extended” has been inserted. The reference to the review conferences of 2000 and 2010 has been removed from the text of former PP6.

Former PP 7 is now PP 10 and “pending the total elimination of nuclear weapons” was added to the end former PP 8, now PP 11. PP 12, former PP 9, was updated to refer to the recent ratifications of the CTBT. The term “pending the total elimination of nuclear weapons” was also added to PP 13, former PP 10, and “encouraging” was replaced by “urging”. Additionally PP 13 recognizes the second preparatory meeting for the second NWFZ conference held in Geneva on 26 April 2013 and welcomes the announcement by Indonesia of its intention to host the third conference in 2015.

Former PP 11 has been removed. PP 14 reaffirms “the expectation” rather than expresses “the hope,” as in last year’s PP 12, that the encouragement for the establishment of further NWFZ will be followed by concerted international efforts to create such zones. In the context of the Middle East, it recognizes “the 2010 Review Conference on practical steps to fully implement the 1995 resolution on the Middle East,” as last year’s PP 13 read. The reference to the type of nuclear weapons in former PP 14 was removed in PP 15 of this year’s resolution.

Former PP 15, now PP 16, was updated to refer to the 2013 session of the Conference on Disarmament. And the final PP acknowledges the second session of the Preparatory Committee of the 2015 NPT held in

Geneva. Last year's final PP had welcomed the first session in Vienna.

Former operational paragraphs (OP) 2 and 3 relating to the 2010 NPT Review Conference outcome document, especially in relation to the Middle East and welcoming the resolve to seek a world safer for all. Former OP 4 is now OP 2. Former OP 5 was extended to include at the end a reference to action 5 of the NPT action plan. OP 4, formerly OP 6, no longer merely "recalls the commitment" of nuclear weapons states to reduce and eliminate all types of nuclear weapons but "calls upon" them to fulfill that commitment. OP 5 is former OP 7; OP 6 is an abridged version of former OP 8; and former OP 9 is now OP 7.

OP 8 replaced former OP 10 and expresses disappointment at the failure to convene a conference in 2012 on the establishment of a WMD free zone in the Middle East and calls for the conference to be convened without any further delay. Former OPs 11–13 are now OPs 9–11. OP 11 includes an additional urge for the CD to commence without delay substantive work that advances the agenda of nuclear disarmament. OP 12, former OP 16, was extended to include a reference for enhanced confidence among all states.

In the same vein, OP 13, formerly OP 17, highlights that the increased confidence and trust achieved by the announcements by some nuclear weapon states providing information about their nuclear arsenals, policies and disarmament efforts, "would contribute to sustainable disarmament."

OP 14 calls for the implementation of all elements of the 2010 NPT action plan and no longer only highlights the need for implementation of action 5 by the nuclear weapon states "to accelerate concrete progress on the steps leading to nuclear disarmament" as in former OP 14. Last year's OP 15 has been replaced by a reference to UNGA resolution 1/1 and article 6 of the NPT urging member states to "pursue multilateral negotiations in good faith towards a nuclear free world" in keeping with the spirit of those documents.

L.20 entitled "Reducing nuclear danger" contains no changes in substance.

L.21 on the "Convention on the Prohibition of the Use of Nuclear Weapons" only updated the final PP to refer to the 2013 session of the CD and failure to implement the GA resolution 67/64 from last year on this issue.

L.26 entitled "Follow-up to the advisory opinion of the International Court of Justice on the legality of

the threat or use of nuclear weapons" contains no changes in substance.

L.29 entitled "Comprehensive Nuclear-Test-Ban Treaty" includes some updates compared to last year's draft resolution on this issue. PP 4 reflects the updated status of ratification.

PP 7 is a combination of last years PP 7 and 8 and also includes an update to refer to the final declaration of the eighth conference on facilitating the entry into force of the treaty. PP 9 is new and captures the grave concern that since the previous resolution on this subject, a nuclear test has been carried out.

OP 5 includes references to the latest UNSC resolutions on the DPRK nuclear test on 12 February 2013. OP welcomes the latest ratifications by Brunei Darussalam, Chad, Guinea-Bissau, and Iraq.

L. 34 entitled "Taking forward multilateral nuclear disarmament negotiations" has been comprehensively updated and extended to capture the developments of last year. PP 1 recalls last year's resolution 67/56 which established the Open-ended Working Group (OEWG) to develop proposals to take forward multilateral nuclear disarmament negotiations for the achievement and maintenance of a world without nuclear weapons. PPs 2 and 3 are former PPs 1 and 2. PP 4, former PP 3, reaffirms the role and function of the CD and the Disarmament Commission and adds "as set out in the final document of the tenth special session of the UNGA. Former PP 3 has been "mindful" of their role.

Former PPs 4–9 are now PPs 5–10 and former PPs 10–12 are now PPs 12–14.

PP 11 is new and welcomes the high-level meeting on nuclear disarmament on 26 September 2013, "which highlighted the wish of the international community for progress in this field."

The OPs have changed in their entirety and mainly focus on the work of the OEWG, especially its report and the recommendations contained therein. OP 9 includes the decision to review the progress made in the implementation of this years resolution and to "to further explore options for taking forward multilateral nuclear disarmament negotiations, including if necessary through the Open-ended Working Group."

L.35 on the "Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices" has been turned into a draft decision. It recalls previous resolutions on this matter and welcomes the report of the UN Secretary General. During

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the next session it will include an item on the same topic.

L.36 on “Nuclear disarmament” includes some changes compared to last year’s resolution. PP 19 now refers to the work of the CD in 2013. PP 20 is new and welcomes the establishment of the informal working group (IWG) with a mandate to produce a programme of work. Last year’s PPs 20–23 are now PPs 21–24. The new PP 25 welcomes the HLM on nuclear disarmament on 26 September at which the designation of 26 September as International Day for the Total Elimination of Nuclear Weapons was proposed. Former PPs 24 and 25 are now PPs 26 and 27.

OP 17 now refers to the work of the CD during its 2014 session and welcomes the establishment of the informal working group. OP 19 has been updated to include the recent ratifications of the CTBT and OP 20 to refer to the 2013 session of the CD as well as last year’s resolution on this issue. L. 43 entitled “United action towards the total elimination of nuclear weapons” has been updated to reflect the developments of last year. PP 5 is new and recognizes that “the catastrophic humanitarian consequences that would result from the use of nuclear weapons should be fully understood, and noting in this regard that efforts should be made to increase such understanding.” Former PPs 5–11 are now PPs 6–12. PP 11 was updated to refer

to the second session of the Preparatory Committee of the 2015 Review Conference of the NPT. PP 13 was added and notes the convening of the OEWG and the HLM. Former PPs 11–12 are now PP 14–15. PP 16 is new and welcomes the high-level statement made on 19 June 2013 regarding the long-term goal of achieving the peace and security of a world without nuclear weapons, and expresses renewed determination to increase momentum for global nuclear disarmament and non-proliferation. Last year’s PPs 13–14 are now PPs 17–18.

The final PP has been updated to include the developments with regard to the nuclear test on 12 February by the Democratic People’s Republic of Korea and the UNSC resolutions adopted in response to it. OP 6 has been updated to include the latest meeting of the five nuclear weapon states in Geneva.

OP 15 has been added and urges the DPRK not to conduct any further nuclear tests and to comply fully with its international commitments. Former OPs 15–20 are now OPs 16–21.

L.49 on “Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons” has been updated to include last year’s resolution on this in the list in the final PP. •

BIOLOGICAL AND CHEMICAL WEAPONS

Mia Gandenberger | Reaching Critical Will of WILPF

“This year has brought us a stark reminder of the direct relevance of the work done in this and other disarmament fora to the lives of individuals,” said Mr. O’Reilly of Ireland, expressing his government’s “complete revulsion” at the use of chemical weapons in Syria. Many others have likewise expressed their condemnation of this event and again welcomed the diplomatic efforts undertaken, such as the decision of the Executive Council of the Organisation for the Prohibition of Chemical Weapons (OPCW), the adoption of UN Security Council resolution 2118 (2013), the joint UN investigation into the alleged use of chemical weapons, and the latest joint OPCW-UN mission to supervise the destruction of chemical weapons in Syria. In this connection many states expressed their support

to the OPCW, both financially and politically. They also repeated congratulations to the OPCW for the Nobel Peace Prize, which it had been awarded on 11 October 2013.

Most states welcomed Syria’s accession to the Chemical Weapons Convention (CWC), but also called for the full implementation of all its obligations and underscored that the perpetrators of these attacks must be held accountable. Ireland reiterated its call for the referral of war crimes in Syria to the International Criminal Court.

The introductory panel for the segment on other weapons of mass destruction was held on Monday,

When	What	Where	Who
Tuesday, 29 October 13:15–14:30	The challenge of chemical weapons: lessons learned from Syria and the role of the OPCW	Conference Room 6 North Lawn Building	Permanent Mission of Finland to the UN
Tuesday, 29 October 16:30–18:00	Civil society interventions to First Committee	Conference Room 3 Conference Building	



21 October. Ambassador Krzysztof Paturej of Poland, Chair of the third review conference of the CWC, gave a brief summary of negotiations during the conference and the outcome document. He emphasized the inclusiveness of the debate and the close cooperation among the chairs as central for the achieved success. Many states echoed his positive assessment of the Convention as a successful disarmament and non-proliferation treaty and welcomed the consensus outcome document and the presence of the UN Secretary-General during the conference.

While some states welcomed the progress on the destruction of remaining stockpiles of old as well as abandoned chemical weapons, others called for more exerted efforts. Switzerland, for example, regretted “that the final extended deadline for the destruction of all destruction of all declared chemical weapons” has not been met by all states parties.

Poland introduced draft resolution L.32 entitled “Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.” This year’s draft includes references to the developments regarding the use of chemical weapons in Syria and the third review conference of the CWC. It notes in preambular paragraph (PP) 3 that Somalia and Syria have acceded to the Convention, raising the total number of states parties to 190. PPs 4–6 address the use of chemical weapons in Syria, including the UN investigation on the alleged use of chemical weapons and the confirmation of the use, the condemnation “in the strongest possible terms” of the use of chemical weapons, and noting the decision of the Executive Council of the OPCW and UNSC resolution 2118 (2013).

PP 7 reaffirms the importance of the third review conference and the consensus final report, “which addressed all aspects of the Convention and made important recommendations on its continued implementation.” The following PP is an update of PP 5 of last year’s resolution. It refers to the third review conference and additionally notes that the CWC “continues to be a remarkable success and an example of effective multilateralism.” PP 9 then expresses conviction that the Convention reinforces its role as the international norm against chemical weapons and highlights its major contributions to, among other things, international peace and security and eliminating chemical weapons.

The first operational paragraph (OP) includes an addition to the reasons for the destruction of chemical weapons, namely, the enhancing of the security of states parties and international peace and security. It

also underlines that as long as universality has not yet been achieved, the objectives of the Convention will not be fully realized. OP 2 specifies that “full, effective and non-discriminatory” implementation of all articles of the Convention makes a major contribution to international peace and security.

A new OP 3 notes the impact of scientific and technological progress on the implementation and the importance for the OPWC and its policy-making organs to take due account of such developments. OP 4 reaffirms the obligations of state parties to complete the destruction of chemical weapons stockpiles and the destruction or conversion of chemical weapons production facilities rather than recalling the decision of the second review conference on this matter, as last year’s OP 4 did. The former OP 3 is now OP 5.

OPs 6–8 are new. OP 6 recalls the concern expressed by the third review conference that three possessor states—Libya, the Russian Federation, and the United States—have not been able to meet the 29 April 2012 deadline for the destruction of their chemical weapons stockpiles and determines that this process should be completed in the shortest time possible. OP 7 notes with concern possible proliferation risks to states and non-state actors highlighting the need for the universalization of the convention. The former OP 5 is included in this paragraph. OP 8 stresses that full implementation on the national level is essential for the efficiency and effectiveness of the convention regime.

Former OPs 6–8 are now OPs 9–11. Former OP 9 is now OP 12 with the addition of the noted commitment of states parties to “adopt, in accordance with constitutional processes, the measures necessary to fully implement their obligations under the Convention as a matter of priority and to keep the effectiveness of these measures under review” by the third review conference. OP 13 supports further efforts to promote a high level of readiness to respond to chemical weapons threats as articulated in article 10, “and welcomes the effectiveness and efficiency of the increased focus on making full use of regional and subregional capacities and expertise, including taking advantage of established training centres.” Additional OP 14 “acknowledges with appreciation the establishment of the International Support Network for Victims of Chemical Weapons and of a voluntary trust fund for that purpose.”

Former OP 11 is now OP 15. OP 16 and 17 addressing the comprehensive implementation of article 11 and the decision C-16/DEC.10 of the Executive Council of the OPCW of 1 December 2011 have replaced former OP 12. Last year’s OP 13 is now OP 18.

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A new OP 19 commends the desire expressed at the third review conference for improved interaction with the chemical industry, the scientific community, academia, and civil society organizations as well as cooperation with other “relevant international and regional organizations, in promoting the goals of the Convention.” Former OPs 14–16 are now OPs 20–22.

Biological weapons

On biological weapons, the debate focused mainly on the Biological and Toxin Weapons Convention (BTWC). The accession of Cameroon, Guyana, Malawi, the Marshall Islands, and Nauru was welcomed by most, but there were also manifold calls for universal adherence to the Convention, which currently has 170 states parties.

The majority of states criticized the lack of an established verification mechanism for the implementation of the Convention and called for negotiations on a legally-binding mechanism to that end. The Non-Aligned Movement called for “the implementation of the decisions related to the Article X of the BTWC,

especially by emphasizing the need for enhancing international cooperation, assistance and exchanges in toxins, biological agents equipment, science and technology for peaceful purposes.” Others stressed the need for cooperation on disease control and response to epidemics and pandemics.

Some expressed concern about the rapid developments in the life- and biological sciences and technologies and worried that it raised challenges regarding the application and long-term sustainability of the BTWC. Switzerland’s delegation argued that current review mechanisms are not sufficient and stressed the need to “establish a dedicated structure that provides for a more systematic and comprehensive review of scientific and technological developments and their bearings on the BWC.”

Hungary introduced draft resolution L.10 entitled “Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,” which was discussed in last week’s edition. •

WMD FREE ZONE IN THE MIDDLE EAST

Jacqueline Treboschi | NGO Committee on Disarmament, Peace and Security

Throughout the third week of First Committee, several states continued to express their support for the establishment of a weapons of mass destruction free zone in the Middle East (MEWMDFZ). Many of the statements made by delegates reiterated that the postponement of the international conference on establishing this zone, which was to take place in 2012, undermined the 1995 and 2010 nuclear Non-Proliferation Treaty (NPT) Review Conferences, and urged that the conference be rescheduled as soon as possible.

The delegate from Egypt seemed especially concerned, stating that the postponement of the conference was a “flagrant violation” of the 2010 Review Conference. Hoping for a timely resolution, delegates from Australia, Ireland, and Turkey expressed their appreciation of Finnish Ambassador Jaakko Laajava’s continued consultations with states in the Middle East in an effort to organize the conference. The delegate from Turkey suggested that member states should rethink viewing the failure to convene a conference in 2012 simply as a missed deadline, but rather a lost opportunity to promote peace and security in the region.

There seemed to be a push from many member states for greater involvement of the UN Secretary-General in facilitating the creation of a MEWMDFZ.

Many speakers, such as Mr. Eduardo Jose A. De Vega, Deputy Permanent Representative of the Philippines, seemed to believe this could result in the successful rescheduling of the conference. Likewise, in his statement, Ambassador Djamel Moktefi of Algeria urged the Secretary-General to promote the meeting, stressing that his involvement is an essential component. The participation of the Secretary-General is one of the components of Egypt’s initiative, for which many delegations mentioned their support. In this plan, Middle East states along with the members of the Security Council would send letters to the Secretary-General emphasizing their support for the implementation of a MEWMDFZ. Another stipulation of this outlined plan calls for Middle East states that have not become party to all international conventions on WMD to join these treaties immediately.

The fact that Israel remains the only country in the region that has not signed the NPT was again a widely discussed issue. The Syrian representative felt that Israel’s policy of “nuclear ambiguity” caused a kind of double standard. Iran’s representative also cited Israel’s nuclear programme as an issue, urging the state to accede to the NPT and follow safeguards from the International Atomic Energy Agency (IAEA) without preconditions. In his statement, the delegate from Israel did not directly address these issues. Instead,



he argued that “lasting peaceful relations, reconciliation, good neighborliness, open borders, and trust” are the keys to the creation of a MEWMDFZ. He mentioned that the Middle East should follow the example of other regions that have implemented WMD free zones by fostering direct regional negotiations. The zone could only emanate from within the region, he said. Currently, Israel feels that there is no viable forum to develop confidence among the Middle East states, but that the successful creation of such measures would be essential to the formation of a MEWMDFZ. Israel, along with all other states of the region, participated in talks with Ambassador Laajava in Glion, Switzerland last week.

Many of the views expressed by delegations during this week were present in draft resolution L.1, which

was introduced by Egypt and titled “Establishment of a nuclear-weapon-free zone in the region of the Middle East.” Among other provisions, the draft places emphases on comprehensive peace negotiations in the region, universality of WMD treaties by all Middle East states, and the engagement of the Secretary-General concerning issues related to the establishment of a MEWMDFZ. There are no changes from last year’s resolution, which was adopted without a vote. Egypt also introduced draft resolution L.2 on behalf of the Arab Group, which has a new preambular paragraph expressing regret that the conference on establishing a MEWMDFZ was not convened in 2012 as mandated and urging that it be convened without delay. The resolution focuses mainly on Israel and was adopted with a vote of 174-6-6 at the General Assembly last year. •

OUTER SPACE

Adam Wolf | NGO Committee on Disarmament, Peace and Security

Last week, Ambassador Victor Vasiliev of the Russian Federation introduced the report of the Group of Government Experts (GGE) on transparency and confidence-building measures (TCBMs) to First Committee. He highlighted the Group’s recommendations and noted that the experts “agreed that further measures are needed to address challenges pertaining to outer space activities.” He also expressed hope that delegations will be able to utilize such work to hold constructive discussions that address building transparency and security in outer space.

Responses to the GGE were provided by the European Union (EU), India, and Pakistan. The EU welcomed the study and report of the GGE and reiterated its commitment to promoting a safe and secure environment to use and explore outer space for the benefit of humankind. India and Pakistan’s delegations emphasized they were ready to contribute to the GGE. The GGE Chair responded to the delegations by thanking them for their interest on the topic and commending their work. Ambassador Vasiliev noted that the report does include the recommendations and concerns of member states that were not on the GGE. He also emphasized that including all space-faring nations within the process was vital for successful negotiations.

The report of the GGE set a strong precedent going into Friday’s discussion on outer space. Delegations again emphasized that proliferating weapons in outer space is unacceptable and should be prevented. Bahrain, on behalf of the Arab Group, and Indonesia, on behalf of the Non-Aligned Movement (NAM), highlighted these points. The representatives of Egypt

and Kazakhstan further stated that such sentiments show the growing concern about the development of a new realm of proliferation. Indonesia’s delegation emphasized concerns about anti-ballistic missile (ABM) technology and its application to outer space technology. ABM technology could further risk an arms race in outer space and proposals should seek to provide consensus and verification.

All delegations provided elaborative statements on why outer space was a large concern, not just in the aspect of disarmament, but also in development as well. Bahrain, France, and Egypt directly related outer space to technological advancements that are occurring on earth. Orbital satellites have helped facilitate advancements in communication and various other technologies that catalyzed globalization today. Bahrain further noted that an arms race in outer space could risk collapsing such sophisticated systems while Indonesia reiterated that outer space can help provide long-term solutions for sustainable development. Such an example was expressed by the representative of Kuwait, who stated that outer space can be utilized to preserve natural resources and mitigate natural disasters.

There appeared to be strong consensus among many delegations that a treaty banning the placement of weapons in outer space needs to move forward in order to address the issue. Representatives expressed approval for such a treaty, with Egypt and Kazakhstan stating that such a treaty should be negotiated in the Conference on Disarmament (CD). The overwhelming majority of delegations also echoed that the CD is the

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main body in which the issue of outer space should be discussed, with Bahrain supporting a special committee within the CD to solely discuss the issue. France suggested that the CD can serve as the foundation to discuss the military related aspects of outer space, while peaceful purposes should be discussed in the Committee on Peaceful Uses of Outer Space.

Transparency in outer space was another main concern brought forth by the majority of representatives that spoke. The EU was the first to elaborate on outer space and ensuring its transparent use. In utilizing transparency and confidence-building measures the EU informed delegations of the ongoing process with the voluntary International Code of Conduct for Outer Space Activities (ICOC). The ICOC can serve as a strong basis for building transparency in outer space affairs and improve the issue of negotiations on the issue. France welcomed the ICOC and emphasized further

participation in the next round of consultations to convene in Bangkok.

There are two draft resolutions relating to outer space before First Committee. The first, L.40, relates to TCBMs in outer space. It encourages member states “to review and implement, to the greatest extent practicable, the proposed transparency and confidence-building measures contained in the report, through relevant national mechanisms, on a voluntary basis and in a manner consistent with the national interests of Member States.” It also decides to refer the recommendations of the GGE to COPUOUS, the UNDC, and the CD for consideration and requests the Secretary-General to circulate the report to all other relevant UN entities. The second resolution, L.41, highlights measures to prevent an arms race in outer space. This resolution remains unchanged from last year. •

GGE ON TCBMS FOR SPACE SUCCEEDS...NOW WHAT?

Tiffany Chow | Secure World Foundation

In 2012, UN Secretary-General Ban Ki-moon established the Group of Governmental Experts (GGE) on Transparency and Confidence-Building Measures (TCBMs) in Outer Space Activities. The goal was to explore and recommend measures that could be adopted by states on a unilateral, bilateral, regional, or multilateral basis to contribute to a secure and sustainable space environment for all humankind. Unlike a similarly-focused GGE that met 20 years ago, this GGE was able to reach consensus on its report, which was presented to the UNGA in its sixty-eighth session.

The accomplishment of this GGE and its contribution to the ongoing discussions about space security and sustainability in the form of its report should be recognized. In an increasingly important and simultaneously threatened environment, these steps toward maintaining peace and security and fostering cooperation are absolutely necessary if we are all going to continue benefitting from space-based applications and services. As the report acknowledged, the very existence of the GGE and its work “serve as transparency and confidence-building measures in their own rights.”¹

However, the work should not stop there. As the Secretary-General notes in his Foreword to the report, “it is critically important for all nations to work collectively to keep [outer space] free from destabilizing conflict and to make it safe, secure and sustainable in the long term for the benefit of all humankind.”² The report lays down a solid foundation for continuing

this work now and into the future, but the challenge to the international community is to build on that foundation and effectively implement the relevant TCBMs outlined by the GGE.

Fortunately, the GGE suggests some TCBMs in its report that represent concrete, near-term steps that states and UN entities can take to secure and sustain outer space. For example, the GGE recommends that more coordination take place among the various UN offices and entities addressing and using space, such as the Office for Outer Space Affairs and the Office for Disarmament Affairs. Additionally, recent exchanges between the Committee on the Peaceful Uses of Outer Space and the Conference on Disarmament in the form of presentations by representatives during targeted conferences or committee and subcommittee meetings improves coordination and should become a regular occurrence.

Finally, and particularly relevant to this audience, the GGE “recommends that the General Assembly decide how to further advance [TCBMs] and provide for their universal consideration and support” and specifically suggests that the First and Fourth Committees consider holding joint ad hoc meetings to examine and address space security and sustainability issues. These issues regarding the space environment and how we might continue to benefit from it now and long into the future are best addressed by working together. Outer space is an inherently dual-use domain; more and more actors depend upon space assets for both

socioeconomic and strategic benefits. A forum where both First and Fourth Committee minds can come together could best capture all of these interests and concerns and help us all achieve a secure and sustained space environment.

Notes

1. U.N. General Assembly, 68th Session. First Committee. Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space Activities (A/68/189). 29 July 2013. Pp. 20.
2. Ibid, 4. •

HIGH-TECH WEAPONS

Tereza Steinhublova | Global Action to Prevent War

During the third week of the First Committee, high-tech weapons, including missiles, anti-missile systems, armed drones, and fully autonomous weapons were discussed minimally.

Missiles

Many delegations discussed missiles during the thematic debate on weapons of mass destruction (WMD). Representatives of Colombia, France, the European Union (EU), and Ireland discussed missiles in the context of their capability to deliver WMD. The EU and France also referenced UN Security Council resolutions 1540, 1887, and 1997, which reaffirm that the proliferation of missiles capable of carrying WMD constitutes a threat to international peace and security. Both delegations also condemned the ballistic missile programmes of the Democratic People's Republic of Korea (DPRK) and the Iran. Ambassador Jean-Hugues Simon-Michel of France also expressed concern over the continuous development of missiles by the Syrian government, particularly "in the context of revelations regarding its weapons of mass destruction programmes."

The delegations of France, EU, Norway, Ireland, and Colombia all made reference to the Hague Code of Conduct Against Ballistic Missile Proliferation (HCOC). Mr. András Kos, Minister Counsellor of the EU argued for the need for the HCOC to become "a truly

multilateral forum where matters relating to ballistic missile proliferation can be discussed in order to foster confidence-building and transparency." All delegations called on member states that have not yet done so to adhere to the HCOC as soon as possible in order to increase the effectiveness of multilateral arrangements addressing the issue of ballistic missile proliferation. France, the EU, and Ireland also pointed to the importance of the Missile Technology Control Regime (MTCR). Mr. Breifne O'Reilly, Director for Disarmament and Non-Proliferation of Ireland, stated that "effective export control must form a part of efforts to prevent missile proliferation."

Fully autonomous weapons

Mr. Desmond Bowen, Chair of the United Nations Secretary-General's Advisory Board on Disarmament Matters, noted that fully autonomous weapons constitute a challenging and complex topic. He underscored the lack of information concerning the technology of these weapons as well as their implications for disarmament. Moreover, he expressed the need for continuing dialogue in order to determine the scope and opportunities these weapons present. Mr. Bowen suggested the most appropriate forum for such discussions would be within the Convention on Certain Conventional Weapons (CCW), as it provides an area for the United Nations to be active before fully autonomous weapons are developed. •

OUT OF CONTROL

Wim Zwijnenburg | IKV Pax Christi

Over the last decade there has been a major increase in the production, use, and proliferation of unmanned military systems (UMSs). It is estimated that spending on unmanned aerial vehicles (UAVs) will double in the next decade to US\$11.3 billion annually,¹ with over 76 states using drones for a variety of purposes. Unmanned military systems refers to both the actual vehicle that is able to fly, drive, or navigate under or on the water (the platform) and the equipment on the platform (the payload), such as sensors, cameras, electronic warfare equipment, communication devices,

lasers, or weapons. UMS provide new capabilities for armed forces to increase the situational awareness on the battlefield by collecting optical, digital, and audio data, track movements of troops and individuals, and provide air support in military operations.

However, concerns are mounting that UMS provide new, enhanced capabilities for non-state actors and terrorist groups as a means for carrying out precision attacks. The increased use of armed drones for extrajudicial killings by the United States and Israel is also

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setting dangerous precedent for other States to target insurgents with UMSs, as well as their use by repressive regimes to suppress and attack political opponents or groups. Therefore, stricter controls on these vital technologies are urgently needed. There are a number of arms export control systems in place that cover UAV and other UMS, such as the Wassenaar Arrangement, the Missile Technology Control Regime (MCTR), and European Common Position on Arms Exports. Nonetheless, the types of UMSs covered under these regimes are fairly limited to specific properties of UAVs, limited in participants, and based on voluntary principles. Armed UAVs will be covered by the Arms Trade Treaty when it is ratified and implemented, but it leaves the door open for dozens of other existing and future UMSs which could fall out the defined categories.

Another challenge is the dual use nature of many unmanned systems. Civilian and industrial applications for unmanned systems is expected to see a sharp increase in the coming decade, resulting in more controls on dual use. This will create a bureaucratic nightmare for export control officers. At the same time robots will play an important role on battlefield in the near future, and many more state and non-state actors will seek to acquire these technologies. And with relatively simple toolkits, civilians systems can be used for military purposes, even though they don't have a specific military design.

The future of arms controls urgently needs to address issues around UMSs and related technology. States, civil society, and the industry should push for a better oversight on what systems and related technologies are developed, exported, and used in order to seek transparency over exports and imports, improve confidence building measures for states on sharing information on exports, and where possible restrict the export of vital unmanned technology to end users if it is to be expected that the technology will end up in the wrong hands or provide a tempting military technological tool for States that will be used as a simplistic means to 'solve' a complex conflict. Building an international norm that set standards for exporting these technologies will also contribute to awareness on the challenges and solutions for this emerging arms export issue.

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Notes

1. PR Newswire (2012) Teal Group Predicts Worldwide UAV Market Will Total \$89 Billion in Its 2012 UAV Market Profile and Forecast. Accessed at: <http://www.prnewswire.com/news-releases/teal-group-predicts-worldwide-uav-market-will-total-89-billion-in-its-2012-uav-market-profile-and-forecast-147008115.html>. •

ARMS TRADE TREATY

Helena Whall | Control Arms/Oxfam

The conventional weapons cluster debate has not yet taken place. However, there was a special session on Wednesday for the President of the Final United Nations Conference on the Arms Trade Treaty (ATT), Ambassador Peter Woolcott of Australia, to present his report on "The work of the final UN Conference on the Arms Trade Treaty". Informal interventions were also made by the representatives of the EU, Germany, and Trinidad and Tobago on behalf of CARICOM.

The EU delegation said national ratification measures were "near complete" for member countries, and called on all states who have not yet done so to "urgently" sign the Treaty, so as to ensure early entry into force. Germany said it was ready to deposit its instrument of ratification on 20 September and would be among the first in the EU to ratify. The Ambassador of Trinidad and Tobago, on behalf of CARICOM, said the high level of CARICOM signatures (13 out of 14) and

ratifications (4 out of a total of 10 ratifications) demonstrated the "high level of commitment" of CARICOM governments to the early entry into force of the Treaty. Caribbean countries are fundamentally and radically affected by the arms trade said the ambassador, but went on to say that CARICOM was confident that the Treaty had the potential to reduce human suffering and prevent the diversion of illicit arms.

Germany's delegation said it will support the implementation of the Treaty financially through the temporary UN Trust Facility Supporting Cooperation on Arms Regulation (UNSCAR), which has been set up to aid implementation of the Treaty. CARICOM outlined its plans for regional workshops, focusing on early entry into force and full and effective implementation of the provisions of the ATT.

Both CARICOM and Switzerland reiterated their offer to host the Treaty secretariat. The Ambassador of



Trinidad and Tobago stressed that his country was “serious” in this offer, despite it not being a “traditional venue,” and outlined why delegates should give the offer due consideration. The Swiss Ambassador said the presence of a UN system in Geneva made a “good fit” for the Treaty secretariat and outlined the various advantages of it hosting the secretariat.

In his introductory remarks, Ambassador Peter Woolcott said that given there are now 118 Treaty signatories and eight states parties, it is “possible” for the Treaty to enter into force next year, with the first meeting of states parties to be held in late 2014. He reminded delegates that funding mechanisms have been in place to help speed up ratification and implementation, including UNSCAR, EU, and bilateral funding, and outlined some of the procedural mechanisms associated with the setting up of the secretariat. He also said that the implementation progress must be monitored. He also recognised the “important role” of civil society in the ATT process.

Ambassador Woolcott went on to mention how article 23 of the Treaty, which addresses provisional application, allows states at the time of signature or deposit of their instrument of ratification, acceptance, approval, or accession, to provisionally apply article 6 and a7 pending the entry into force of this Treaty. He said that some states have already done this, and welcomed this development.

In his concluding remarks, Ambassador Woolcott said the Arms Trade Treaty is a “real success story for the UN and multilateralism” and that it will help prevent the use of arms for genocide and violations of human rights and international humanitarian law. However, he cautioned that the Treaty is “only a framework” and that its success will depend on its implementation.

Draft resolution

At the close of the second week of First Committee, a draft resolution on the ATT (L.4) was introduced by Argentina, Australia, Costa Rica, Finland, Japan, Kenya and the United Kingdom (the ‘co-authors’ of the original 2006 ATT resolution).

The resolution calls upon “all States that have not yet done so to sign and, thereafter, according to their respective constitutional processes, ratify, accept or approve the Treaty at the earliest possible date.” Furthermore, it urged those states “in a position to do so to provide assistance, including legal or legislative assistance, institutional capacity-building and technical, material or financial assistance, to requesting States that intend to become parties to the Treaty, in order to facilitate its early entry into force.”

Finally, the resolution requests the Secretary-General “to report to the General Assembly at its sixty-ninth session on the status of signature and ratification, acceptance or approval of the Treaty.” •

SMALL ARMS AND LIGHT WEAPONS

Marianne Rijke | Global Action to Prevent War

While the thematic debate on conventional weapons has not yet begun, the subject of small arms and light weapons (SALW) still received some attention last week. The ambassador of Peru gave SALW a fair amount of attention during his statement for the debate on disarmament machinery and the Chair of the Group of Governmental Experts (GGE) on the UN Register of Conventional Arms addressed the Committee. In addition, two draft resolutions on the subject of SALW have been submitted.

Ambassador Gustavo Meza-Cuadra of Peru stated that the UN Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UNLIREC) has focused on the illicit trafficking of SALW and its negative effects on human security for the past 12 months. He explained that UNLIREC developed 40 operational procedures based on international norms for the control of SALW to provide support to states on how to examine national legislation and political measures to address the illicit trafficking of

arms. He emphasized “the important role UNLIREC has played in the application of the UN Programme of Action on small arms and light weapons (UNPoA) in various countries in Latin America and the Caribbean.”

During his statement on the Register of Conventional Arms, the Chair of the GGE stated that the main issue of successive GGE’s has been the inclusion of SALW as the eighth category of the Register. He stressed that its exclusion remains a serious concern because of the destabilizing effects that the excessive accumulation and uncontrolled spread of SALW has on developing countries. The Chair emphasized that the “consideration of including small arms and light weapons in the Registry by the 2016 GGE was a specific recommendation that was made by the Group.”

The draft resolution on “Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them” (A/C.1/68/L.9) consists of the same text as last year’s resolution, with two added

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paragraphs. One welcomes the adoption of UN Security Council resolution 2117 on 26 September 2013 and the other welcomes the adoption of the Arms Trade Treaty (ATT) by the General Assembly on 2 April 2013.

The draft resolution on “The illicit trade in small arms and light weapons in all its aspects” (A/C.1/68/L.38) contains some changes compared to last year’s resolution. A paragraph is added on the implementation of the outcomes adopted by the follow-up meetings of the UNPoA. The paragraph on the UNPoA Review Conference (RevCon) held in 2012 has an added sentence about the endorsement of the General Assembly of the outcome of the RevCon. There is also a

new paragraph added to welcome the designation of Mr. Zahir Tanin, Permanent Representative of Afghanistan to the UN, as the Chair of the Biennial Meeting of States (BMS) to be held in 2014. In the overview of the implementation of resolution 67/58, a paragraph has been added to welcome the inclusion of SALW in the scope of the ATT. In the paragraph about the schedule of meetings, a sentence is added on the decision to hold the next BMS from 16 to 20 June 2014. Lastly, a paragraph has been added on the cooperation of states with the UN regional centers for peace and disarmament, the World Customs Organization, the International Police Organization (INTERPOL), and the UN Office on Drugs and Crime. •

EXPLOSIVE WEAPONS IN POPULATED AREAS

Article 36

International discussions on the humanitarian harm caused by the use of explosive weapons in populated areas look set to intensify in 2014, following a series of important developments this year. In March 2011, a group of NGOs came together to establish the International Network in Explosive Weapons with the aim of preventing harm to civilians from the bombing and bombardment of towns and cities. Organisations such as Action on Armed Violence, Save the Children, and Human Rights Watch have undertaken research on the issue, providing a clear humanitarian basis for action to curb the use of explosive weapons in places where civilians are present. This work is starting to bear fruit.

The co-chairs’ summary of a meeting held in Oslo in May on the protection of civilians, in which 90 countries participated, recommended that states avoid the use in populated areas of explosive weapons with wide area effects.

Building on the previous acknowledgement of this concern by around 30 countries in the Security Council, the Argentinean concept note for the open debate

on the protection of civilians in August invited states to consider the issue among a range of key priorities.

Here in the First Committee, states such as Austria and Costa Rica have reiterated the importance of taking action to address the harm from explosive weapons use in populated areas, welcoming the recommendations of the UN Secretary General on this issue in his last report on Protection of Civilians in 2012.

In September, Chatham House and the UN Office for the Coordination of Humanitarian Affairs hosted an expert meeting in London, bringing together for the first time a group of states, civil society and international organisations to discuss explosive weapons in populated areas. It was suggested at this meeting that work could be taken forward in three areas:

- the use of improvised explosive devices in populated areas, which is often associated with non-state armed groups;
- the use in populated areas of explosive weapons with wide area effects, such as heavy artillery, large aircraft bombs and multiple launch rockets;
- the role (or otherwise) of explosive weapons in a law enforcement context.

INEW organisations believe that in each of these areas both political and practical action can be taken to provide better protection.

The International Committee of the Red Cross, which has expressed concerns over the use of explosive weapons in populated areas, has indicated it may facilitate further international discussions on the issue in 2014.

OCHA, which has consistently raised the issue at a high level and through the UNSG’s periodic reports on



Gori city, Georgia - 2008. (c) INEW

the protection of civilians, also intends to continue discussions with states and organisations on this matter. The UN Secretary General's next report on Protection of Civilians this coming November will provide an insight into the UN's plans for further work on explosive weapons in populated areas and the subsequent open debate on protection of civilians in the Security Council offers states another opportunity to acknowledge this humanitarian problem.

The Office of the Special Representative of the Secretary General for Children and Armed Conflict, with support from UNICEF, has raised concerns over the grave violations against children that can result from the use of explosive weapons in populated areas. This issue is likely to remain high on the agenda in discussions on children and armed conflict.

There will likely be different tracks of work to address the three distinct areas of the wider problem described above. Valuable work remains to be done on the issue of IEDs to strengthen the exclusion of explosive weapons from law enforcement.

An immediate need is for focused discussions on how to curb the use in populated areas of explosive weapons with wide area effects. Specific policies have been identified from experiences in Somalia with AMISOM and in Afghanistan with ISAF. Further discussions should draw out other such policies with a view to developing common understandings on this issue. Policies such as restricting the use of airstrikes in support of ground troops and restricting the use of indirect fire, such as artillery, in populated areas have been successful at reducing civilian casualties. These policies also reflect the growing recognition that, in a world in which conflicts take place increasingly in urban areas, the way military force is used affects the success of a military strategy. All responsible states should acknowledge that stopping the use of heavy explosive weapons amongst civilian populations is a pressing imperative. The forthcoming discussions on the agenda in 2014 provide an opportunity for states to take this step and, in so doing, to place a marker that can help raise the level of protection afforded to people affected by conflict and armed violence. •

DISARMAMENT MACHINERY

Beatrice Fihn | Reaching Critical Will of WILPF

The third week saw lots of talk but very little action on the disarmament machinery. During the thematic debate, 33 statements were delivered on this topic, including a joint statement by a group of "concerned states," consisting of Algeria, Armenia, Belarus, Brazil, China, Egypt, India, Indonesia, Iraq, Kazakhstan, Pakistan, Russian Federation, Syria, and Ukraine.

Unfortunately, after all that talk, very little concrete action is up for adoption at this session of the General Assembly.

The most concrete proposal is coming from the Non-Aligned Movement, which tabled A/C.1/68/L.6, "Follow-up on the high-level meeting on nuclear disarmament". This resolution decides to convene, no later than 2018, a high-level international conference on nuclear disarmament to review the progress made from the HLM held in September. It also declares 26 September as the International Day for the Total Elimination of Nuclear Weapons.

As the outgoing CD President of the 2013 session, Ireland introduced the draft annual resolution A/C.1/68/L.27, "Report of the Conference on Disarmament," which submits the annual CD report to the General Assembly. The resolution notes recent positive developments like the establishment of an informal

working group, but also raises concerns about the continued deadlock of the CD.

Other resolutions relating to the disarmament machinery are A/C.1/68/L.5, "The Report of the Disarmament Commission," and A/C.1/68/L.34 on follow-up of the open-ended working group. This resolution was reported on last week.

The draft decision A/C.1/68/L.24 on revitalizing the disarmament machinery was also introduced by Switzerland, South Africa, and Netherlands, but only contains a decision to place the issue on the General Assembly agenda for next year.

Although few concrete actions are proposed during this General Assembly, many governments took the time to exchange views on how to move forward. The European Union (EU) and the United Kingdom called for immediate commencement and early conclusion of a treaty banning the production of fissile material (FMCT) in the CD based on the Shannon mandate from 1998. Unfortunately, no attempt to get negotiations going since then has been successful and neither the EU nor the UK provided any suggestions on how such negotiations could be started.

Despite watching the CD fail for 15 years, France was sure that "the CD is where the FMCT will be negoti-

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ated,” and highlighted that the CD is the sole place where multilateral negotiations of universal disarmament treaties happen. Unfortunately, none of the treaties negotiated in the CD, the Biological and Toxin Weapons Convention, the Chemical Weapons Convention or the Comprehensive Test Ban Treaty have received universal adherence yet.

The US delegation called for the CD to be used “as initially intended,” arguing that circumventing existing machinery would “not offer a fruitful way forward”. The Non-Aligned Movement reiterated that the CD is the “sole multilateral negotiating body on disarmament,” despite the fact that all weapons-related treaties have been negotiated elsewhere since 1996.

The joint statement of 14 “concerned states” reiterated that the CD is the single multilateral negotiating forum, and its rules of procedures and members cannot be substituted by any other forum. Delivered by the Russian delegation, the statement called for a balanced programme of work and for states to make more efforts “to unblock” the conference, but did not provide any thoughts of what such unblocking could consist.

Pakistan’s recommendation for breaking the deadlock was to “take into account the security concerns of all states” and stated that it will not be a part of any effort that directly or indirectly undermines the role of the CD. Iran focused on who was to blame for the deadlock, and concluded, “the total blame shall be put on countries that consider these bodies, in particular the CD, as a single-issue venue.”

Only a few states actually made concrete suggestions for how to improve the disarmament machinery and move forward with negotiations. Switzerland proposed that the CD should establish a subsidiary body that would look at how to improve its working methods. In addition, Switzerland, Netherlands, and South Africa recognized how the progress around the humanitarian impact of nuclear weapons, the open-ended working group (OEWG), and the high-level meeting on nuclear disarmament provided impetus to efforts for a world free of nuclear weapons. Canada also voiced support for the OEWG, as its 2013 session had demonstrated that the vast majority of states “genuinely want to attempt to find a way forward.”

As usual when it comes to the disarmament machinery and future negotiations, preferences amongst states seem to be mutually exclusive. All programmes of work proposed to the CD this year included a mandate to discuss an FMCT without including stockpiles, something that the Pakistani delegation has repeatedly said it will not support. At the same time, a majority

of Western states have made it clear that they will not accept a negotiation mandate for the FMCT without a reference to the Shannon mandate, which doesn’t explicitly include stockpiles.

It’s encouraging that some states are highlighting that progress around the humanitarian impact of nuclear weapons can have a positive impact on deadlocked issues. With re-energized civil society attention around this issue, there is a strong interest to move forward on exposing the illegitimacy of nuclear weapons. Such discussion can only be positive for disarmament and arms control, as it creates a space for progress to be made. Unfortunately, many nuclear-armed states still resist such discussions and call any attempts to ignite energy into a stale discourse as “distraction”. Despite wishes for resumption of specific negotiations, it is questionable how interested these states are in actually moving forward.

UNIDIR

A major focus of the discussion during last week was the future status of the United Nations Institute for Disarmament Research (UNIDIR). The Special Advisor to the UN Secretary-General, Mr. Kim Won-soo, presented his plans for the much debated “Change Management Plan”. The plan aims to organize the UN research, training, and library institutes in a network to act in “a more coherent and mutually beneficial manner”. In the informal discussion after Mr. Won-soo’s presentation, a significant number of states raised concerns about the plan, such as new administrative burdens, unclear financial implications, and worries about risking the independence and autonomy of the institute. Pakistan highlighted that while three rounds of consultations on this plan had been carried out, concerns remained. Pakistan stated, “It is clear that there is a consensus in this room that UNIDIR should not be tinkered with too much in a way that can disturb its autonomy and research.”

Delegates from Algeria, Bulgaria, the European Union, France, Germany, Switzerland, Pakistan, Iran, New Zealand, Hungary, Russia, Slovakia, and United States expressed skepticism of the plan and highlighted the need for UNIDIR to remain an autonomous institution.

The proposal does seem to have unclear objectives and undefined costs. From civil society’s side, UNIDIR has been a great resource for research on crucial issues in disarmament and should be more supported by the UN rather than being put under additional administrative and bureaucratic layers. Such restructuring could potentially harm the ability to carry out effective work and continue to contribute to ongoing disarmament debates. •



DISARMAMENT AND DEVELOPMENT

Anna Eknor | Reaching Critical Will of WILPF

During the third week of the First Committee, few delegates considered development issues. However, the ones that did made strong statements on the relationship between disarmament and development from a range of different perspectives.

The delegations of Austria, Holy See, Iraq, Peru, Senegal, and South Africa stressed the need to divert military funds to economic and social development. The Holy See emphasized that “[a] better world awaits us if we reduce the excessively high military spending and if we set aside part of military expenditures for a world fund to relieve the needs of developing and least developed nations.”

Delegates from Austria, Senegal, South Africa, and Venezuela called for the need to address nuclear weapons from the perspective of their impact on humanity in terms of economic and developmental impact. Ambassador Abdou Salam Diallo of Senegal highlighted that the manufacturing and maintenance of nuclear weapon arsenals take up a huge part of the global GDP, funds that could be diverted to the well being of humanity. South Africa’s Ambassador Jeremiah N. Mamabolo underscored that the vast sums of money spent on nuclear weapons cannot be defended in a world where the basic human needs of billions are not met, noting that “the costs associated

with the maintenance of nuclear arsenals amount to roughly more than double the development assistance provided to Africa.” Furthermore, Archbishop Francis Chullikatt of the Holy See emphasized the impossibility of building peace merely by military means and pointed to enforcing human rights and bettering economic and social conditions, among others, as integral for security and development.

Brazil and Kuwait’s delegations highlighted the importance of regulating outer space activities for sustainable development. Kuwait underscored that such regulating of outer space activities will contribute to moving away from an arms race in outer space, which could have damaging effects on development.

This year’s draft resolution on the Relationship between disarmament and development (A/C.1/68/L.15), is identical in content with last year’s. Among other things, it calls for achievement of the Millennium Development Goals, expresses concern with increasing global military expenditure, and “[u]rges the international community to devote part of the resources made available by the implementation of disarmament and arms limitation agreements to economic and social development, with a view to reducing the ever-widening gap between developed and developing countries.” •

SIDE EVENT: CIVIL SOCIETY VIEWS ON FULLY AUTONOMOUS WEAPONS

Tereza Steinhublova | Global Action to Prevent War

On 21 October 2013, the Campaign to Stop Killer Robots, together with the Swiss Department of Foreign Affairs, held an event on fully autonomous weapons. After a brief welcome by the chair of the panel, Ms. Mary Wareham of Human Rights Watch, who is also the coordinator of the Campaign to Stop Killer Robots, the participants held a discussion followed by a lively question and answer session. The panel featured Ms. Jody Williams, 1997 Nobel Peace laureate and chair of the Nobel Women’s Initiative, Professor Noel Sharkey, chair of the International Committee on Robot Arms Control, and Mr. Richard Moyes, managing partner of Article 36.

Ms. Jody Williams opened up the debate by discussing the implications of fully autonomous weapons, warning against a world where “machines are given the right to target and kill civilians.” Moreover, she called on the need for progress in the discussion regarding

this topic and commended steps already taken, especially the creation of the Steering Committee of the Campaign to Stop Killer Robots, as well as the Human Rights Watch (HRW) report titled *Losing Humanity: The Case against Killer Robots*. Ms. Williams expressed excitement over the fact that fully autonomous weapons are likely to be discussed in the Convention on Certain Conventional Weapons (CCW) Conference of State Parties, but also cautioned that the CCW has a tendency to progress slowly. She further argued that governments must address the issue of fully autonomous weapons urgently, by installing moratoria until more detailed information is available.

Professor Noel Sharkey discussed the issue from a technological point of view. He expressed his concern that computer systems could in no way comply with the provisions of international humanitarian law (IHL). Moreover, he pointed out that existing automatic

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target recognition systems would not be able to effectively distinguish combatants from civilians. He also stressed that a robot would not be able to determine an appropriate level of proportionality, as “there are no algorithms for this.” Finally, Prof. Sharkey discussed accountability, arguing that unexpected factors, such as software glitches or computer crashes could cause problems. Therefore it would be irrational to place blame on the person who launched the robot, however he acknowledged that the robot itself could not be held responsible either.

Mr. Richard Moyes examined the problem of the lack of human involvement in fully autonomous weapons, stating that “the greater the human control, the stronger the protection afforded to the civilian population is likely to be.” By using the United Kingdom’s (UK) statement, that “the operation of weapons will always be under human control,” Mr. Moyes argued that there is no precise definition of what meaningful human control entails. According to him, this becomes a problem especially in the context of another UK statement, which argued that IHL will prevent autonomous weapons from coming about. He argued that it is difficult to determine whether this will be the case as there is no concrete definition of human control. He also highlighted the need to examine existing precursor systems that could serve as a basis for research

to determine how fully autonomous weapons could be developed.

The question and answer session included questions focused on the need for a legal document, how existing technology could be used for continuing research, as well as on the sources of funding for these weapons. In response Ms. Williams stressed the need for a treaty banning fully autonomous weapons, arguing that when the military discovers a loophole, it “does what it wants, which is not appropriate with this weaponry.” Professor Sharkey outlined many examples of existing technologies, which could serve as a basis for the development of more autonomous weapons, listing United States’ X47B subsonic aircraft and the UK’s Taranis combat aircraft as examples. He also warned that “warfare is getting too fast for humans to be in control” and explained that primary funding for research on fully autonomous weapons comes from government themselves. Questions also arose about action taken by states. Representatives of Egypt, Switzerland, and France reaffirmed their commitment to take action against these types of weapons. France stated that as the president of the next CCW conference, it intends to include this matter in the CCW and is working on consultations with other governments for a mandate. •

SIDE EVENT: ENHANCING THE PRACTICAL APPLICATION OF THE ISACS

Marianne Rijke | Global Action to Prevent War

On Monday, 21 October, the United Nations Institute for Disarmament Research (UNIDIR) and the Permanent Mission of Germany co-organized a panel discussion on “Enhancing the practical application of the International Small Arms Control Standards (ISACS): capacity building through a self-assessment tool.” The discussion was opened with welcoming remarks of Ms. Theresa Hitchens, the Director of UNIDIR, and closed by a short Q&A session.

Dr. Wolfgang Bindseil, the Deputy-Head of Division of Conventional Arms Control from the German Foreign Office, stated that “the ISACS are a big step forward in implementing relevant UN documents.” He explained that the ISACS and the self-assessment tool create what was missing from the UN Programme of Action on small arms and light weapons (UNPoA): benchmarks, indicators, and clear qualifications of the implementation situation. He said that this “may provide for a real game changer in SALW (small arms and light weapons) control.”

Dr. Patrick Mc Carthy, the Coordinator of International Small Arms Control Standards ISU, explained that the ISACS are framed by existing global agreements related to SALW control, like the UNPoA, the International Tracing Instrument (ITI), the UN Firearms Protocol, and the Arms Trade Treaty (ATT). They also “provide practical guidance on instituting effective controls over the full life cycle of small arms and light weapons.” The ISACS consist of a solid foundation, codes of conduct, and best practices. Practical guidance can be offered on the tracing and collecting of SALW, border control, and law enforcement.

Mr. Himayu Shiotani, Project Manager of UNIDIR, shed light on the actual software of the self-assessment tool. He explained that the software and its self-assessment tool will make the ISACS practical and helps to operationalize the standards. He stated that the added value lies in the fact that “the tool allows users to easily navigate the 800–1000 pages counting document to see what different subjects mean on the operational level for national programs.” Users can



identify priority areas, challenges, and opportunities for small arms control efforts and better develop and target their programming and activities of obligations codified in the ISACS. He emphasized the fact that it is a self-assessment tool and that it can be used to learn and promote the ISACS and to design, monitor, and evaluate implementation efforts. Mr. Shiotani explained that the tool is voluntary and functional of-fline, which enhances the protection of information.

Mr. Jasmin Porobic, the Project Manager of UNDP Bosnia and Herzegovina, explained that the ISACS self-assessment tool has been used in Bosnia for the preparation of weapons collections campaigns. He stated that the tool has helped by comparing methods with those of local partners, by improving the project ideas and plans, and by moderating events with local partners.

According to him, the benefits of the tool are the easy navigation through the standards and documents and the quick overview of specific topics. He believes that the tool will be of value for increasing awareness on SALW and for the collection and registration of SALW.

Mr. Chris Loughran, the Director of Policy and Evaluation of the Mine Advisory Group (MAG), was the last speaker of the event. He shared his belief that the ISACS tool will help MAG programming. These programs are at the moment, as he explained, still very reactive to opportunities and needs raised by donor and receiving states. According to him, a change is needed from projects here and there to a more robust approach to address SALW and he thinks that the tool can support this effort. •

SIDE EVENT: HOW CAN THE ATT HELP REDUCE ARMED VIOLENCE?

Helena Whall | Control Arms/Oxfam

On 22 October 2013, Control Arms, in association with the missions of Australia, Jamaica, Norway, and Trinidad and Tobago, co-sponsored a side event examining how the Arms Trade Treaty (ATT) can help reduce armed violence. In his opening remarks to a room full to capacity, the chair of the event, Ambassador Eden Charles of Trinidad and Tobago, stressed the importance of the ATT for CARICOM states in particular, where armed violence is widespread. He remarked on the fact that 13 out of 14 CARICOM states have now signed the Treaty. In his concluding comments he said that Trinidad and Tobago recognises the ATT as the “floor,” but that they are “looking to go to the ceiling.”

Ambassador Terje Hauge of Norway reminded participants that approximately 600,000 lives have been claimed annually by armed violence. However, while armed violence has been recognised by the United Nations as a “global humanitarian and security problem,” he said it is a “complex issue” and there has been much “disagreement” with regards to its definition. Throughout the ATT negotiations, Norway argued for a Treaty that would have a real impact on the ground and Ambassador Terje Hauge told participants that Norway would have liked to see armed violence “more prominently mentioned in the Treaty.” However, he said that Norway is pleased that it is mentioned in the preamble and said that the reference to “human suffering” in article 1 was, in Norway’s opinion, “a close parallel to armed violence.” The Ambassador concluded his remarks by saying Norway continues to see the reduction of armed violence as the “central

value of the ATT”, giving the Treaty a “truly human dimension.”

Next to take the floor was Ms. Shorna-Kay Richards of Jamaica, who began by alerting the audience to the fact that four CARICOM countries have ratified the Treaty (Grenada ratified on the day of the side event). Ms. Richards reminded participants that non-conflict armed violence claims more lives worldwide than ongoing wars and that non-conflict armed violence is particularly prevalent in the CARICOM region, where homicides are very high. Ms. Richards also highlighted the relationship between armed violence and development. She then outlined the ways in which the ATT would provide a mechanism for the interception of illegal arms, ammunition, and parts and components being assembled outside or within the CARICOM countries, mentioning five ways in which the ATT will benefit the CARICOM countries: small arms will be subject to regulation and control; article 11 requires state parties to cooperate and share information to mitigate diversion; there are provisions on brokering, although the Ambassador said this Article is not “as robust as we would have liked it to be”; article 9 regulates the shipment of arms and ammunition; and finally, she said “we have to work with key actors because the regulation and monitoring of illegal weapons is a shared responsibility” and that this could best be done “through the exchange of information and the provision of regional monitoring instruments.”

The final panellist was Ms. Anna Macdonald, Head of Arms Control, Oxfam and Co-Chair of Control Arms,

continued on next page

who began her remarks by saying it was fitting that this event was being held at a CARICOM mission, not only because this region is affected by armed violence but also because of the “active role” of CARICOM in the ATT process. She also welcomed CARICOM’s 13 signatures and four ratifications. Ms. Macdonald went on to say that the issue of addressing armed violence was the “central motivation” for the Control Arms coalition and that the “core purpose of the ATT” is to “save and protect lives”. “We believe that the ATT can reduce human suffering,” she said, and that “it can promote development, by tackling the inescapable link between poverty and development.” However, while acknowledging that armed violence in conflict is a major factor, Ms. MacDonald pointed out “the majority of deaths still occur outside of conflict, with 9 out of 10 violent acts occurring outside of conflict.” All of these are “powerful motivations” she said, to why we need to ensure that the Treaty will “adequately address armed violence.”

Ms. MacDonald then turned her attention to the text of the Treaty to demonstrate its potential to reduce armed violence. She directed participants to the

preamble, which recognises that the vast majority of those affected by armed violence are civilians, then to article 7(4), which acknowledges that a lot of armed violence tends to be violence against women and children. She went on to note the various articles that can specifically address armed violence, noting the importance of both articles 6 and 7 on criteria, which require risk assessment, and article 11 on diversion.

There then followed an animated question and answer session. Questions during the open session focused on: CARICOM’s joined-up approach to the implementation of the Treaty; the operationalisation of the relevant articles in the Treaty in reducing armed violence (particularly those Articles relating to risk assessment); the need for systematic measuring and monitoring of armed violence (in the Caribbean and elsewhere); the potential for the ATT to have a real impact on armed violence by preventing illicit arms ending up in the wrong hands; and the possible synergies that could be created between other legally binding instruments and the ATT in order to reduce armed violence. •

SIDE EVENT: LETHAL AUTONOMOUS ROBOTICS: SHARED CONCERNS, DIFFERENT APPROACHES?

Tereza Steinhublova | Global Action to Prevent War

On 22 October 2013, the United Nations Institute for Disarmament Research (UNIDIR) organized an interactive dialogue on the topic of fully autonomous weapons, or lethal autonomous robots (LARS). After a brief welcome by Ms. Theresa Hitchens, Director of UNIDIR, the event featured a presentation by Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Mr. Christof Heyns, who published a report (A/HRC/23/47) regarding this topic in April this year. The presentation was followed by a question and answer session moderated by Dr. John Borrie of UNIDIR.

Mr. Heynes opened his statement by asking, “when is one dealing with full autonomy or something close to autonomy?” He also touched upon the controversy surrounding the question of whether machines should be making life and death decisions. He argued that while humans have the ability to be compassionate and moral, they also tend to make mistakes, act out of fear or prejudice, and sometimes knowingly commit crimes. Robots on the other hand, have the possibility of precision and acting objectively; nonetheless they lack common sense, compassion, and mercy. Mr. Heynes explained that a major issue with LARS arises in terms of international humanitarian law (IHL), as it is unclear whether these weapons would be able

Photos by Christian Wittmann

to adhere to rules of distinction and proportionality. He also discussed LARS in relation to international human rights law (IHRL), specifically the right to life. He argued that no accountability for action constitutes a violation of the right to life.

He explained that what makes the use of technology such as drones attractive to states is that they reduce the turnaround time between intelligence and action. If the transition is made from drones to LARS, turnaround time can be further reduced since robots can interpret information without being intercepted. But this incurs additional questions about accuracy and human considerations. Mr. Heynes also noted that introducing the LARS into warfare creates not only a physical distance of the human being from force, but also a psychological distance. He warned against a so-called “Playstation mentality,” where warfare appears less real because of the use of technological proxies.

In terms of recommendations, Mr. Heynes acknowledged the developments in First Committee, as well as efforts to include these weapons in the Convention on Certain Conventional Weapons (CCW) Conference of State Parties. He stressed the need for a moratorium, arguing that it would provide a “global pause” which



would allow for the international community to collectively decide if it wishes to move towards the development of fully autonomous weapons.

The question and answer session focused on problems surrounding accountability and steps taken by states.

In terms of policy, emphasis was placed on calls for a moratorium and the discussion also examined the national policy of the United States towards this issue. The representative of the United States noted that at the moment the United States does not have sufficient information to support a full ban. •

SIDE EVENT: 2013 GLOBAL FISSILE MATERIALS REPORT BY IPFM

Adam Wolf | NGO Committee on Disarmament, Peace and Security

Transparency and reporting on fissile material stocks was the main topic of discussion during one of many side events held last week at the United Nations. Randy Rydell of the UN Office for Disarmament Affairs summarized the background behind transparency within fissile stockpile reporting. He noted that there is a reporting disparity amongst nuclear-armed states, with some reporting more frequently than others. This has led to an environment of distrust about transparency between states, especially between nuclear-armed states and nuclear weapon free states. Going forward, Dr. Rydell stated that reporting remains voluntary and not subject to any standardized format, leading to another disparity in the information received by states.

The following speaker, Dr. Zia Mian of Princeton University and the International Panel on Fissile Materials (IPFM), outlined the issue and provided expertise on what can be done to improve transparency. He reiterated the disparity in fissile material information and suggested the need to make “baseline declarations” about stockpiles in nuclear weapons states.

Much of what Dr. Mian proposed relates to multilateral and bilateral cooperation amongst nuclear-armed states, particularly the Permanent Five states of the UN Security Council. They should declare not only existing stockpiles of fissile material, but also historical records of such stockpiles as well. Cooperative pilot verification projects can also be launched to complement such efforts in order to verify the declared stockpiles and to further improve transparency within the process. One such specific example outlined by Dr. Mian was nuclear-armed states using the categories within New START as a basis for improving transparency. Further emphasis was placed on integrating the International Atomic Energy Agency safeguards into the process.

Frank von Hippel provided in depth and technical analysis regarding plutonium and uranium production. His approach emphasized “nuclear archaeology” and using such methods to verify fissile stockpiles. The

process is linked to graphite-moderated production reactors. Understanding the “graphite-isotope ratio method” can help provide a strong estimate on stockpiles of fissile materials.

The final summary reemphasized the need for cooperation to improve transparency among nuclear-armed states and stressed that such efforts would be complementary to build-up towards the 2015 nuclear Non-Proliferation Treaty (NPT) Review Conference. The final statement, delivered by Dr. Mian, noted that transparency serves as the basis for verification. Going into the NPT Review Conference, we must first focus on allowing such information to be made available before addressing how to verify it. Questions were raised about the Fissile Material Cut-off Treaty (FMCT) and how further transparency could impact negotiations. Dr. Mian stated that furthering transparency can help build trust among states with stockpiles of fissile materials, which would help reduce the perception that one must acquire more to enhance security. •



SIDE EVENT: PERSPECTIVES ON DISARMAMENT: HIBAKUSHA, HUMANITARIAN, AND YOUTH

Jacqueline Treboschi | NGO Committee on Disarmament, Peace and Security

On 22 October, Peace Boat and Hibakusha Stories hosted an extremely moving side event. The statements made centered around first-hand accounts of the terrible effects of the US nuclear attacks on the Japanese cities of Hiroshima and Nagasaki as well as current initiatives to move forward toward the goal of ridding the world of nuclear weapons entirely.

The first to speak was Mr. Clifton Truman Daniel, the eldest grandson of the US President Harry Truman. He assured the audience that despite his lineage, his education regarding nuclear weapons and the atomic bombings in Japan was facilitated through textbooks, similar to the average American student. As a result, he admitted to not being fully aware of the magnitude of the atrocities that took place in Hiroshima and Nagasaki until his adulthood. His newfound awareness led him to visit the cities on the 67th anniversary of the nuclear attacks, where he met survivors whose stories inspired him. Mr. Truman Daniel has since been speaking out against the use of nuclear weapons and working on a book discussing his experiences working with survivors.

Ms. Setsuko Thurlow followed by recalling the chilling events she endured the day of the nuclear bombing at Hiroshima as a girl of only thirteen. The day of the bombing, suddenly and without warning, she remembers seeing a blue and white flash before being knocked unconscious. What Ms. Thurlow remembered next was the realization that she along with 30 of her classmates were alive, but buried under the remnants of the destroyed building. She and only 2 others managed to break free before the ruins were consumed by fire, burning alive all who remained trapped. She then spoke of an eerie procession of what she called “ghostly figures.” Many were carrying body parts in their hands, but none, she said, were anything but stunned. One of Ms. Thurlow’s most tragic memories was of the death of her older sister and four year old

nephew, whose bodies, like thousands of others, were burned in a mass cremation devoid of human dignity. At the end of such a harrowing day, three young girls escaped to the hills, staring incredulously as their ravaged city was engulfed in flames.

Ms. Thurlow’s forgiving manner as she recited the heart-wrenching account of the horrors she faced as a result of nuclear weapons made her reconciliation and forward thinking all the more powerful. The path that Ms. Thurlow has chosen since this experience has been nothing short of extraordinary. Her goal has not been one of retribution, but of global collaboration to ensure that this type of heinous event will never reoccur.

Following Ms. Thurlow’s account, Mr. Christian Cioabanu of the Nuclear Age Peace Foundation shared an initiative to inspire and educate youth about ways to engage in the disarmament movement. His organization brought together a group of 40 young people from a variety of backgrounds and nationalities at the convening in Oslo discussing the humanitarian consequences of nuclear weapons. This provided the young activists with an opportunity to bolster the momentum of this cause, and indicated promise for the future.

In closing, Mr. Yashuaki Yamashita, who was a victim of the nuclear bombing at Nagasaki, closed the event by saying that although sharing the memories of the attacks is very painful, he hopes that it will inspire people to become more involved and motivated to prevent such a humanitarian disaster from happening again. He reiterated that collaboration is the key to the realization of a world free of nuclear weapons and the atrocities they cause, which seemed to be the consensus of all who spoke. This side event certainly breathed new life and added a very human component into the nuclear disarmament discussion that will surely resonate with all who attended. •

**GENDER-BASED
VIOLENCE IN THE
ARMS TRADE TREATY**



SIDE EVENT: MAKING IT WORK: THE ATT'S GENDER-BASED VIOLENCE CRITERION

Mia Gandenberger | Reaching Critical Will of WILPF

On Wednesday, 23 October 2013, the Permanent Missions of Iceland, Austria, and the United Kingdom, together with Control Arms, Oxfam, and Reaching Critical Will of the Women's International League for Peace and Freedom, held a side event on the implementation of the gender-based violence (GBV) provision of the Arms Trade Treaty (ATT), which was adopted on 2 April 2013.

Ambassador Gréta Gunnarsdóttir of Iceland outlined in her welcoming remarks the development of how the GBV reference was included in the ATT. While many member states had mentioned gender in their statements, there had been some scepticism over whether the inclusion of a gender provision was feasible or worthy. Iceland had been one of the instigators of this process and had together with civil society pushed for paragraph 4 of article 7 of the treaty to be included. This provision obligates exporting states parties to "take into account the risk of the conventional arms covered under Article 2 (1) or of the items covered under Article 3 or Article 4 being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children."

She criticised the lack of overall awareness on gender mainstreaming, equality, and empowerment of women in discussions on disarmament or environment issues. The objective now is to raise awareness on the GBV provision in the ATT and discuss legal and practical issues relating the implementation of this particular provision. Then, it might serve as a precedent for other treaties.

Ambassador Matthew Rowland of the United Kingdom focused on the UK-based Preventing Sexual Violence Initiative (PSVI) and how it could interact with the implementation of the ATT. Ambassador Rowland was pleased with the inclusion of ATT language in the Human Rights Council this September as well as UN Security Council resolution 2106 (2013) on sexual violence in conflict. Ambassador Rowland pointed out that both the GBV provision of the ATT and the PSVI would be mutually reinforcing. He noted that sexual violence is under-reported and, thus, measures designed to improve reporting and access to justice for survivors could aid and facilitate measures such as the PSVI. The Ambassador stressed that it is imperative to operationalize and create synergies amongst existing documents and encouraged member states to see the links between the ATT, GBV, and other current work.

In his remarks, Ambassador Gerhard Doujak of Austria highlighted different definitions of GBV. While many definitions focus on GBV against women, Austria's definition includes "any violence rooted in gender-based power inequalities and gender-based discrimination." This includes acts of violence against lesbian, gay, bisexual, and transsexual or transgendered individuals.

He pointed out that Austria has a very strict legislation for the prohibition of exports of weapons if they could be used for human rights violations. Therefore, under its existing legislation, Austria would not authorise the transfer of weapons where there would be a clear risk they might be used for GBV.

For the implementation of the ATT, Ambassador Doujak explained that acts of GBV would "constitute crimes against humanity or war crimes in accordance with the Rome Statute" and would therefore fall under the prohibition of transfer under article 6 (3). He suggested that if it were the case, GBV should be specifically mentioned as the one of the reasons for denials. Ambassador Doujak also identified the question of causality between weapons and GBV as the major challenge for the implementation process. The main assessment would need to tackle the effect of the sale of weapons on this violence and it would be important to demonstrate how and where weapons are involved in GBV. This clearly requires strong cooperation with civil society that has experience and knowledge in this field.

Ms. Ray Acheson of Reaching Critical Will of WILPF also highlighted the importance of the GBV provision, especially as the ATT is the first-ever treaty to recognize the link between GBV and the international arms trade. She presented several questions that WILPF has developed to ensure a gender-sensitive risk assessment under the ATT.

She also highlighted various resources that those responsible for the risk assessment could draw upon to determine the answers to these questions.

Ms. Acheson also highlighted the importance of ensuring women's participation in the implementation process of the ATT. She recalled UN Security Council resolutions 1325 (2000) and 2117 (2013) and reminded participants that as states parties to the ATT, they must accordingly undertake efforts to promote women's full, equal, and effective participation in

the establishment or further development of national regulations and systems for the international transfer of arms. Additionally, Ms. Acheson recommended including this information in national submissions on the implementation of UN General Assembly resolution 67/48, on the promotion of women's participation in all decision-making on disarmament, non-proliferation and arms control.

Claire Mortimer of Oxfam addressed the legal aspects that could become relevant in implementing the GBV provisions of the ATT and implications for national legislation. As this was the first time GBV has been included in an international treaty, it effectively creates a new international norm. Therefore, in order to fully implement this provision states will have to mainstream the GBV provision in their national laws. Effective implementation should make it harder for weapons to make it in the hands of perpetrators. In this context, Ms. Mortimer stressed the need for addressing linkages of weapons to situations of GBV as well as increasing the availability of information on the prevalence of GBV.

She emphasised that the GBV provision in article 7 is more than an obligation to simply take GBV into account and states needed to collect information on all forms of GBV and include them in the assessment. According to Ms. Mortimer, the "serious acts of gender-based violence or serious acts of violence

against women and children" referred to the nature and scale of the incident may not be needed, as often times the other preventions would prohibit transfers in the relevant cases, i.e. in article 7(1)b or article 6. In closing, she emphasized that in addition provisions on international cooperation, diversion and information sharing are critical to mainstreaming gender, nationally and internationally.

The ensuing discussion demonstrated the interest of participants in the issue. For example the question arose whether all kinds of GBV would be covered by the criteria under 7(1) and thus be covered under the "shall not authorise" provision of article 6(1), which Ms. Mortimer confirmed. However, Ambassador Doujak cautioned that some might challenge this view. Other questions were directed at information gathering and possibilities to learn from other processes and instruments so that the implementation of the ATT was a step forward, too. Here Ms. Acheson suggested states could include GBV aspects in the 1325 national action plans. She also suggested collaborating with women's rights organisations and domestic violence shelters and highlighted the importance of disaggregated data collection.

The event proved itself to be valuable for both participants of delegations as well as civil society and, as Ambassador Gunnarsdóttir put it, "will not be the last discussion" on this issue. •

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ARMS TRADE TREATY NEGOTIATION MAPPING DATABASE

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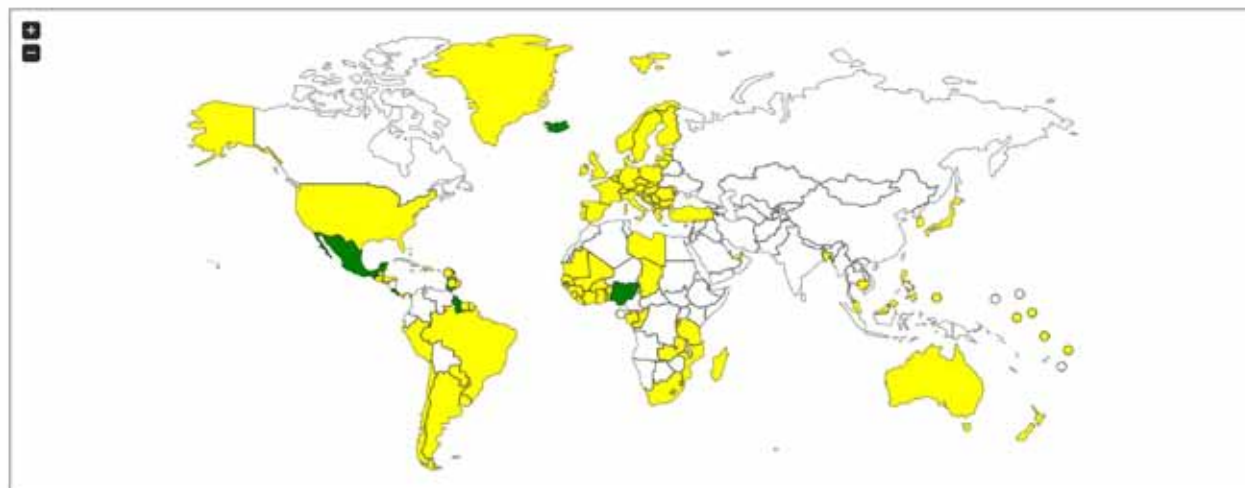
ATT NEGOTIATIONS

UNIVERSALISATION OF ATT

CONTRIBUTE

Ratified / Signed

Ratified: 8 / Signed: 114 (last updated: 23rd October 2013)



SIDE EVENT: RATIFYING THE ATT AND ACHIEVING ENTRY INTO FORCE

Helena Whall | Control Arms/Oxfam

The third and final side event on the Arms Trade Treaty (ATT) was held on Thursday, 24 October 2013. The event was co-sponsored by Control Arms, in association with the missions of Costa Rica, Mexico, New Zealand, Nigeria, and Switzerland and Parliamentarians for Global Action (PGA). The focus of event was on "Ratifying the Arms Trade Treaty and achieving Entry into Force."

Ambassador Dell Higgie from New Zealand, who chaired the event, opened the proceedings by emphasising that the Treaty is just "a piece of paper," with "no force to change at all" and that its impact depends on its early entry into force and its implementation. She said New Zealand is ready to ratify the ATT, but that it still needs to be put through the national parliament and legislation. She hoped that New Zealand would be in a position to offer a useful template for implementation, something that could provide guidance to other countries, particularly small states. Ms. Higgie said New Zealand is going to host a meeting in early December for Pacific countries to discuss and consult on New Zealand's draft implementation model.

Ambassador Ulibarri from Costa Rica spoke of the importance of high standards of interpretation of the ATT, "robust" implementation, and the importance of early ratification. He said there is currently "good momentum" both in the "political and public arena," but asked how this momentum could be enhanced to ensure the "most robust" implementation of the ATT. Looking ahead, the Ambassador said the Treaty could enter into force next year, but asked what countries should do next? He identified several key areas of work: firstly, he said it is the responsibility of each and every country to encourage the universalisation of the Treaty; secondly that international cooperation is essential to the successful implementation of the Treaty; and finally he recognised the valuable role that civil society could play "as partners" in "enforcing" all the provisions of the Treaty. He also thanked civil society for their "input" into the ATT negotiating process.

Ambassador Urs Schmid from Switzerland noted that Switzerland has started its national ratification process. However, he said that an outstanding challenge is the interpretation of certain provisions in the Treaty, saying the government needs further legal advice. He then went on to echo Costa Rica's recognition of the importance of high standards of interpretation of the ATT, drawing participants' attention to a model, interpretive declaration that the Swiss have devel-

oped, aimed at supporting implementation efforts. The Ambassador said it is designed to clarify how the Swiss, and others, understand certain key provisions of the ATT, in particular, articles 6 and 7, and articles 2 and 26, and the language concerning international humanitarian law. He said Switzerland is happy to share the model declaration and invited states to be guided by it.

Nigerian Ambassador John Ejinaka took the opportunity to ask what could be done to enhance the early entry into force of the Treaty. He identified the important role of civil society organisations in increasing awareness of the importance of early ratification, but identified that a key problem is the different national legislations of countries. He concluded by saying that he hoped the issue of early ratification of the Treaty would be a major issue on the agenda of the next African Union summit, saying that his country is going to "push" hard for this.

Ambassador Pablo Arrocha from Mexico explained how his country came to ratify the Treaty so speedily and effortlessly. He said that having senators and parliamentarians at the ATT negotiations was "pivotal" to Mexico's quick and easy ratification and that the involvement of different national actors and stakeholders in the process was key to gaining political support and national consensus on the Treaty. He then went on to highlight the importance and the usefulness of article 23, which allows for the application of articles 6 and 7. He reminded participants that Mexico is already complying with articles 6 and 7, and welcomed the fact that seven other states are also in compliance.

Roy Isbister from Saferworld spoke on behalf of Control Arms. He began by saying that he was stunned by the pace of the "ATT momentum," saying states ought to be congratulated for this speed. However, he said the number of ratifications should not be limited to 50; that it should "go on and beyond" and that the role of civil society in this process is "very important." He said it is important that the successful ratification process be "translated into effective implementation" and actual compliance with the Treaty. While acknowledging that the mechanics of compliance is "the business of states," he said that civil society could play a key role in raising awareness, providing encouragement and support to countries, and facilitating cooperation and assistance, particularly to small states. He said that Control Arms would be organising special ATT regional events.

The final speaker of the event was Peter Barcroft from PGA, who addressed the critical role that Members of Parliament (MPs) and parliamentarians will play in the ATT ratification and implementation process and the specific role that the PGA will play in this phase. He also detailed the many activities that parliamentarians around the world have been engaged in.

During a lively question and answer session, issues raised included: how missions can encourage their

political leadership to sign and ratify the Treaty; how the Treaty is of benefit regionally and globally, if not nationally; how the process of winning over MPs is a bottom-up process; encouraging ownership of the Treaty at all levels including at the executive, as well as the legislative level; the necessity of sharing model implementation templates; the need to fit implementation measures to national needs; and the need for civil society to generate greater public awareness of the Treaty. •

SIDE EVENT: NATIONAL PROGRAM OF THE VOLUNTARY SURRENDER OF FIREARMS

Marianne Rijke | Global Action to Prevent War

At the Future Policy Awards Ceremony on 23 October 2013, during which the world's best disarmament policies were celebrated, Argentina won the silver award for its "National Program for Voluntary Surrender of Firearms." This program was the subject of the high-level panel discussion on 24 October co-organized by the Permanent Mission of Argentina and the UN Office for Disarmament Affairs (ODA). During this discussion, six panelists stressed the importance of Argentina's program and elaborated on its use and accomplishments.

Ms. Angela Kane, the High Representative for Disarmament Affairs, commended the program of Argentina as "an enlightened initiative which shows that national policies can harmonize with multilateral norms." According to Ms. Kane, the program represents an important instrument in the toolbox of small arms controls, and she explained that voluntary programs are increasingly used to provide citizens security and to reduce armed violence. Ms. Kane emphasized that Argentina is leading the way by implementing international standards in the region.

Mr. Daniel Prins, Director of the Conventional Arms Branch of ODA, also celebrated Argentina's program and shared his view of the importance of celebrating good policy in itself. He explained that "to make progress in policy, good policy, courage to change and determination are required." Mr. Prins stated that to build confidence, states can share with the UN and with each other what works in their region and what their best practices are.

Dr. Ernesto Kreplak, the Under-secretary for Coordination and Control of Registry Management of Argentina, expressed what a great honor it was for Argentina to receive the award. He explained that the policy is a success because it relates to national policies of justice in Argentina and is characterized by strong authority that is in the hands of civilians and not of the police or

the army. He called the policy a "policy of risk reduction" and he emphasized the social aspect of the policy. "We limit specific freedoms (to carry firearms) even though nothing yet has happened, because it could happen." According to him the society will be safer with this limited freedom.

Mr. Matias Molle, the Director of the National Register of Arms of Argentina, elaborated on the actual program. He explained that the program is not only voluntary but also anonymous and people handing in firearms will get a check as an economic incentive. He listed the four steps of the program: the surrendering of the firearms, the disassembling of the weapons, the smelting the weapon parts and the donating of these smelts to public entities, such as hospitals. This process is done in front of the person handing in the weapon to provide total transparency. "So far, almost 150,000 weapons have been collected and destroyed."

Ms. Melanie Regimbal, the Director of the Regional Centre of the UN for Peace, Disarmament and Development in Latin America and the Caribbean, emphasized the cooperation between the government and civil society on Argentina's program. She explained that this project for civilian protection needs to have a government component because arsenals from central governments also need to be reformed to meet international guidelines.

Ambassador María Cristina Perceval of Argentina shared her gratitude for the award and the praise received for Argentina's program. She stated that the reason why so many people in Argentina used to have firearms was because "Argentina's society as a whole missed a state: there was an absence of the state." She emphasized that states need to take their responsibility for international peace and security and need to protect the safety of their citizens to prevent this arming of the population. "We reeducated the state (Argentina) and the state took its responsibility. •

SIDE EVENT: US-UK BRIEFING ON VERIFICATION

Mia Gandenberger | Reaching Critical Will of WILPF

On Friday, 25 October 2013, the United States and the United Kingdom held a side event briefing participants on verification exercises the two state have undertaken in order to explore possible ways to verify nuclear disarmament. In his introductory remarks Mr. Jeffrey Eberhardt, Alternate Representative of the US delegation, highlighted that while the debate has been focusing on nuclear disarmament, there is a need to move forward and address verification. Ambassador Matthew Rowland of the United Kingdom pointed out that as the cooperation with Norway on this issue has demonstrated, this is not an exercise that can only take place between nuclear-armed states. However, this particular arrangement would have to be struck between the possessor states.

In a joint presentation Mr. Mark Ruglys of the Atomic Weapons Establishment, and Ms. Michele Smith of the National Nuclear Security Administration gave an overview of the UK-US cooperation on verification efforts. According to Mr. Ruglys, they mainly focused on facility issues and technologies such as the demonstration of radiation measurements. The ongoing goal is to increase understanding of the nuclear weapons dismantlement process and to identify and develop technologies and procedures for verification.

In a monitored dismantlement exercise, Avalonia (UK) and Tachonia (US) implemented a reduction agreement they had negotiated and monitored each others' dismantlement. Among the lessons learned was the ability to understand sensitive information contained in data sets and methodology to confirm that the object in question is in fact a nuclear warhead. Ms. Smith concluded that numerous challenges must be addressed in implementing a warhead dismantlement regime. Consequently, developing the necessary technologies and approaches to successfully monitor warhead dismantlement takes time.

After this briefing, the Iranian representative expressed his appreciation for the presentation and suggested that this issue might be taken up in the context of the Conference on Disarmament. He welcomed this effort as a "good start for transparency" and explained that the silence following the presentation might be due to that fact that the audience members have no expertise on building nuclear weapons and therefore could offer little input. He also recalled the comment by a US representative during a session on FMCT, explaining that US nuclear facilities weren't really built for inspection. Mr. Eberhardt confirmed that this comment was made, but stressed that this would not result in the US never allowing inspections. It

would require a great deal of work to enable verification of the dismantlement of nuclear weapons while ensuring that sensitive information is protected. They had not anticipated inspections when the facilities were built.

The Canadian delegation wondered whether the US or the UK had considered allowing non-nuclear weapons states (NNWS) to verify the disarmament process. Mr. Eberhardt explained while this would be a long-term goal it was difficult to implement. Keeping the discussions between nuclear-armed states allowed them to reach to conclusions on "another level". The initial work, he argued, has to be done by possessor countries so they can map out what is possible and what access could be allowed while maintaining the integrity of the Non-Proliferation Treaty (NPT). His UK counterpart confirmed that it is important that verification eventually became more accessible for NNWS and highlighted the cooperation with Norway under VERTIC on these issues. However, including NNWS at this stage would be like team-building games with blindfolds for some of the players, as some issues could not be discussed because of the NPT non-proliferation obligation.

A delegate from Egypt asked for feedback on the commitment under the 2010 NPT Action Plan to ensure the irreversible removal of all excess fissile material within the context of the International Atomic Energy Agency. In response, Mr. Eberhardt highlighted the Russian-US cooperation on the down-blending of highly-enriched uranium and explained that a lot of fissile material had been placed under IAEA safeguards. However, with regard to verification of dismantlement, the involvement of any NNWS inspector, working for the IAEA or not, would have to be "carefully managed" in order to ensure non-proliferation.

A Swiss delegate inquired whether the results of these exercises were shared among the nuclear weapons possessors and whether the lessons learned, especially with regard to the facilities not designed for inspection, were taken into consideration into future developments in the nuclear complex in the two countries. Both Mr. Attila Burjan of the Atomic Weapons Establishment and Ms. Smith said that their countries are not building new facilities to build nuclear weapons. However, for buildings in the UK that "need renovation," it has "presented a very difficult challenge" to find the balance between safety and security requirements and allowing for outside-inspections, said Mr. Burjan. Apart from financial constraints, the NNSA is facing "similar challenges," according to Ms. Smith. •

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