

First Committee briefing book



Reaching Critical Will

2014

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Contributing campaigns and organisations:

Campaign to Stop Killer Robots (www.stopkillerrobots.org)

Cluster Munition Coalition (www.stopclustermunitions.org)

Control Arms (www.controlarms.org)

Human Rights Watch (www.hrw.org)

International Action Network on Small Arms (www.iansa.org)

International Campaign to Abolish Nuclear Weapons (www.icanw.org)

International Campaign to Ban Landmines (www.icbl.org)

International Coalition to Ban Uranium Weapons (www.bandepleteduranium.org)

International Network on Explosive Weapons (www.inew.org)

PAX (www.paxforpeace.nl)

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Index

Introduction	4
Nuclear weapons	6
Armed drones	9
Fully autonomous weapons	12
Explosive weapons in populated areas	15
Landmines	18
Cluster munitions	20
Depleted uranium weapons	22
Incendiary weapons	25
Small arms and light weapons	28
Arms Trade Treaty	31
Outer space	33
Cyberpeace	35
Gender and disarmament	38

Introduction

Reaching Critical Will

If you could construct a venue to talk about anything related to disarmament, what would it look like? Would it be open to all governments in the world? Would they just talk, or would they get together to develop collective positions and action plans? Would those be legally binding, or expressions of majority views? Would you invite active participation from international organisations and civil society?

What would you talk about? What weapons would you cover? Would you about their production, their possession, their use, their trade, or all of the above? Would you talk about war, armed conflict, armed violence? Would you include a human rights perspective, a gender perspective, a socioeconomic perspective, a development perspective? Would you look at the systems and structures that sustain militarism? Would you try to figure out how to overcome the forces that perpetuate violent solutions to the world's challenges?

Of course we have a venue in which to talk about disarmament, to develop collective positions, to negotiate action plans. In First Committee,

governments can have their delegations talk about whatever they want related to disarmament and international security. Are they making the most of this opportunity? Could it be better?

Few would disagree that it could be.

In the past, civil society groups have expressed our frustration with the failure of First Committee to effectively address the security concerns of the majority.¹ Governments often use this forum to articulate decades-old positions and table resolutions that change little in substance or result from year to year. Reports on the implementation of these resolutions are issued each year, with contributions from states trending downwards. New perspectives or approaches are generally considered too difficult to incorporate, as precedent seems to trump progress in almost every respect. Civil society is denied an effective place in the Committee's work, relegated to delivering a block series of statements from the back of the room one afternoon every year – a session that tends to be one of the least well-attended, as if it were considered optional by some.

This state of affairs does not reflect the intended role of the UN as a problem-solving forum for the international community. In many cases, it is a handful of countries that prevent effective change on either substance or process. The civil society organisations, coalitions, and campaigns participating most actively at First Committee have argued consistently that we can and must replace stalemate and watered-down outcomes with alternative results that advance human security and social and economic justice. Governments and civil society alike should not continue to settle for less. We call for an approach to disarmament that is driven by the rights of people most affected by armed violence, not by the discretion of states and organisations most responsible for it.²

This briefing book provides a quick overview of the state of play on some of the most pressing issues that will (or should) be addressed at this year's First Committee. It also outlines recommendations for governments from some of the key civil society groups working on these topics.

The groups that have contributed to this book work on many different issues and weapon systems from a variety of perspectives, but they all share one thing in common: the desire for more effective, transparent, and inclusive diplomatic work at the United Nations. We believe that most delegates seek true progress and the enhancement of human security. We hope that this briefing book will provide inspiration and alternatives as delegates engage in the important work ahead.

1 See for example "Ways of work," Civil society presentation to the 2013 session of First Committee, 29 October 2014, http://reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com13/statements/29Oct_NGO-ways-of-work.pdf.

2 Ibid.

Nuclear weapons

International Campaign to Abolish Nuclear Weapons

Background

There are still about 16,400 nuclear weapons in the world, each with a potential to unleash a humanitarian catastrophe. Despite commitments, steps, and action plans, the nine nuclear-armed states have continued to invest heavily in the modernisation of their nuclear arsenals, demonstrating their intention to maintain nuclear weapons for the indefinite future, and have been resistant to take on concrete measures for disarmament.

In response, more and more states are seeking a new legal instrument prohibiting nuclear weapons as an effective measure to promote nuclear disarmament and prevent a humanitarian catastrophe.¹ Calls for a new diplomatic process to ban nuclear weapons have received increasing prominence, including in the Chair's summary from Nayarit.

Nuclear weapons are unique in their destructive power and the threat they pose to the environment and human survival. A single nuclear weapons detonation would kill an enormous number of people, injure even more, devastate housing and commercial buildings, destroy vital infrastructure, cause massive population displacement, and leave local emergency service capacities seriously degraded. A regional nuclear war involving around 100 Hiroshima-sized weapons would

not only to cause tens of millions of immediate deaths; it could also disrupt the global climate and agricultural production severely.²

It is not just the possibility of the intentional use of nuclear weapons that raises concerns. Recent reports about the near-use of nuclear weapons due to faulty detection systems, poorly executed security protocols, and error in human judgment, as well as several cases of security breaches, procedural errors, and oversights, highlights the danger of allowing these weapons to exist.

Although the unacceptable nature of nuclear weapons has been well established by international law (such as in the nuclear Non-Proliferation Treaty and the 1996 advisory opinion of the International Court of Justice), a prohibition of these weapons – comparable to other weapons of mass destruction such as chemical and biological weapons – has yet to be put in place.

Current context

In recent years, focus on the humanitarian impact of nuclear weapons has rapidly increased among governments, international organisations, and civil society representatives.

States have delivered several joint statements on this topic, the latest one garnering support

**'IN THE PAST, WEAPONS HAVE BEEN
ELIMINATED AFTER THEY HAVE BEEN
OUTLAWED. WE BELIEVE THIS IS THE PATH
TO ACHIEVE A WORLD WITHOUT NUCLEAR
WEAPONS.'** **NAYARIT CHAIR'S SUMMARY**



CREDIT: INTERNATIONAL CAMPAIGN TO ABOLISH NUCLEAR WEAPONS

from 125 states at the 2013 General Assembly's First Committee. In addition, two international conferences on the topic have been held, one in March 2013 in Oslo, Norway and one in February 2014 in Nayarit, Mexico. A third conference is planned on 8-9 December 2014 in Vienna, Austria.

The Mexican Chair's summary concluded, "in the past, weapons have been eliminated after they have been outlawed. We believe this is the path to achieve a world without nuclear weapons." It went on to declare, "The broad-based and comprehensive discussions on the humanitarian impact of nuclear weapons should lead to the commitment of States and civil society to reach new international standards and norms, through a legally binding instrument. It is the view of the

Chair that the Nayarit Conference has shown that time has come to initiate a diplomatic process conducive to this goal."³

In addition, the International Red Cross and Red Crescent Movement – the largest humanitarian organisation in the world, with close to 100 million volunteers and staff – has called for a binding agreement to prohibit the use of and completely eliminate nuclear weapons.

It is time for all governments to use the 2014 session of the UN General Assembly First Committee on Disarmament and International Security to voice support for starting negotiations on a treaty to outlaw the most destructive and inhumane weapon that has ever been created.

Recommendations for governments

During First Committee:

- Delegations should highlight that any use of nuclear weapons would have catastrophic humanitarian consequences and that as shown through data presented at the Oslo and Nayarit conferences, the catastrophic humanitarian consequences of any nuclear weapon use make it imperative to prevent any use or accidental detonation of a nuclear weapon.
- They should welcome the outcomes from the Oslo and Nayarit conferences and the decision by Austria to host a third conference, and declare their intention to participate in this conference.
- They should call for the immediate start of negotiations for a new legal instrument prohibiting nuclear weapons as a step towards their complete elimination.

Beyond First Committee:

- Governments should participate constructively in the meeting in Vienna on the humanitarian impact of nuclear weapons.
- In advance of the 2015 NPT Review Conference, governments should increase pressure on the nuclear-armed states to fulfill their nuclear disarmament obligations.
- Governments should work with other states and civil society to establish a diplomatic process to ban nuclear weapons.



www.icanw.org

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- 1 “Support for a ban”, ICAN, <http://www.icanw.org/why-a-ban/positions/>.
 - 2 Ira Helfand, “Nuclear famine: a billion people at risk - Global Impacts of Limited Nuclear War on Agriculture, Food Supplies, and Human Nutrition”, IPPNW, November 2013.
 - 3 Juan Gomez Robledo, Under Secretary for Multilateral Affairs and Human Rights of Mexico, “Chair’s summary, Second Conference on the Humanitarian Impact of Nuclear Weapons”, 14 February 2014.

Armed drones

PAX

Background

“Unmanned” aerial vehicles, also referred to as remotely piloted aircraft or drones, have become an increasingly common military tool for intelligence, surveillance, reconnaissance, and combat missions. Only a small percentage of all drones currently in service by armed forces or intelligence agencies are weaponised, but more states are poised to acquire or develop armed drones. They have become increasingly attractive because they can loiter over areas for long periods without risk to the pilots. Armed drones can also lower the threshold for using armed violence due to their low risk to the deploying force.¹

Armed drones have been used for close-air-support missions in Afghanistan, Iraq, and Libya, providing strike capabilities in armed conflict. They are also used outside of armed conflict in Gaza, Pakistan, Somalia, and Yemen. In the United States, further complications have arisen because in some instances intelligence agencies rather than regular military forces have operated armed drones.² Thus their use poses many legal, ethical, military-strategic, and political challenges.

Current context

An increasing number of armed forces – from regular militaries to covert intelligence services, non-state groups, and terrorists – are seeking to acquire and deploy armed drones. Currently, over 90 states use drones for different purposes. Over the last decade, attacks with armed drones by the

United States in Pakistan, Yemen, and Somalia against suspected terrorists and insurgent groups have risen dramatically and generated significant public disquiet and media attention. These attacks have led to a growing number of civilian deaths as well as the extrajudicial killing of insurgents and terrorists. This has spurred debate about how the use of armed drones relates to international humanitarian law and international human rights law. Concerns have been expressed by UN Special Rapporteurs Philip Alston,³ Christopher Heyns,⁴ and Ben Emmerson⁵ in their reports to the Human Rights Council. In many cases, armed drones have been deployed outside of armed conflict to kill people. Such practices run counter to international human rights law, which is the applicable set of rules outside of armed conflict and which requires that suspects be captured and tried before being sentenced.

Some militaries have praised drone strikes for their precision. Yet analyses of these strikes have highlighted that many civilians have been killed,⁶ casting doubt on their claimed surgical nature. The lack of transparency by some states hinders the establishment of a clear picture of the number of civilians killed in these drone operations and the standards used to identify those who constitute a legal target. Increased civilian casualties are likely to occur due to the blurred distinction between civilian and combatant in current and future conflicts. The apparent classification by the US government of “all

GLOBAL DRONE WARS

Combat drones - or UCAVs (unmanned combat air vehicles) - are fast becoming a major tool in modern warfare. Yet secrecy still surrounds much of their use and the types of drones used. This makes it hard for us to understand their role and the legal issues that they raise. This infographic seeks to shed some light on current combat drone systems, their use and their spread around the world.

DRONE USE IN RECOGNISED CONFLICT



IN AFGHANISTAN, COMBAT DRONES HAVE CARRIED OUT A QUARTER OF ALL AIR COMBAT SORTIES FROM 2008 TO 2013.



IN AFGHANISTAN, THE NUMBER OF CIVILIAN DRONE DEATHS HAS TRIPLED BETWEEN 2012 AND 2013.

451

COVERT DRONE STRIKES ARE CONFIRMED TO HAVE TAKEN PLACE IN PAKISTAN, YEMEN AND SOMALIA.



UP TO 210 CHILDREN



HAVE BEEN KILLED IN DRONE STRIKES IN PAKISTAN AND YEMEN SINCE 2002.

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military-age males in a strike zone” as combatants seriously erodes the protection of civilians, undermines casualty recording efforts, and fosters problematic gender essentialisms such as violent masculinities.⁷ Furthermore, the presence of armed drones over populated areas incites fear and anxiety among civilians living in zones of conflict. This can lead to changes in behaviour that undermine social development (such as not sending children to school), psychological trauma, as well as to an inflammation of feelings of vengeance and the fueling of hatred.

The practice of extrajudicial killing and the problematic uses of armed drones as explained above could set a precedent for other states if it is not strongly condemned by the international community. The growing production and export

of armed drones could further exacerbate the problem. Some states have used drones in operations against their own citizens, such as Syria and Sudan. Non-state actors such as Hezbollah, the Islamic State, and Hamas have used drones for surveillance and (so far unsuccessful) armed attacks.

Human rights groups, universities, legal scholars, and think tanks have called for transparency and accountability over the use of armed drones in and outside armed conflict. Some have called for a ban on the technology or a moratorium on their use. The European Parliament has called on states to oppose the practice of extrajudicial killing through use of armed drones outside the framework of international law, and not to facilitate these attacks.

Recommendations for governments

During First Committee:

- All delegations should express humanitarian, moral, and legal concern over the growing use of armed drones inside and outside armed conflicts and increased proliferation of armed drone technology.
- They should highlight the need for debate on the application of international law, including international humanitarian law and human rights law, to the question of armed drones.
- They should call for concrete measures on the use of armed drones, such as a moratorium on their use outside regular conflict until a clear framework has been established, condemnation and non-participation in extrajudicial killing, and/or increased transparency about their use and casualty recording practices.

Beyond First Committee:

- States should also discuss the use of armed drones in Third Committee and the Human Rights Council, where they should support the work of Special Rapporteurs Ben Emmerson and Christof Heyns on this issue and highlight concerns about extrajudicial killings and the human rights implications of drone strikes.
- Arms control and arms regulations mechanisms should be adapted to include broader definitions of remote controlled systems in order to ensure the export of such systems is not exempted from existing prohibitions. States should pursue concrete measures to regulate or end the use of armed drones, such as those noted above.



- 1 Looking at the number of strikes launched, especially outside of declared situations of armed conflict, scholars, think tanks, and others have argued that armed drones seem to lower the threshold for the use of force. Special Rapporteur Christof Heyns has noted that armed drones provide the opportunity for states to engage “in low-intensity but drawn-out applications of force that know few geographical or temporal boundaries.” He argues, “Peace should be the norm, yet such scenarios risk making its derogation the rule by privileging force over long-term peaceful alternatives.” See A/68/382, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christopher Heyns, 13 September 2013. The American Civil Liberties Union has argued that the US government does not appear to be applying or abiding by international legal standards for determining the threshold for the use of armed drones. See “Statement of the American Civil Liberties Union to the Committee on Human Rights and Humanitarian Aid of the Deutscher Bundestag,” 27 February 2013, https://www.aclu.org/files/assets/adrs_177_oa_steven_watt_stellungnahme_englisch.pdf.
- 2 In the United States, the involvement of CIA in lethal counter-terrorism operations in Pakistan and Yemen has created an almost insurmountable obstacle to transparency. This is because, just as all secret services, it operates on the basis of neither confirming nor denying its operations. See A/68/389, Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Ben Emmerson, 18 September 2013, paragraph 46.
- 3 A/HRC/14/24/Add.6, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston, 28 May 2010.
- 4 A/68/382, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christopher Heyns, 13 September 2013.
- 5 A/68/389, op. cit.
- 6 *Drone Strikes: Civilian Casualty Considerations*, CNA, 2013, <https://www.cna.org/research/2013/drone-strikes-civilian-casualty-considerations>.
- 7 “Sex, gender, and drone strikes,” Article 36 and Reaching Critical Will, forthcoming.

Fully autonomous weapons ("killer robots")

Campaign to Stop Killer Robots

Background

In the short space of less than two years, the question of what to do about autonomous weapons that, once activated, would select and fire on targets without meaningful human control has vaulted to the top of the global disarmament and international security agenda. Such weapons raise numerous ethical, legal, moral, policy, and technical concerns.

The Campaign to Stop Killer Robots, a coalition of non-governmental organisations, was launched in April 2013. The Campaign calls for the creation of an international treaty that would require that human beings are always meaningfully involved in decisions to select and engage targets. In November 2013, parties to the Convention on Conventional Weapons (CCW) agreed to begin to "discuss the questions related to emerging technologies in the area of lethal autonomous weapons systems."

Current context

At the CCW's first "informal meeting of experts" held at the UN in Geneva on 13–16 May 2014, experts provided several examples of existing robotic systems with various degrees of autonomy and lethality. There was acknowledgment that these precursors indicate the trend to ever-greater autonomy in warfare. During the meeting a few states delivered

vague statements that appeared to seek to leave the door open for future technologies, but none vigorously defended or argued for fully autonomous weapons. Only the Czech Republic and Israel spoke on the possible desirability of such systems.¹

There was general technical agreement that fully autonomous weapons could not fully comply with international humanitarian law for the foreseeable future except in very limited circumstances. Most delegations that spoke highlighted the importance of maintaining meaningful human control over targeting and attack decisions.

There was acknowledgment that international humanitarian and human rights law applies to all new weapons, but views were divided as to whether the weapons would be illegal under existing law or if their use would be permitted in certain circumstances. There was a robust debate on the question of whether existing international law can prevent the proliferation and use of fully autonomous weapons or address ethical, moral, and societal expectations on the question of human dignity and whether machines should be permitted to take a human life.



CREDIT: CAMPAIGN TO STOP KILLER ROBOTS

The CCW experts meeting, in which 87 governments and many civil society organisations participated, was widely viewed as a success with one glaring exception, namely the lack of any non-male experts among the line-up of 18 presenters.² This has been attributed to a lack of input from CCW states to the chair even though many women are publishing and speaking on the topic. Thus this appears to be symptomatic of a broader problem. Governments and UN bodies must actively work to ensure gender diversity in deliberations

relating to disarmament, peace, and security discussions by recognizing, engaging, and including non-male experts.

The high level of engagement at the first multilateral meeting on killer robots indicates there is appetite for continuing this work in 2015, which is reflected in the chair's report from the meeting. The chair's report reflects emerging consensus around the concept of meaningful human control, which could provide a firm basis for continued discussions.

Recommendations for governments

During First Committee:

- Delegations should acknowledge that fully autonomous weapons require urgent international action, as the Campaign to Stop Killer Robots, United Nations, International Committee of the Red Cross, and others have demanded;
 - They should express support for a renewed mandate to continue and expand Convention on Conventional Weapons deliberations on the topic in 2015, as well as seek gender diversity in such deliberations;
 - They should also articulate other ways that fully autonomous weapons can be addressed at the international, regional, and national levels.
- All states should develop and articulate national policies on fully autonomous weapons in consultation with relevant actors, including civil society.
 - All states should implement the recommendations on autonomous weapons contained in the 2013 and 2014 reports by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, including the call for a moratorium on fully autonomous weapons until new international law is achieved.

Beyond First Committee:

- In November 2014, the CCW should agree to a mandate that creates a formal group of governmental experts to continue discussions on autonomous weapons.



1 For statements and reports on this meeting, see <http://www.reachingcriticalwill.org/disarmament-fora/others/ccw/2014>.

2 Jody Williams, "Even Killer Robots Have a Gender Gap," Foreign Policy, 11 June 2014, http://www.foreignpolicy.com/articles/2014/06/11/even_killer_robots_have_gender_gap_united_nations.

Explosive weapons in populated areas

International Network on Explosive Weapons

Background

The use of explosive weapons in populated areas has been a key cause of harm to civilians in conflicts around the world in 2014. The bombardment of towns and cities in Syria, Gaza, and Ukraine has resulted in a large number of civilian casualties, widespread displacement, and destruction of infrastructure. These and other situations of conflict around the world are pressing examples of this humanitarian problem.

Explosive weapons use blast and fragmentation to kill and injure people in the area where they detonate, as well as to damage to homes and infrastructure. When used in populated areas explosive weapons tend to cause high levels of harm to individuals and communities.

Destruction of infrastructure vital to the civilian population, including water and sanitation, housing, schools and hospitals, results in a pattern of wider, long-term suffering. Survivors of explosive weapons can face long-term challenges of disability, psychological harm, and social and economic exclusion.

Where explosive weapons were used in populated areas in 2013, 93% of the casualties were civilians, according to Action on Armed Violence (AOAV), a founding member of the International Network on Explosive Weapons (INEW). AOAV's sampling of

English language news media found that more than 31,076 civilians were reported as killed or injured by explosive weapons in 2013.

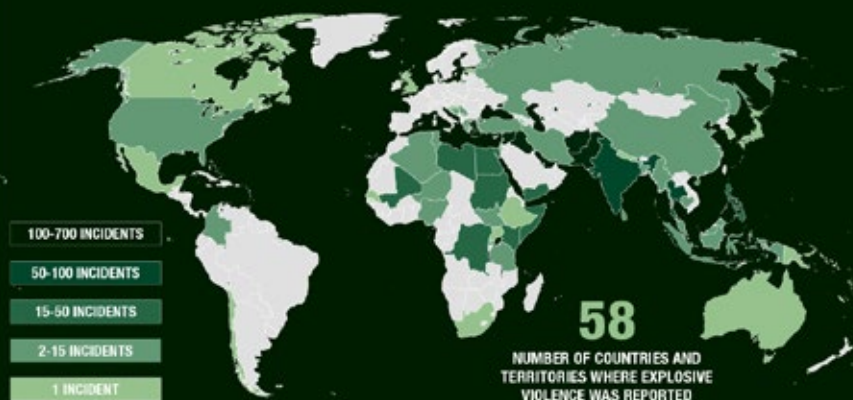
Current context

Over the past few years the civilian harm and widespread destruction caused by the use of explosive weapons in populated areas has attracted increasing concern within the international community.

In 2011 a group of NGOs set up the International Network on Explosive Weapons to respond to the impact of the bombing and bombardment of populated areas. So far around 40 countries have expressed concern about this humanitarian issue, mostly in the context of the UN Security Council debates on the protection of civilians in armed conflict. The UN Secretary-General and the International Committee of the Red Cross have called on states to avoid the use in densely populated areas of explosive weapons with wide area effects.

This acknowledgement has taken place against the background of grave civilian harm from the bombardment of populated areas in Côte d'Ivoire, Gaza, Iraq, Libya, Somalia, Sudan, Syria, and Ukraine. The use of explosive weapons with wide area effects such as multiple-barrel rocket launchers, heavy artillery, and large aircraft bombs in such populated areas has stood out as particularly harmful in these

EXPLOSIVE VIOLENCE IN 2013



SOURCE: AOAV, BASED ON ENGLISH-LANGUAGE MEDIA REPORTS

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contexts. In addition, civilians have been killed and injured in towns and cities in Afghanistan, Iraq, and Pakistan, where car bombs and 'suicide' bombs have been detonated amongst crowds of people in public places.

Over the course of 2013–2014 there has been a growing international discussion on how this humanitarian harm can be prevented.

The Co-Chairs' Summary of an international conference on the protection of civilians held in

Oslo in May 2013 and attended by 90 countries suggested that the use of explosive weapons with wide area effects should be avoided. The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) has co-hosted two expert meetings on this topic: the first with Chatham House in London in September 2013 and the second with Norway in Oslo in June 2014. These meetings have identified practices by armed forces that have helped reduce harm to civilians from the use of explosive weapons.

Further discussions are expected next year with a view to compiling existing good practices and developing an international commitment to prevent the use in populated areas of explosive weapons with wide area effects.

Building on existing international law, such a commitment would serve to articulate a clearer standard of practice. Under international humanitarian law (IHL), certain types of attacks are prohibited (attacks that are “indiscriminate” or that deliberately target civilians, for example), but there is no clear boundary that specifically prevents the use of wide area effect explosive weapons in populated areas. By developing and endorsing an international commitment to this effect, states would significantly enhance the protection of civilians.

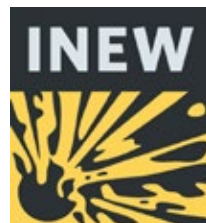
Recommendations for governments

During First Committee:

- Delegations should endorse the UN Secretary-General’s recommendation that the use in densely populated areas of explosive weapons with wide area effects should be avoided.
- States should set out their national policies and practices related to the use of explosive weapons in populated areas, including in response to requests from the UN Secretary-General for information.
- Delegations should indicate support for the development of an international commitment to prevent the use in populated areas of explosive weapons with wide area effects.

Beyond First Committee:

- States should contribute to the compilation of good practices for preventing the use of explosive weapons in populated areas that OCHA is undertaking.
- States and other relevant actors should support efforts to strengthen documentation of the humanitarian impact of explosive weapons, and provide a basis for assistance to victims, by ensuring that every casualty from the use of explosive weapons is recorded.
- In efforts aimed at ensuring respect for IHL and international human rights law in specific conflict situations, such as commissions of inquiry, states should acknowledge the harm caused to civilians by the use of explosive weapons in populated areas.
- In arms transfer decisions and weapons review processes, states should consider the risk of harm to civilians from the use of explosive weapons in populated areas.
- States should participate constructively in the development of an international commitment to prevent the use in populated areas of explosive weapons with wide area effect.



Landmines

International Campaign to Ban Landmines

Background

The 1997 *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction* (or Mine Ban Treaty) is proving to be a shining example of humanitarian disarmament, having a real, lasting impact on the ground, every day in dozens of states.

More than 80% of the world's states are states parties of the Mine Ban Treaty as of today. The stigma on the weapon holds so strong that most of those remaining outside the Treaty abide by the ban norm. Many hundreds of square kilometres

of land have been cleared of mines, 27 formerly affected countries are now mine-free, and more than 47 million stockpiled landmines have been destroyed in 87 countries. The number of new casualties caused by landmines and explosive remnants of war has dropped dramatically to fewer than 4,000 recorded cases annually.

Current context

Despite this remarkable progress, some 60 states and areas are still contaminated with landmines, and every day civilians are killed or maimed by these weapons. The International Campaign to Ban Landmines is also concerned that a small



Mine clearance

CREDIT: INTERNATIONAL CAMPAIGN TO BAN LANDMINES

number of governments outside the Treaty are still using antipersonnel landmines, including Myanmar and Syria in recent years, and that serious allegations or instances of use by states parties to the Treaty (Sudan, Turkey, and Yemen) are still unresolved. According to media reports, antipersonnel landmines have been seized and used in eastern Ukraine in 2014, although circumstances surrounding use are unclear.

The Maputo+15 Declaration adopted at the Third Review Conference of the Treaty (Mozambique, June 2014) commits states to complete the implementation of their respective time-bound obligations “with the urgency that the completion work requires” and “to the fullest extent possible by 2025.” The Maputo Action Plan provides detailed guidance.

Recommendations for governments

During First Committee:

- All states should emphasise that the Mine Ban Treaty is one of the most universally accepted disarmament treaties with enormous impact worldwide.
- They should condemn any use of antipersonnel mines and call for public investigation of allegations of use by states parties.
- Delegations should express support for the “completion” goals of the Maputo Review Conference and name their own completion targets.
- States not party should report on progress made towards accession and may want to stress their support for the humanitarian objectives of the Treaty, as many of them do each year.
- All states should vote in favour of the resolution on the Mine Ban Treaty, which provides an important opportunity for states to reaffirm their support for the ban on antipersonnel

mines. Each year, a large number of states not party vote in favour of the resolution, in order to demonstrate their support for the Treaty’s humanitarian aims.

Beyond First Committee:

- All states must immediately halt any use of antipersonnel landmines, anywhere.
- The 36 states outside the Mine Ban Treaty should join without delay.
- States parties must comply with all Treaty obligations, especially clearing their land of mines and assisting victims.
- All states should provide the necessary resources to achieve the Treaty’s goals quickly.



Cluster munitions

Cluster Munition Coalition

Background

Cluster munitions have a devastating impact on civilians, both at the time of use and long afterwards. Their wide area footprint causes massive harm when deployed, with no way of distinguishing between civilian and military targets. Often a significant number of cluster submunitions fail to explode when deployed, which mean unexploded submunitions remain on the ground and threaten lives long after a conflict has ended. They have killed and injured thousands of civilians over the past decades, and their presence over large areas of fertile land or urban areas poses a threat to the safety and livelihood of communities over the long term.

The Convention on Cluster Munitions was adopted in 2008 as a comprehensive solution to this problem. It bans the use, production, stockpiling, and transfer of cluster munitions; requires destruction of stockpiled cluster munitions within eight years and clearance of contaminated land within ten years; protects the rights of victims of these weapons; and entitles affected states to international assistance to meet their legal obligations.

Current context

The Convention's wide membership and even wider support from the international community has created a powerful stigma against cluster munitions. Use of the weapon has only occurred in a few states in recent years, mainly in Syria, but

there have also been reported instances of use in South Sudan and Ukraine. Some 97% of people killed in Syria by cluster munitions in 2013 were civilians. International reaction to use in recent years has been strong, including 151 states that have condemned use of cluster munitions in the context of ongoing use in Syria.

As there remain considerable stockpiles of cluster munitions around the world, the Convention is largely aimed at preventing future use, but it also seeks to redress the impact of past use. It is already making clear progress towards these goals. Today 113 countries have joined the Convention on Cluster Munitions, of which 84 are states parties. As a result of the Convention, states parties are already working hard to destroy



CREDIT: CLUSTER MUNITION COALITION

their stockpiles, clear their land, and assist cluster munition victims. Almost 140 million submunitions have already been destroyed by 22 states parties.

Recommendations for governments

During First Committee:

- All delegations should condemn any use of cluster munitions, including the widespread use by Syria.
- States parties to the Convention should emphasise that universalization of the Convention is essential to preventing any further harm from their use and report on their contribution to the implementation and universalization of the Convention.
- States outside the Convention should report on progress made towards joining and may want to stress their support for the humanitarian objectives of the Convention, as many of them do each year.

Beyond First Committee:

- All states must halt their use of cluster munitions, anywhere.
- All states should join the Convention on Cluster Munitions.

- States parties to the Convention must increase their efforts to comply with all obligations, especially to clear their land, rapidly destroy their stocks, and provide assistance to cluster munition victims.
- All states should provide the necessary resources to achieve the Convention's goals quickly.
- The First Review Conference of the Convention will take place in Dubrovnik (Croatia) in September 2015. All states are invited to take part in the event and to get ready to report on the successful implementation of the 2010-2015 Vientiane Action Plan. States not party are encouraged to use technical and legal support from the ICRC, UN Agencies and Cluster Munition Coalition to adhere to the Convention before this landmark Conference.



Depleted uranium weapons

International Coalition to Ban Uranium Weapons

Background

Depleted uranium (DU) is a by-product of the uranium enrichment process, which contains proportionally less of the fissionable uranium isotope U235, and more of the isotope U238 than natural uranium.¹ As a material it is highly dense and pyrophoric, meaning that it has an incendiary effect upon impact. This effect can generate an aerosol of micron and sub-micron particles that can spread between tens and hundreds of metres from the target. DU is used by a number of states in armour-piercing-incendiary ammunition fired by tanks, armoured fighting vehicles, and aircraft. DU weapons have been controversial since their first major use in the 1991 Gulf War. The radioactive and chemically toxic nature of DU weapons has meant that their use has been followed by claims that they are responsible for increased rates of cancer and birth defects in the areas where they have been used.

The use of DU creates hotspots of persistent contamination that present a hazard to civilians long after conflict ends, particularly when used in populated areas. Buildings and civilian infrastructure have been targeted with DU and its use can contaminate soils and groundwater and create vast quantities of contaminated military scrap. Effectively managing DU's post-conflict legacy places a significant financial and technical burden on affected states.

Current context

Since UN General Assembly resolution 67/36 was passed by 155-4-27 in 2012, new studies have assessed the legacy of DU contamination in Iraq² and reviewed the wealth of recent peer-reviewed studies into DU's interactions with DNA.³

The chance release of a limited number of firing coordinates from the 2003 Iraq War showed that DU was used against a far wider range of targets than previously known, many of which were in populated areas. Targets for the armour-piercing-incendiary munitions were not restricted to armoured vehicles but included buildings and unmounted troops.

In Iraq, international guidelines for the management of low and intermediate level radioactive waste have been ignored due to limited institutional capacity and a lack of formal obligations for the post-conflict assessment and management of sites contaminated by DU. This continues to place civilians and workers at risk of exposure to DU. A recent study from a UK firing range found that DU particles from weapons had remained unaltered after 30 years and still posed a health threat if inhaled or ingested.⁴

Working with the WHO and UNEP, Iraq has made managing DU contaminated sites a strategic environmental and health protection aim, but

it requires assistance from the international community to achieve this goal.⁵ In its 2014 report on DU to the UN Secretary General, Iraq called on states to provide technical assistance to those affected by its use and supported an international treaty ban on the weapons.⁶

In the decade since the last major scientific review into the potential health effects from DU, a large number of peer-reviewed studies into DU's role as a carcinogen and its ability to damage DNA (genotoxicity) have been published. Such studies are particularly relevant given the reports of increased rates of cancers and congenital birth effects in areas where the weapons have been used.

The findings also raise serious questions over how the toxic constituents of conventional munitions are assessed for safety during weapons development, particularly where the reality of the battlefield use of weapons differs from that proposed during procurement.

Most pressingly, the findings highlight the urgent need for studies into the extent to which civilians have, and continue to be, exposed to DU from munitions use. The primary focus of research efforts to date has been on military personnel, not communities or individuals living with DU contamination. Such data is skewed towards exposure scenarios specific to military settings and is unlikely to reflect the risks from DU exposure faced by vulnerable individuals, such as children or pregnant women. There is therefore a pressing need for the international community to assist with the commission and funding of civilian exposure studies.

DU clearance efforts and studies into civilian exposure continue to be hampered by a lack of transparency from some DU users.

Recommendations for governments

During First Committee:

- All delegations should vote in favour of the resolution on “Effects of Arms and Ammunitions Containing Depleted Uranium”.
- Delegations should raise concerns over the use of DU weapons in their national and regional statements.

Beyond First Committee:

- States that have used DU weapons must disclose targeting coordinates to facilitate clearance and civilian exposure studies.
- Governments should contribute technical and financial assistance to states affected by DU weapons contamination, including public health and environmental monitoring for communities affected by the use of DU.
- States should consider how the lack of obligations for the post-conflict management of DU contamination could be addressed and support studies into civilian DU exposure.
- All states should impose an immediate moratorium on the use of DU weapons.





Following the use of chemically toxic and radioactive DU ammunition, contamination may be present in and around vehicles, buildings and infrastructure. Surface contamination may comprise dusts, fragments, wreckage and intact penetrators. Fine particles can be inhaled or ingested while DU on the surface and in soils can contaminate groundwater.

CIVILIAN-CENTRED STRATEGIES FOR DEPLETED URANIUM (DU) MANAGEMENT

>> NUMBER OF STATES THAT RECOGNISE THE HEALTH RISKS FROM DU WEAPONS	155	>> NUMBER OF STATES THAT DON'T	4
>> LOWEST ESTIMATE OF QUANTITY OF DU FIRED IN IRAQ AND THE BALKANS	410,000kg		
>> CURRENT NUMBER OF OBLIGATIONS FOR POST-CONFLICT CLEARANCE OF DU	0	>> NUMBER OF TREATIES NEEDED TO BAN DU WEAPONS	1

FIVE KEY STEPS TO LIMIT CIVILIAN EXPOSURE



1. ASSESSMENT: users must rapidly release firing data to key stakeholders; government entities, denning organisations and civil society. Swift assessment is needed to identify the risks to civilians at each site and to prioritise clean-up.



2. MARKING: contaminated sites should be marked and secured to reduce exposure risks.



3. AWARENESS-RAISING: communities in areas with DU contamination should be informed of the potential risks, with particular focus on high-risk groups, such as scrap metal collectors and children.



4. CLEAN-UP: DU removal and storage to be undertaken by experts. Financial and technical assistance is often required from the international community and full community engagement is needed throughout the process.



5. MONITORING: civilians at high risk of exposure should be offered effective urine testing for DU. Long-term monitoring of soils, water, vegetation and milk should be undertaken to monitor the effectiveness of clean-up.



© United Nations General Assembly resolution 67/200 (Effects of Arms and Ammunitions Containing Depleted Uranium)

CREDIT: PAX AND INTERNATIONAL CAMPAIGN TO BAN URANIUM WEAPONS

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Incendiary weapons

Human Rights Watch

Background

In recent years, calls have intensified for strengthening international law relating to incendiary weapons in light of the harm to civilians from the use of the weapons in Syria, Afghanistan, Gaza, and elsewhere. Incendiary weapons produce heat and fire through the chemical reaction of a flammable substance. These weapons cause extremely painful burns that are difficult to treat, and start fires that can destroy buildings and infrastructure.

Incendiary weapons are not a new concern. Many still remember Nick Ut's black and white photograph taken in 1972 of 9-year-old Kim Phuc running naked with burned skin hanging from her body after a US-backed South Vietnamese airstrike dropped napalm on her village. In the decade that followed, public revulsion at the shocking injuries napalm inflicted in Southeast Asia helped motivate the adoption in 1980 of a Convention on Conventional Weapons (CCW) protocol addressing the use of napalm and other incendiary weapons. A total of 107 countries have joined Protocol III on incendiary weapons, including all five permanent members of the UN Security Council.

Current context

Yet it is deeply disturbing that children today are still suffering from these weapons. In November 2013, Human Rights Watch

published research based on field investigations, witness accounts, and a review of extensive video and photo evidence that showed that the Syrian Air Force had carried out at least 56 incendiary weapons attacks over the previous year. While it was not possible to comprehensively document the harm that these incendiary weapons inflicted, Human Rights Watch found that at least 41 civilians were killed and 71 wounded by the weapons in four of the attacks.¹

In one particularly devastating attack in Aleppo governorate on 26 August 2013, airstrikes using incendiary weapons killed more than three dozen civilians, mostly secondary school students who were leaving early after an incendiary bomb fell on a nearby apartment building. The bomb that fell on the school courtyard splashed a burning, napalm-like substance over its victims.

At the 2013 session of First Committee many countries expressed concern at the use of chemical weapons in Syria, but only a few – France, Ireland, as well as the European Union – condemned the use of incendiary weapons. At their last annual meeting in November 2013, a dozen CCW states parties condemned the use of incendiary weapons in Syria: Austria, Canada, Croatia, Ecuador, France, Germany, Ireland, Lithuania, Netherlands, Norway, Switzerland, and the United States.

The final report of the 2013 CCW meeting “noted the concerns raised by a number of High Contracting Parties over the allegations of use of incendiary weapons against civilians.”² Syria is not party to the protocol, though, and the government’s use of incendiary weapons shows the urgent need to bring all countries on board.

The recent use of incendiary weapons also demonstrates the need for CCW states parties

to revisit Protocol III, as it has become evident that the protocol is not meeting its objectives more than 30 years after its adoption. Since 2010, Human Rights Watch has been calling for the protocol to be revised.³ The CCW protocol bans the use of air-delivered incendiary weapons in areas with “concentrations of civilians.” A complete ban would have the most humanitarian benefits and provide the strongest protections for civilians (see recommendations).



The exterior of a high school in Aleppo governorate, Syria, where 37 people – mostly children – were killed in an incendiary bomb attack on 26 August 2013.

CREDIT: SALEHYA AHSAN

Recommendations for governments

During First Committee:

- Delegations should publicly condemn Syria's use of incendiary weapons and urge the Syrian government to join the Convention on Conventional Weapons and its Protocol III on incendiary weapons.
- They should express support for a review of the text of CCW Protocol III and for amendments to address more comprehensively the negative humanitarian impact of incendiary weapons.
- Parties should also amend the protocol to adopt an effects-based definition of incendiary weapons that encompasses multipurpose munitions, including white phosphorus, based on their substantial incendiary effects and not the purpose for which they are primarily designed.
- All states should report on their current practices and policies with respect to incendiary weapons.

Beyond First Committee:

- CCW Protocol III parties should revise the protocol to ban incendiary weapons. If that is not possible at this point, then parties should prohibit the use of all incendiary weapons within or near concentrations of civilians under all circumstances, regardless of whether the weapons are dropped from the air or launched from the ground.



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- 1 Statements by Steve Goose and Mary Wareham to the 2013 Annual Meeting of the Convention on Conventional Weapons, Geneva, Switzerland, 14 November 2013, <http://www.hrw.org/news/2013/11/14/statement-2013-annual-meeting-convention-conventional-weapons>.
 - 2 CCW/MSP/2013/CRP.1, Final Report, Meeting of the High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, 15 November 2013.
 - 3 "The Need for New Law to Ban Fully Autonomous Weapons," Memorandum to Convention on Certain Conventional Weapons Delegates, Human Rights Watch, 13 November 2013, <http://www.hrw.org/news/2013/11/13/need-new-law-ban-fully-autonomous-weapons>.

Small arms and light weapons

International Action Network on Small Arms

Background

Small arms and light weapons (SALW) kill and injure more people on a daily basis worldwide than any other weapon. They are used in every act of armed violence from armed conflict to domestic violence. There is a multi-billion dollar industry surrounding the production, sale and trade, illicit traffic, and use of SALW and their ammunition.

In 2001, United Nations member states adopted a Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons (UNPoA). The UNPoA is a non-legally-binding instrument that encourages states to develop programmes for collecting and destroying illegal weapons, strengthening import and export controls, raising awareness on the effects of illegal weapons, improving the security and safety of weapons storage facilities, and helping affected countries track down illegal transfers of small arms and the brokers involved. SALW were also included as a category of weapon covered by the Arms Trade Treaty, which was adopted in 2013 and will enter into force once 50 states ratify it.

Current context

The UNPoA and ATT have the potential to reduce and prevent the illicit trafficking and misuse of SALW. Implementation of the UNPoA at the national level has been effective in many countries. At the international level, there have

also been some laudable developments. UN Security Council resolution 2117, adopted in 2013, underscores the need for the full and effective implementation of the UNPoA and provides for measures related to securing government stockpiles and weapons collection, among others. It also calls for further measures to facilitate women's full and meaningful participation in all policy making, planning, and implementation processes to combat and eradicate the illicit transfer, destabilizing accumulation, and misuse of small arms.

The establishment of the UN Trust Facility for Supporting Cooperation on Arms Regulation (UNSCAR) to support implementation of the UNPoA and ATT is also a welcome development. However, the commitment of governments to address SALW issues at the UN has seemingly diminished. A key challenge is that the resolutions on SALW at First Committee are virtually unchanged from year to year, giving a sense that the issue is stale and lacks urgency. Another challenge is that some states seem reluctant to explore synergies between the UNPoA and ATT.

While vitally important national and local work continues on implementing these instruments, it would be useful to revitalise some of the urgency and innovative thinking on SALW at the international level.

All technical discussion and political will to control SALW should be checked against the purpose of reducing the impact of gun violence on people and communities. States should get rid of the narrow perspective of only controlling tools of violence per se and increase their understanding, action, and cooperation to address survivors needs and their input into this international processes, and the complementarity between SALW processes and the ongoing discussion to strengthen global commitments on sustainable development goals.

Recommendations for governments

During First Committee:

- Delegations should commend ongoing work to implement the UNPoA and to explore synergies and complementarities between it, the Arms Trade Treaty, and the sustainable development goals (SDGs) process. On the SDGs, they should indicate support for goal 16(4), which seeks to reduce illicit arms flows by 2030.
- Delegations should take a progressive view on the omnibus resolution on SALW and suggest language that involves action to strengthen implementation such as effective tracing programmes to address diversion of weapons to the illicit market, improving border surveillance, and strategic approaches to monitoring and implementing UN Security Council arms embargoes.

- Delegations could propose new SALW resolutions that address some of the UNPoA's gaps such as assistance to survivors, ammunition, SALW production, stockpile management, emerging technologies. States may want to make obligatory the submission of biennial national reports, as these are necessary for stocktaking. Only 36.6% of UN member states submitted reports in 2014 as compared to 2012's 43.5%.

Beyond First Committee:

- States should propose a concrete way forward towards international controls of SALW ammunition – not only of its trade, but from production to destruction.
- States should develop initiatives to address challenges related to stockpile management standards, excessive arms production, and emerging technologies.
- States should call for the establishment of an independent mechanism to systematically measure and evaluate assistance, as well as UNPoA implementation so as to identify and fill in the gaps. Developing indicators will be a good first step to this end.

THE GLOBAL BURDEN OF ARMED VIOLENCE

Did you think armed violence only affected war zones? Think again. This snapshot of the Geneva Declaration's findings reveals the wider picture.

526,000 PEOPLE

are killed by armed violence each year

EVERY MINUTE
1 PERSON DIES OF
ARMED VIOLENCE



87.8%

are killed in
non-conflict settings.



12.2%

are killed in
conflict settings.

**ONLY 1 OUT OF 10 VIOLENT DEATHS OCCURS IN
CONFLICT SETTINGS OR TERRORIST ACTIVITIES.**



**AOAV WORKS TO REDUCE THE
WORLD-WIDE HARM OF ARMED VIOLENCE**

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ACTION ON
ARMED VIOLENCE

AOAV

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Arms Trade Treaty

Control Arms

Background

On 2 April 2013, after more than a decade of campaigning and seven years of work at the United Nations, the UN General Assembly overwhelmingly adopted the Arms Trade Treaty (ATT) by 154 votes to 3. This is the first treaty aimed at reducing humanitarian suffering by bringing the conventional arms trade under control. Implemented effectively, it will create a new global norm for the transfers of arms and ammunition, assessed against the risk of misuse for atrocities.

The ATT officially opened for signature on 3 June 2013. Shortly after this, the Control Arms Coalition launched the “Race to 50” campaign, to encourage speedy ratification of the Treaty and early entry into force. At the time of writing, 118 countries have signed the Treaty and 44 have ratified it. 50 ratifications are required to trigger entry into force (EIF), which will take place 90 days after the 50th country deposits its instrument of ratification. 50 ratifications are widely expected to have been reached and exceeded in late September 2014, making the Arms Trade Treaty one of the fastest arms agreements to enter into force.

Current context

The last year has represented a critical stage in deepening understanding about treaty implementation. Control Arms Coalition members have run implementation seminars and

workshops around the world including in Asia, Africa, the Caribbean, Europe, Latin America, and the Pacific. Topics at these meetings have included the exploration of model legislation, the provisional application of criteria, monitoring and reporting, the interplay between key ATT articles, information exchange, as well as challenges specific to each region.

The Arms Trade Treaty-Baseline Assessment Project (ATT-BAP) is another initiative aiding implementation. Through a survey, the project helps states understand the obligations of the ATT as well as review their existing policies and practices. The ATT-BAP launched a freely-accessible and user-friendly online Portal (ATT-BAPP) in June to share information on ATT implementation and best practices.

Progress has been made toward the first Conference of States Parties (CSP). The government of Mexico has offered to host the CSP, which will take place at a date to be agreed during 2015. A first informal consultation took place in New York in May that allowed states and civil society to exchange views on rules of procedure, the future ATT Secretariat, and funding mechanisms, among other topics. An informal consultation on the CSP is scheduled to take place in Mexico City in early September, with up to three more informal consultations scheduled to take place before the first CSP. In the meantime, the Control Arms Coalition has



CREDIT: CONTROL ARMS

taken steps toward establishing a civil society monitoring regime for the Treaty that has included input from many diplomats, academics, NGO colleagues, and monitoring experts.

Achieving the intended goals of the ATT will require all stakeholders – including states, international civil society, and relevant defence industry members – to continue to work together so that the treaty is effectively implemented and begins to transform the international arms trade.

Recommendations for governments

During First Committee:

- All delegations should support an ATT resolution that calls for strong and effective Treaty implementation.
- Delegations should outline their intention to undertake strong implementation of the ATT's provisions as well as provide updates and examples of such steps already being taken.

- Delegations should participate in and contribute to the substantive discussions taking place in side events and elsewhere in order to share expertise and strengthen capacity for the robust implementation of the ATT.

Beyond First Committee:

- ATT states parties should encourage continued universalization of the Arms Trade Treaty.
- States should sign the Treaty if they have not yet done so and continue progress towards ratification.
- States should take steps toward implementing the ATT in a transparent manner. In order for the ATT to have the most impact on the ground, states parties should set the highest possible standards as they implement the treaty.

Outer space

Reaching Critical Will

Background

Concern with space security issues is driven by numerous factors such as economic growth, communication, trade, climate change, and development. Outer space is a global commons and as our dependency on outer space assets grow, it is becoming increasingly important to address the issue of safety and security in order to preserve this unique environment so it can be used by all for a long time to come.

The increase in space activities has amplified the risk of collisions that create enormous amounts of debris, which can have devastating effects. The increase of debris in space itself increases the risk of collisions with operational space crafts and radio frequency interference. The average impact speed of orbital debris with another space object is close to 10 km/s, meaning a collision with even a small piece of debris will cause severe damage. Today more than 21,000 pieces of debris are being tracked in the orbit around earth. However, since only pieces larger than 10 cm can be traced, the number of actual debris is impossible to estimate.

Development of satellites and other technologies dedicated to military purposes has also increased. Some satellites that can be used for telecommunications and earth observation can be and sometimes are used for military purposes, leading to a militarisation of outer space. There have been some worrying trends in technology

development in recent years indicating that the weaponisation of space technology is no longer just science fiction. Some states have developed and even tested anti-satellite systems. Some ground-based “missile defence” technologies also have dual-use capabilities as space weapons, as they can be used to attack space-based assets.

This makes it more important than ever to protect space against weaponisation, militarisation, and irresponsible behaviour. A conflict in space would lead to devastating consequences for our daily life on earth and also affect the overall long-term sustainability and peaceful use of space. This significant increase of space activities has meant that the continued absence of a solid regime of rules in space could potentially harm the future of our space endeavours, no matter what country you are from.

Current context

The overwhelming majority of UN member states are concerned that the weaponisation of outer space will lead to an arms race and believe that a multilateral approach is the best way to prevent this. A number of new initiatives have taken off in recent years, including the Committee on the Peaceful Use of Outer Space (COPUOS) debris mitigation guidelines, the Group of Governmental Experts (GGE) on transparency and confidence-building measures in outer space, the EU International Code of Conduct for Outer Space Activities, and Russia

and China's draft treaty on the prevention of an arms race in outer space (PAROS) in the Conference on Disarmament.

None of these efforts have yet managed to achieve the results needed. While negotiation of an instrument on PAROS has been on the CD's agenda for decades, the US government has prevented negotiations from beginning on that issue. The other initiatives, while important for increasing transparency and confidence amongst states in terms of practice and policy, cannot replace a legally-binding instrument preventing the weaponisation of outer space. In the meantime, money is being spent to develop technologies that could disrupt and destroy our use of outer space now and for future generations.

Recommendations for governments

During First Committee:

- Delegations should highlight the importance of preventing the weaponisation of outer space to preserve international peace and security and benefit all humankind.
- They should condemn any anti-satellite tests and the development of weapons to be placed in orbit or to be used to target space-based assets.

- They should welcome the outcome of the latest GGE on transparency and confidence-building measures in outer space and report on their implementation of measures recommended by the GGE and the COPUOS debris mitigation guidelines.
- They should indicate support for the negotiation of a treaty preventing an arms race in outer space and for interim measures such as the International Code of Conduct on outer space activities.

Beyond First Committee:

- States should begin negotiations on a legally-binding instrument to prevent the weaponisation of outer space.
- States should refrain from developing and deploying space-based weapons or weapons that target space-based assets, including anti-satellite technologies.
- States should work to enhance synergies and cooperation between First Committee and other relevant UN bodies working on outer space security issues.

Cyberpeace and the militarization of the Internet

Women's International League for Peace and Freedom

Background

Given the impact of Edward Snowden's revelations, the debate around the issue of cyber security and the resolution on "Developments in the field of information and telecommunications in the context of international security," first introduced by Russia in 1998, will be an interesting one this year.

The resolution currently expresses concern about potential misuse and exploitation of information and communications technologies that would affect the military and civilian security of states; calls for multilateral consideration of measures to limit existing and potential threats; and calls on the Secretary General to compile a report based on member state views.

The resolution has been the mechanism through which four Groups of Governmental Experts (GGEs) have been established on this issue. The first failed to reach consensus in 2005; however, the 2010, and 2013 efforts were able to issue substantive consensus reports. Another GGE of 20 experts was established in 2013 and commenced its work in July 2014 with Brazil in the chair.

The text has changed only slightly over the years, thankfully replacing "mankind" with

"humankind" in 2002, adding references to the World Summit on the Information Society (WSIS) as that process unfolded in 2003 and 2005, and issuing an annual thanks to UNIDIR for an expert group meeting in 1999. For the first time in 2013, and in the wake of Snowden's revelations, the resolution noted the importance of respect for human rights and fundamental freedoms in the use of information and communications technologies.

The resolution has been adopted without a vote each year, except when the United States cast a sole negative vote from 2005 to 2008.

Many delegations were pleased with the consensus outcome of the 2013 GGE, noting the affirmation of existing international law, but also emphasized that further study of the application of norms is needed and that additional norms could be developed over time.

Current context

The last report was issued two weeks after the Snowden revelations came to light. Since then, the debate may have shifted, but policy has not. The language on the development and deployment of cyber weapons was struck from the NetMundial meeting hosted by Brazil in

April 2014 and similar language put in the “too hard” basket and erased from the document issued by the WSIS + 10 High Level Event in June. All

While it is generally accepted that “existing law applies,” information security or cybersecurity is a very broad and untested spectrum, with particular difficulties faced in defining a weapon or attack. When do code-borne instruments of harm become weapons? When they damage a country’s infrastructure systems and networks that result in physical damage to property, people and loss of life? While attacks could include denial of service that make websites inoperable, malware and viruses, financial fraud, stealing patents, identities, and information, are these really weapons? Depending on who does the attack and what it impacts, some attacks could have the effect of weapons, or spill over into physical armed conflict, while others would be unlawful, but not themselves weapons that cause physical damage human beings or to property

through an attack on infrastructure, water supply, energy etc.

Deciding what comprises a threat, an instrument and act of violence in the context of cyber attacks is ongoing. As Harvard Fellow Camille Francois has asked, “The 2007 attacks in Estonia, the 2008 attacks in Georgia, the Stuxnet malware that targeted an Iranian uranium enrichment centrifuge in 2009 have given political urgency to this legal debate: How does the law address States attacking one another through cyber means?”¹ (emphasis added)

But there is not enough urgency to categorize and scrutinize the cyber weapons that are currently being developed and deployed by up to 100 countries, which in turn incentivize an expanding commercial market for the research and development of offensive cyber weaponry. Snowden has revealed that the NSA carried out over 230 offensive cyber operations in just one year (2011).² Perhaps the most dangerous parts

of the surveillance that Snowden has revealed are the 50,000 Computer Network Exploitations (CNE),³ software implants in other countries' telecoms networks that have the ability not only to tap into the data streams of these networks but also to disable them, armed and activated with a single command.

Bruce Schneier, one of the world's leading security experts has written⁴ on the need for a treaty banning cyberwar: "We're in the early years of a cyberwar arms race. It's expensive, it's destabilizing, and it threatens the very fabric of the Internet we use every day. Cyberwar treaties, as imperfect as they might be, are the only way to contain the threat."

Recommendations for governments

During First Committee:

- Delegations should express concern about the risk of cyber attacks and the militarisation of cyberspace.

- They should indicate support for the current GGE to address Snowden's revelations in this regard and the development of concrete recommendations on preventing the development, deployment, and use of cyber weapons.

Beyond First Committee:

- States should seek to develop commitments and instruments to prevent the militarisation of cyber space, including a treaty banning cyber warfare.



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Gender and disarmament

Reaching Critical Will

Background

Gender refers to socially constructed ideas that attribute meaning to and differentiate between the sexes. Ideas about masculinity and femininity can affect the way people and societies view weapons, war, and militarism. For example, taking up arms to “protect” one’s territory or property is often construed as reflecting masculine strength, while exercising restraint or negotiating disarmament has at times been portrayed as feminine weakness.¹

Thus considering gender can help in developing deeper understandings of “gun cultures,” nuclear or conventional armament policies, or obstacles to disarmament and arms control. Having a “gender perspective” on disarmament also means looking at whether and how men, women, and others are affected differently by weapons and armed conflict. The possession, use, and trade in weapons affect men and women in different ways, due to their socially-constructed roles in society. The gender perspective has largely been absent from disarmament, arms control, and non-proliferation processes, though some efforts have been made recently in UN resolutions and treaties to address this.

UN Security Council resolution (UNSCR) 1325 and its follow-up resolutions provide a political framework recognising that men and women experience wars differently. It requires these differences be taken into account and recognises that women’s full and equal participation in all aspects and stages of peace processes is essential to building sustainable peace. And in 2010, the General Assembly began to consider the specific implications of 1325 for disarmament with the adoption of resolution 65/69 on “Women, disarmament, arms control and non-proliferation”.

Current context

In 2013, the UN General Assembly resolution adopted a third resolution on this subject, 68/33, which urges member states and other relevant actors to promote equal opportunities for women in disarmament decision-making processes and to support and strengthen the effective participation of women in the field of disarmament.

The need for implementation of this resolution became clear in May 2014 at the Convention on Conventional Weapons (CCW), when during an

experts meeting on fully autonomous weapons, only men addressed the plenary meetings. In response, civil society is compiling a list of non-male experts for future reference² as well as a list of those who identify as men that refuse to speak on male-only panels.³

Women's participation most recently got some attention at the fifth biennial meeting of states on the UN Programme of Action on the illicit trade in small arms and light weapons (UNPoA). Two articles in the outcome document refer to UNSCR 1325 and highlight the need to ensure the participation of women in the implementation of the UNPoA.

While important, promoting women's participation does not fully address the need for incorporating a gender perspective into the implementation of the UNPoA or other weapons-related instruments. A more robust reflection of the relationship between weapons and gender-based violence, differential impacts of the use of weapons or of the arms trade on the sexes, and gendered engagement in armed conflict and armed violence are crucial to addressing the challenges associated with the proliferation

and use of weapons in and out of conflict.⁴ The inclusion in the Arms Trade Treaty of a legally-binding provision on preventing armed gender-based violence is a good example of such efforts.⁵

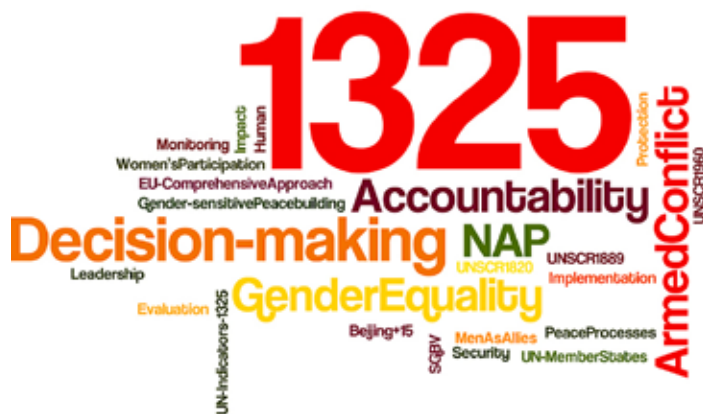
Recommendations for governments

During the First Committee:

- Delegations should welcome the inclusion of the provision on gender-based violence in the ATT and highlight the need for implementation of this criterion.
- They should welcome the increased attention to the participation of women in the BMS5 outcome document and highlight the need to ensure gender diversity in other disarmament discussions, such as those on autonomous weapons.
- All states should submit reports to the Secretary-General on their implementation of the UNGA resolution on women and disarmament. They should also identify and discuss ways of strengthening and improving this resolution, including strengthening language on incorporating a gender perspective in disarmament-related programmes and policies.



Reaching Critical Will



Beyond First Committee:

- States should effectively implement the ATT provision against GBV by training export licence officials and updating their risk assessment procedures accordingly.
- All states, international organisations, and civil society groups should seek to ensure gender diversity in discussions, negotiations, and peace processes.
- All relevant actors should also continue to research and assess the specific impact that weapons and armed conflict have on people of different sexes in order to ensure a gender perspective in all policies on weapons and disarmament initiatives and to explore how gender constructions affect armament and disarmament policies and budgets.

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- 1 Carol Cohn with Felicity Hill and Sara Ruddick, "The relevance of gender for eliminating weapons of mass destruction," *Beyond arms control: challenges and choices for nuclear disarmament*, New York: Reaching Critical Will of WILPF, 2010.
 - 2 Sarah Knuckey, "Do women have anything to say about autonomous weapons?" JustSecurity.org, 14 May 2014, <http://justsecurity.org/10424/women-autonomous-weapons/>.
 - 3 "Against gender discrimination in global policymaking," Article 36, 19 May 2014, <http://www.article36.org/processes-and-policy/gender-and-disarmament/against-gender-discrimination-in-global-policy-making/>.
 - 4 For example, in February 2014 Reaching Critical Will published a study on the impact on women of the use of explosive weapons in populated areas. See Women and explosive weapons, Reaching Critical Will, February 2014, <http://reachingcriticalwill.org/images/documents/Publications/WEW.pdf>
 - 5 GBV is violence perpetrated against a person based on gender conceptions and can include rape and sexual violence, forced prostitution, trafficking, domestic violence, and forced marriage. Irresponsible transfers of weapons across borders have resulted in acts of GBV perpetrated by both state and non-state actors.

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The 2014 session of the UN General Assembly
First Committee on Disarmament
and International Security
will meet from 6 October–5 November 2014.

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