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Cover image: Jumping a trench, unknown credit

Reaching Critical Will is the disarmament programme of the Women's International League for Peace and Freedom (WILPF), the oldest women's peace organization in the world. Reaching Critical Will works on issues related to disarmament and arms control of many different weapon systems; militarism and military spending; and gendered aspects of the impact of weapons and of disarmament processes.

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- Research and analysis of critical issues related to disarmament and arms control; and
- News and information about civil society engagement on disarmament and arms control.

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Reaching Critical Will

# EDITORIAL: OVERCOMING TRENCHES

Ray Acheson | Reaching Critical Will of the Women's International League for Peace and Freedom

Last week, there were celebrations in Conference Room 4 as the UN General Assembly voted to outlaw nuclear weapons next year, adopting resolution L.41. 38 states that believe nuclear weapons afford them security voted against this historic resolution and a further 16 abstained—despite their repeated commitment to achieving and maintaining a nuclear weapon free world and their legal obligations to pursue and conclude multilateral negotiations for nuclear disarmament.

This week, on the final day of First Committee, states adopted resolution L.61/Rev.1 condemning the use of chemical weapons in Syria and calling for full implementation of the Chemical Weapons Convention (CWC). Six states voted against it, and a further 15 abstained. Most of these said that they condemn “any use of chemical weapons, by anyone, under any circumstances”—yet found it “too political” or “imbalanced” to call out Syria.

It's interesting to compare the positions of states on these two resolutions. Most of the states supporting L.61/Rev.1, which do not find it too political to condemn the use of chemical weapons and to take action to demand compliance with CWC obligations and commitments, do find it too political to outlaw nuclear weapons. They argue that it is “polarising” and “divisive” for the vast majority of states to demand compliance with NPT obligations and commitments and to take action when such compliance is not forthcoming.

The United States, speaking on behalf of 40 states, contended that there is “no greater challenge” to the CWC than a state party that violates its obligations. These countries called on states to “squarely confront the reality before us and hold Syria and the so-called ISIL accountable for their use of chemical weapons.” The US further recalled that the preamble of the CWC makes clear that states must “determine for the sake of all mankind [sic] to exclude completely the possibility of the use of chemical weapons.”

So why does this logic not apply to the violation of other agreements? Are those violations any less challenging?

There's a striking similarity between the CWC preamble and the nuclear Non-Proliferation Treaty (NPT) preamble, which makes it clear that, “Considering the devastation that would be visited upon all mankind [sic] by a nuclear war,” states must “make every effort to avert the danger of such a war and to take

measures to safeguard the security of peoples.” The countries supporting the prohibition of nuclear weapons do so because they see it as a necessary measure to help facilitate nuclear disarmament. Nothing else so far has helped create the ever-elusive conditions that the nuclear-armed states claim are necessary before they can implement their legally binding obligations or their stated commitments. Outlawing nuclear weapons—just as chemical weapons are outlawed—is a necessary step to “squarely confront the reality before us”—as the US and others wish to do with chemical weapons—and hold the nuclear-armed states accountable for their continued possession of, investments in, and threats of use of nuclear weapons.

The double standards go both ways. Those who are not willing to accept findings about use of chemical weapons by the Syrian Arab Armed Forces or by the so-called Islamic State in Iraq and the Levant are mostly ready to prohibit nuclear weapons. States such as Cuba, Iran, South Africa, and Venezuela, which voted in favour of L.41, abstained on or voted against L.61/Rev. A few other L.41 supporters, which voted in favour of L.61/Rev.1, still complained that the text was too politicised.

Of course hypocrisy is based on power and politics. States' positions on the use of chemical weapons or the possession of nuclear weapons—or on using explosive weapons in populated areas, or on supporting the conventions on cluster munitions or landmines, or the relationship of ammunition to stopping illicit arms flows, etc.—look like trenches that are dug very deep.

Our job, unglamorous as it may be, is to fill in those trenches. Where they cannot be filled in, due to political intransigence or military belligerence, our job is to jump over them, to creatively find ways around them, over them, or through them.

I write of “us” in the collective sense of states, civil society, and international organisations that seek peace, security, and justice in a world seemingly controlled by military might, neoliberal capitalism, and violent patriarchy. We are threatened when we challenge these systems of power and injustice. We have as our tools the law, truth, resilience, hope, and solidarity.

We can see this at Standing Rock, where the Sioux, the traditional owners of the land, and others are protesting against an oil pipeline that is intended to run from North Dakota to Illinois, threatening the water supply for all. We can see it in Colombia, where peace groups, women's groups, and many others

are protesting and campaigning in favour of the historic peace agreement with FARC. We can see it Turkey, where protestors are taking on the detention of journalists. We saw it with the Women's Boat to Gaza, which was intercepted and seized by the Israeli military on its way to provide aid to Palestinians. We saw it in Poland, where extensive protests against a proposed law banning abortion caused legislators with the country's ruling party to reverse their positions and vote against the proposal.

Whether or not all of these actions are successful in achieving their goals, they are successful in contributing to a culture of resistance to unfettered or unjust power, and a culture of demanding justice and lawfulness even in the face of violence and intimidation.

Outlawing nuclear weapons makes a contribution to building a culture of peace, nonviolence, and justice and of defying those who deem themselves powerful in order to do so. In future years at First Committee and other forums, we will advance on many disarmament issues—as we have in the past and as we will continue to do going forward. •

### Notes

1. Albania, Australia, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Qatar, Romania, Republic of Korea, Saudi Arabia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, United States.

## NUCLEAR WEAPONS

Ray Acheson | Reaching Critical Will of the Women's International League for Peace and Freedom

There were big advancements this year at First Committee on nuclear weapons, the most significant of which is the decision to negotiate next year a nuclear weapon ban treaty. Years of efforts from states, civil society, and international organisations toward this goal have come to fruition, and the majority of states have indicated their interest in participating in the inclusive process of negotiations throughout 2017. The Committee also decided to take up work on nuclear disarmament verification and a fissile material cut-off treaty in small, closed groups of governmental experts over the next few years.

As geopolitical tensions rise, as nuclear-armed states invest billions in “modernising” their arsenals, as the United States and others continue subcritical or super-computer nuclear tests and ballistic missile tests, and as the Democratic People's Republic of Korea continues explosive nuclear testing, it is remarkable—and urgently necessary—that the vast majority of states undertook a decision to outlaw nuclear weapons. The outcome of the vote on 27 October on resolution L.41 continues to be a prominent news media story around the world, and parliaments and civil society groups have been assessing governments' positions and starting preparations for negotiations next year.

In the meantime, this week First Committee took action on two remaining resolutions related to nuclear weapons (most of the resolutions are covered in last week's edition of the Monitor).

**L.2/Rev.1, The risk of nuclear proliferation in the Middle East**, was adopted with a vote of 147-6-21. Canada, Israel, Micronesia, Namibia, Palau, United

States voted against the resolution (last year Namibia voted yes, so this no vote is possibly a mistake).

The amendments include, in preambular paragraph (PP) 8 on the establishment of a Middle East nuclear weapon free zone (NWFZ), the addition “on the basis of arrangements freely arrived at by the States of the region”. A new paragraph has been added, “Noting, in this context, the relevant resolutions of the League of Arab States aiming at the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction.”

As usual, Israel argued that the resolution is selective and discriminatory, while other states in the region, including those in the Arab Group and Iran, pointed out that Israel is the only state in the Middle East with nuclear weapons. The latter also complained that the 1995 nuclear Non-Proliferation Treaty (NPT) resolution on creating a Middle East nuclear weapon free zone (NWFZ) still has not advanced.

Some states in the European Union abstained while others voted in favour. In a statement, the EU reiterated its support for the Middle East NWFZ and highlighted other WMD threats in the region.

Switzerland noted that the resolution only refers to one dimension of nuclear proliferation risks in the Middle East in its operative paragraphs but said it voted in favour to show the importance it attaches to full implementation of the NPT.

Separate votes were held on PPs 5 and 6, which were each adopted with two against (Israel, India) and two





abstentions (Pakistan, Bhutan). DPRK didn't participate in either of those votes. DPRK, India, and Pakistan explained their objection to these paragraphs on the basis of their references to the NPT.

**L.34/Rev.1, Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)**, was adopted without a vote. The revisions include a change in operative paragraph 3 from "reiterating the importance of providing full and unequivocal security assurances to the States that comprise the nuclear-weapon-free zone in Latin America and the Caribbean" to "reaffirming and recognizing the legitimate interests of the States that comprise the nuclear-weapon-free zone in Latin America and the Caribbean in receiving full and unequivocal security assurances from the nuclear-weapon States."

Work related to nuclear weapon issues will continue across many forums over the next few years, including the Nuclear Suppliers Group, the nuclear Non-Proliferation Treaty, negotiations to outlaw nuclear weapons, and the groups of governmental experts on fissile materials and verification. It is imperative that all measures, agreements, and activities related to nuclear weapons, at the unilateral, bilateral, or multilateral level, remain consistent with states' legally binding obligations under the NPT to achieve the elimination of nuclear weapons as well as Action 1 of the 2010 NPT Action Plan, which commits all states parties "to pursue policies that are fully compatible with the Treaty and the objective of achieving a world without nuclear weapons." •

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## CHEMICAL WEAPONS

Kathryn Millet | Disarmament Dynamics and Biosecu.re

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**O**n Tuesday, 2 November, states adopted the highly-contested resolution L.61/Rev.1 on the "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction." For the second year running, the draft text could not be adopted without a vote as had occurred in previous years.

Poland's introduction to the draft resolution addressed in advance a number of issues that had hindered consensus support for the resolution during the consultative period and that were later raised by a number of states in their explanations of vote (EOV). Poland stressed that the text is an accurate and factually-based reflection of the current state of implementation of the Chemical Weapons Convention (CWC) and the result of an extensive open and transparent consultative process. Poland called for states not to turn a "blind-eye" to recent developments in the Syrian Arab Republic that "undermine the fundamental international norm" against the use of chemical weapons, which it called the "bedrock" of the Convention. Poland concluded: "It's the absolute responsibility of the UN community today in a situation when the use of a chemical weapons became a reality again, to renew and sustain commitments towards this goal. In other words, to demonstrate its leadership and resolve on the path to a world free of chemical weapons."

The draft resolution has significant revisions as compared with the 2015 resolution as adopted.

Preambular paragraphs (PP) 3, 4, and 5 on universal-ity, welcoming progress on Syrian chemical weapons destruction, and the cooperation between Syria and the UN-Organization for the Prohibition of Chemical Weapons (OPCW) Joint Investigatory Mechanism (JIM), respectively, have been deleted. PP6 has been amended (to become PP3) to reflect ongoing support for the continuing mission of the JIM. A new and controversial paragraph (PP4) has been added, which references the mandate of the JIM as agreed under Security Council resolution 2235 (2015). PPs 7 and 8 have also been deleted, with PP 8 on condemning any use of chemical weapons and calling to hold perpetrators accountable adapted to become the new operative paragraph (OP) 1 in the 2016 draft text. A new OP2 references specific conclusions of JIM reports, including findings on the use of chemical weapons by Syrian Arab Armed Forces, and calls for all perpetrators to "immediately desist" from any further use. OP13 has updated OP10 of 2015 to include the decision of the OPCW Executive Council regarding the report of the Director-General "indicating the gaps, inconsistencies and discrepancies that remain" with regards to Syria's chemical weapons stockpiles and production facilities. New OP9 welcomes the ongoing implementation of the OPCW Executive Council's decisions pertaining to the destruction of Libya's remaining chemical weapons stockpile. All other changes are technical. The revised L.61/Rev.1 text amended OP2 to include the fourth JIM report findings of the use of chemical weapons by Syrian Armed Forces in Qmenas on 16 March 2015.

Voting results on the resolution as a whole and on separate paragraphs demonstrated the considerable divergence of views between states and the further collapse of consensus on the resolution. The resolution was adopted by a vote of 149-6-15 with Burundi, China, Iran, Kyrgyzstan, the Russian Federation, and Syria voting against. Separate votes were called on all paragraphs that referred to Syria, namely PP3, PP4, OP2, and OP13. PP3 and 4 were retained by votes of 136-8-19 and 133-8-20, respectively. OP 2 and 13 were also retained by votes of 125-12-23 and 132-9-23, respectively. It is worth noting that of 192 state parties to the UN General Assembly, only 149 took part in the vote on the resolution, meaning substantially less states participated than in 2015.

A number of states took the floor to explain their votes. Algeria, Belarus, Cuba, Ecuador, Iran, Nicaragua, the Russian Federation, Sudan, Syria, and Venezuela protested against the “politicised” language contained in the text that they argued should focus solely on technical issues. Belarus stated that the resolution has been diverted from its original purpose of supporting the technical implementation of the Convention and Iran asserted that the resolution has been turned into “tool for a blaming game.” Many of these states, as well as China and Pakistan, admonished the resolution authors for disregarding the progress made by Syria in terms of destruction of its stockpiles and equipment and its cooperation with the UN and OPCW, thereby failing to provide a “balanced” view of the situation. Ecuador, Egypt, Iran, and the Russian Federation were of the view that the text ignores the importance of universality of the CWC, while Cuba, South Africa, and Venezuela argued that the UN General Assembly is not the correct forum to discuss the results of the JIM as contained in the resolution. Iran, Nigeria, the Russian Federation, and Syria disputed the findings of the JIM asserting they are “inconclusive and unconvincing” and based on “far-fetched assumptions,” while China, India, and South Africa cautioned against prematurely including language on the JIM findings while they are still under consideration by the UN Security Council. Syria asserted that it unequivocally rejects the JIM findings and that no credible proof exists of Syrian Armed Forces use of chlorine gas. In a comment that recalls the long-standing difficulties of building evidence-based data regarding the number of chemical weapons victims in other areas, Syria further asserted that no medical reports have proven that chlorine gas inhalation has caused any fatalities. Algeria, Cuba, Ecuador, Nicaragua, Pakistan, the Russian Federation, and Venezuela lamented the loss of previously long-standing consensus on CWC resolutions and appealed to Poland to reconsider its position when developing future texts.

The United States (US), speaking on behalf of 39 additional states,<sup>1</sup> stated that the resolution captured the current reality and maintained the legitimacy of including language on the JIM findings. The US praised the work of the OPCW Declaration Assessment Team and the JIM, expressing support for the extension of the JIM’s mandate. The group of states contended that there is “no greater challenge” to the CWC than a state party that violates its obligations under the Convention and asserted that Syria’s “repeated use and inadequate declarations” constitute such violations. The US called on states to “squarely confront the reality before us and hold Syria and the so-called ISIL accountable for their use of chemical weapons.” These states further recalled that the preamble of the CWC makes clear that states must “determine for the sake of all mankind to exclude completely the possibility of the use of chemical weapons,” stressing that the current extraordinary situation “is a test of that goal”.

France and Israel aligned themselves with the US joint statement, emphasising the fact-based and impartiality of the JIM findings. France called upon states to refrain from accepting violations of the universal norm on the prohibition of the use of chemical weapons. In a tweet following the conclusion of the work of the First Committee, Sweden stated that “spelling out and condemning CW [chemical weapons] use is a duty, not ‘politicizing’.”

In a right of reply following the end of First Committee voting, Syria accused the United States of involvement in supplying chemical materials to non-state actors and assisting such groups in the production of toxic chemicals. The US denied the charge and accused the Syrian government of attempting to divert attention away from its activities. •

### Notes

1. Albania, Australia, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, the Netherlands, New Zealand, Norway, Portugal, Qatar, Romania, Republic of Korea, Saudi Arabia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, and the United Kingdom.



# ARMED DRONES

Elizabeth Minor | Article 36

During First Committee this year, only ten states spoke about armed drones. This low volume of debate was comparable to 2015's First Committee, at which nine states spoke on the subject. Of the states that spoke—Bangladesh, Botswana, Costa Rica, Ecuador, Ireland, Lebanon, the Netherlands, Pakistan, Venezuela, and the United States—six had raised the issue in the last session, when they outlined broadly similar concerns (Costa Rica, Ecuador, Ireland, the Netherlands, Pakistan, and Venezuela).

The range of concerns expressed by these states included: the risks posed by the growing proliferation of armed drone technology; the particular dangers that states considered to result from non-state actors acquiring armed drones; concerns around upholding international humanitarian and human rights law in the use of armed drones; broader humanitarian, moral, and ethical issues; the possibility of drones being used to deliver weapons of mass destruction; and the consideration of drones within new challenges posed by developing technologies, including lethal autonomous weapons systems. A number of states also called for greater collective efforts to address armed drones.

A joint statement endorsed by forty-four civil society organisations from fourteen countries and regions was given at First Committee this year, which focused on the need for international action to prevent and mitigate harm from armed drones. The call to action of the European Forum on Armed Drones, endorsed by twenty-two groups, was also presented at a side event hosted by the Netherlands and PAX. The call

asks governments to take action on the articulation of their policies, transparency, accountability, the prevention of complicity in illegal acts and proliferation.

Only one resolution tabled this year was relevant to the subject of armed drones: L.21 on transparency in armaments, which adopts and requests the implementation of the recommendations of the Group of Governmental Experts (GGE) on the UN Register on Conventional Arms. In its 2016 report (see UN document A/71/259), one of the GGE's recommendations was that "unmanned combat aerial vehicles" be included in the categories of reporting for the Register. The United States, as well as Kim Won-soo, the Under Secretary-General and High Representative for Disarmament Affairs, and Ambassador Paul Beijer of Sweden, Chair of the Group of Governmental Experts on the UN Register on Conventional Arms remarked on this development in statements to First Committee. No states mentioned armed drones during the vote on L.21, which passed 151-0-28. Explanations of vote concentrated on issues around weapons of mass destruction, small arms and light weapons, and the Arms Trade Treaty.

In the coming year, the political "Joint Declaration for the Export and Subsequent Use of Armed or Strike-Enabled Unmanned Aerial Vehicles," issued by the United States with the support of 48 other countries, may provide one focus for states' activities in this policy area. A meeting on the declaration was announced by the Netherlands at the First Committee side event on armed drones, which will take place in April. •

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# EXPLOSIVE WEAPONS IN POPULATED AREAS

Laura Boillot | International Network on Explosive Weapons

Throughout the UN General Assembly's First Committee, around eleven states raised concern over the humanitarian impacts concerning the use of explosive weapons in populated areas (EWIPA), including Austria, Canada, Costa Rica, Guatemala, Holy See, Ireland, Liechtenstein, Netherlands, New Zealand, Norway, South Africa, as well as the International Committee of the Red Cross (ICRC) and the International Network on Explosive Weapons (INEW).

At the same time throughout the month of October 2016, Action on Armed Violence (an INEW member) reported 3,484 civilian deaths and injuries resulting from the use of EWIPA. Most of these casualties were children. The countries experiencing the highest levels of explosive violence last month were Syria, Yemen,

Iraq, Afghanistan, and Pakistan. As Austria asserted in its statement, this is a "humanitarian problem of extreme gravity". In addition to the high proportion of civilian deaths and injuries resulting from the use of EWIPA, there are reverberating effects impacting entire communities.

The ICRC and INEW drew attention in particular to concerns over explosive weapons with wide area effects, the effects of which result from the scale of the blast, the inaccuracy of the weapon, or the use of multiple munitions across a wide area. The ICRC warned that "heavy explosive weapons tend to cause extensive damage to critical civilian infrastructure, triggering debilitating 'domino effects' on interconnected essential services such as health care, and water and

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electricity supply systems. This in turn provokes further civilian death and displacement.”

A few states expressed support for the attention that this issue is being given. Twenty states co-convened by Austria, Chile, Costa Rica, Mexico, and Mozambique gathered on 4 October 2016 on the margins of the First Committee to discuss possible elements of an international political declaration. Austria announced that it would soon start work to develop an international political declaration to prevent civilian harm from the use of EWIPA. The UN Office for the Coordination of Humanitarian Affairs reminded delegates that the UN Secretary-General has repeatedly raised concerns over the use of EWIPA since 2009, and has called on states to “engage constructively in continuing efforts to develop a political declaration to address the issue” and to “refrain from the use of explosive weapons with wide-area effects in populated areas”. INEW stated that stopping the use of EWIPA must be the centrepiece of a declaration. At the meeting, the

ICRC noted that there is a lack of military policy and procedure to inform operational practice in urban warfare. Several states in their interventions also drew attention to set standards as well as develop practical operational guidance.

A resolution on “Countering the threat posed by improvised explosive devices” (L.68/Rev.1) was adopted without a vote. The resolution expresses “grave concern over the devastation caused by the increasing use” of IEDs “by illegal armed groups, terrorists and other unauthorised recipients.” Ireland and New Zealand, in a joint statement, noted that the key concern with IEDs concerns these weapons’ indiscriminate effects, and that “an approach whereby emphasis is placed on one or more categories of users, as opposed to the actual weapon, does not in our view accurately address the problem.” The resolution encourages states to undertake a range of measures to prevent the use of and mitigate the effects of IEDs. •

## LANDMINES

Amelie Chayer | International Campaign to Ban Landmines

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The central role of the necessity of international cooperation and assistance in order to deliver on the promise of a mine-free world was the key topic of this year’s First Committee debates on landmines. Seventy-five percent of the state delegations speaking about landmines referred to the importance of international support: most of them explained the type of assistance they provide, and a few called for specific support for their activities or for an increased general involvement from donors. In addition, five regional groups—the Association of Southeast Asian Nations (ASEAN), the Community of Latin American and Caribbean States (CELAC), the European Union (EU), the Non-Aligned Movement (NAM), and the Union of South American Nations (UNASUR)—either shared details of their technical and financial assistance, or called for enhanced solidarity with affected states.

As the debates on conventional weapons came to a close, Burkina Faso, Canada, Ethiopia, and Fiji invited all states to join the Mine Ban Treaty, thus joining the six other delegations that had already called for universal adherence to the Treaty earlier in the month. Canada, Lithuania, Sweden, and Turkey mentioned the assistance they provide for treaty implementation. Colombia, which will benefit from the new “Global Demining Initiative for Colombia” spearheaded by the United States and Norway, emphasised that assistance to survivors of the weapon is a crucial component of a comprehensive response to its landmine problem.

Resolution L.7/Rev.1 on the Mine Ban Treaty enjoyed excellent support, with a voting result of 161-0-16, similar to previous years. The small decrease in “yes” votes compared with last year is due to the absence of a number of states during the voting session. There are 35 states still outside the Mine Ban Treaty, and half of them (17) voted in favour of the resolution. Among those, Libya acknowledged the humanitarian and environmental impact of antipersonnel mines, and Singapore explained its support for initiatives against indiscriminate weapons. Of the 16 states abstaining, seven explained their vote (Cuba, Egypt, India, Democratic People’s Republic of Korea, Republic of Korea, Pakistan, and the United States). Most of them reiterated their belief that antipersonnel mines serve a legitimate military purpose, while the United States mostly focused on its continued support for mine clearance activities in partnership with states parties to the Mine Ban Treaty.

The resolution included technical updates to last year’s text, and a new call on states to address issues arising from recently implemented UN accounting practices.

The 15th Meeting of States Parties to the Mine Ban Treaty will open in Santiago, Chile on 28 November 2016. In addition to hearing reports of progress on mine clearance, assistance to victims, and destruction of stockpiled mines, states intend to discuss measures to reach the goal of full implementation of the treaty by 2025. •



Reaching Critical Will



# ARMS TRADE TREATY

Raluca Muresan | Control Arms

During the final day of the thematic debate on conventional weapons over 16 statements referenced the Arms Trade Treaty (ATT). Sweden highlighted the importance of transparency and reporting in the ATT and pledged to continue its work towards this end. This call was also echoed by Lithuania who repeated their oft-stated view that states parties should make their ATT reports publicly available. Sweden also announced its plans to contribute to the ATT Voluntary Trust Fund (VTF) before the end of the year. Spain welcomed the establishment of the VTF and highlighted past contributions it has made to the European Union (EU), the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UNLIREC), as well as UN Trust Facility Supporting Cooperation on Arms Regulation (UNSCAR) to support the Treaty's universalisation and implementation.

Positively, Canada, Turkey, and Malaysia reviewed their plans to accede to the ATT. Canadian officials are currently working on ensuring domestic compliance with all articles of the ATT and the government hopes to join the treaty within one year. Turkey noted that, together with UN Security Council Resolution 2117 (2013), the ATT can reinforce the UN Program of Action on Small Arms and Light Weapons (UNPoA). The Treaty's potential contribution to eradicating illicit trafficking in SALW was emphasised by Italy, which further highlighted the importance of the gender-based violence (GBV) provision in protecting vulnerable groups from armed violence.

CARICOM welcomed the inclusion of GBV both in the preamble as well as in Article 7.4 of the ATT and spoke at length about resolution L.37 on "Women, Disarmament, Non-proliferation and Arms Control". It noted its retention in preambular paragraph (PP) 10 of language on the ATT and of its provision on gender-based violence and violence against children. Trinidad and Tobago introduced this resolution and noted that as the first legally binding instrument to recognise the link between disarmament and GBV, it is essential that this link be highlighted in the resolution. This resolution was adopted by consensus after a specific paragraph vote on PP10 (which recalled the entry into force of the ATT) and which was retained with 146 votes in favour, no votes against, and 24 abstentions.

The ATT was also referenced during the regional disarmament thematic cluster, as the regional centres outlined their respective ATT universalisation and implementation projects. The Regional Centre for Peace and Disarmament in Africa (UNREC) detailed the map-

ping of ATT assistance activities in sub-Saharan Africa, which is available online at [www.att-assistance.org](http://www.att-assistance.org). Resolutions L.27, "United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific" and L.50, "United Nations Regional Centre for Peace and Disarmament in Africa" highlight the work of the two respective regional centres, noting their important work towards building national and regional capacity and providing technical assistance for the implementation of the Arms Trade Treaty. Resolution L.60, "United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean," encourages the regional centre to support member states in the region to implement relevant instruments, including the UNPoA and the ATT.

Resolution L.29, "The Arms Trade Treaty," was introduced by Finland, Mexico, and Nigeria and cosponsored by 93 member states. It was adopted on 31 October with 152 votes in favour, no votes against, and 28 abstentions. Several states that have been consistently sceptical about the ATT (Indonesia, Egypt, Armenia, Iran, and Cuba) took the floor to explain abstentions.

The Arms Trade Treaty is referenced in six additional resolutions this year. Resolution L.21, "Transparency in armaments," (adopted with 151 votes in favour, zero votes against, and 28 abstentions) and L.58, "National legislation on transfer of arms, military equipment and dual-use goods and technology," (adopted with a vote of 174-0-3) welcomes the entry into force of the ATT and notes that the Treaty remains open for accession. Both resolution L.32, "Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them," and L.25, "The illicit trade in small arms and light weapons in all its aspects," (adopted by consensus) welcome the inclusion of small arms and light weapons in the scope of the ATT. L.52, "Consolidation of peace through practical disarmament measures," (adopted by consensus) welcomes the establishment of the VTF and encourages ATT states parties to financially contribute to it if they are in a position to do so. Notably resolution L.9, "Preventing and combating illicit brokering activities," (adopted with 179-1-1) recognises the importance of ATT states parties taking measures to regulate brokering taking place in their jurisdiction, in accordance to article 10 of the Treaty. •

# SMALL ARMS AND LIGHT WEAPONS

Rose Welsch | International Action Network on Small Arms

Two resolutions with a sole focus on small arms and light weapons (SALW) were adopted in the final week of First Committee without a vote and with few modifications from previous years. Resolution L.25, “The illicit trade in small arms and light weapons in all its aspects,” remained unchanged from previous years, apart from welcoming the Sixth Biennial Meeting of States (BMS6) held in June of 2016, as well as the adoption of the 2030 Agenda for Sustainable Development, including Goal 16 of the Sustainable Development Goals (SDGs). The resolution also recalls the commitment of states to the UN Programme of Action on small arms and light weapons (UNPoA) as the main framework for the international community to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects. The six-page resolution encourages states to take actions on various aspects of SALW.

Resolution L. 32, “Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them,” was also largely unchanged from previous years. The resolution calls upon the international community to provide technical and financial support to strengthen action to help combat the illicit trade in SALW. It encourages cooperation among state organs, international organisations and civil society, and invites states and organisations to provide assistance to other states for curbing the illicit traffic in SALW and for collecting weapons.

A resolution on the consolidation of peace through practical disarmament measures (L.46), included a new paragraph encouraging the Group of Interested States to contribute to the development of voluntary indicators at the national level to measure progress made in the implementation of SDG Target 16.4, which aims to significantly reduce illicit arms flows by 2030. Several UN bodies are in the process of developing global indicators for this goal. Resolution L.37, “Women, disarmament, non-proliferation and arms control,” also added a new provision encouraging states to “seriously consider” increasing funding for policies and programmes that take account of the differing impacts of illicit small arms and light weapons on women, men, girls and boys.

In a general statement, the Netherlands spoke on behalf of many countries in welcoming Security Council Resolution 2242, which encourages empowering women to participate in the design and implementation of efforts related to the prevention, combatting and eradication of the illicit transfer, misuse and accumulation of SALW.

IANSA welcomes the increasing recognition by states of the importance of including women as decision-makers in the small arms process. We also welcome the increasing support for the inclusion of ammunition in the UNPoA, as well as statements acknowledging the contributions of civil society to preventing arms trafficking and armed violence. We join the Chair of BMS6 and those member states who supported the inclusion of the 2030 Global Agenda, particularly Sustainable Development Goal 16 in the outcome of the meeting, in recognising the significance of linking the SDGs to the UNPoA. Unfortunately, as in previous years, there was little mention of the need to reduce the overall stockpile of SALW through destruction of weapons and reduction of production.

It was heartening during this First Committee to hear many states mention the 2018 Review Conference on the UNPoA, an indication that they are already beginning to prepare for the conference. As the official coordinator of civil society participation, IANSA looks forward to working with member states and with France, the President-designate of the conference, to build momentum over the coming year toward a Review Conference that genuinely does review and revise the UNPoA. •



# CLUSTER MUNITIONS

Amelie Chayer | Cluster Munition Coalition

The Convention on Cluster Munitions (CCM) is now 100-states strong, and 19 additional states have agreed to be bound by its core prohibitions through their signature. There is still a lot to do to bring on board the 78 non-signatories and, in the meantime, to ensure that none of them will use cluster munitions. These themes of universal adherence and respect for the ban norm were covered by the majority of the delegations that spoke about cluster munitions during this year's First Committee session.

As the debate on conventional weapons ended, Burkina Faso, Canada, Ecuador, Fiji, and Sweden encouraged all states to join the CCM, joining the 15 states that had made a similar call in previous weeks. Sweden argued that "for the ban to become truly effective, it is important that also the ... manufacturers and users of cluster munitions join the Convention."

Cuba, Ecuador, and Sweden expressed deep concern about or condemned the use of cluster munitions and Cuba said the use of the weapon was incompatible with international humanitarian law (IHL). Earlier in the month, the Holy See and the Community of Latin American and Caribbean States (CELAC) had made the same remark, while 14 additional states condemned the use of cluster munitions and the European Union had called on conflict actors to respect IHL.

Resolution L.22, "Implementation of the Convention on Cluster Munitions," received 134 votes in favour, a small decrease from last year's 139 supporters at the General Assembly, which can be attributed to the absence of some states during the voting session.

Noteworthy changes include Algeria and Kazakhstan, which abstained last year and voted in favour this year, while Jordan and Rwanda voted yes in 2015 and abstained this year. Thirty states not party to the Convention supported the resolution, thus demonstrating their adhesion to the aim of ending the suffering caused by cluster munitions, but none appear to have explained their vote.

There were 40 abstentions in total. Rwanda was the only state party to abstain, while Cyprus and Uganda were the only signatories to do so. Poland spoke on behalf of a number of abstainers, explaining that while they support the humanitarian goal of the Convention, they believe cluster munitions are needed for defence. This was also the view of the Republic of Korea. Brazil and Pakistan said that the Convention on Certain Conventional Weapons was the appropriate forum to discuss the issue. The United States expressed the view that the resolution was only applicable to states parties. Like last year, Russia and Zimbabwe voted no. Russia is responsible for the increase in the use of cluster munitions in Syria, since the beginning one year ago of its military offensive conducted jointly with Syria, which has resulted in unspeakable devastation and in numerous civilian casualties. Zimbabwe did not explain its vote.

The resolution included technical updates to last year's text, as well as a new call on states to address issues arising from recently implemented UN accounting practices. It features a new reference to the goal of full implementation of the convention by 2030, as adopted at the recent Sixth Meeting of States Parties. •

# DEPLETED URANIUM

Doug Weir | International Coalition to Ban Uranium Weapons

Six resolutions on depleted uranium (DU) in just under a decade; with the latest, L.63, passing by 146-4-26. A respectable result by the standards of First Committee but for those that prefer science to politics, the objections of those few abstainers prepared to explain their views left much to be desired.

It is no surprise that the United Kingdom, United States, and France oppose the resolution. They maintain stocks of the weapons; indeed the US used them in Syria as recently as last November. Its explanation of vote once again claimed that no studies have detected health effects attributable to DU, content that no robust studies capable of identifying such outcomes

have been conducted on civilians living, working, or playing in areas contaminated by the weapons. Israel, representing the fourth "no" vote, was one of the first nations to seek DU weapons, but maintains its traditionally ambiguous posture over questions of use.

So far so predictable; but abstainers like Germany, a country that supported the resolutions until 2014, raise concern and criticism. Germany has guidelines to protect its own troops from DU exposure, yet argues in First Committee that DU is harmless. Germany and other European Union states tie themselves in knots objecting to preambular paragraph seven (PP7), describing it as "cherry-picking".

*continued on next page*

PP7 has arguably become a lightning rod for political and intellectual dishonesty. The International Coalition to Ban Uranium Weapons suggests that it should instead be used to list the numerous post-conflict harm reduction measures proposed by international organisations. The way it is currently worded has unfortunately served to provide an excuse for abstaining for those that desire to do so. Sweden and Switzerland deserve credit in this regard. They voted in favour, explaining that they too had concerns about PP7. But they also called for the ongoing concerns of affected states and communities to be addressed. One proposal was for precautionary measures to protect civilians, including awareness-raising, which is no less than militaries provide for their own personnel.

Canada's abstention was disappointing, given that prior to its election to government, the Liberal Party was opposed to DU weapons. Unfortunately this has not

translated into consistent policy now that the Party is in power. Norway, in the meantime, once a leader on DU issues, joined in a statement with the Netherlands to argue that DU exposure is possibly but not potentially a health risk. This view is apparently not shared by the Dutch ministry of defence, however, according to documents unearthed by PAX (<https://twitter.com/wammezz/status/793494608500158464>).

Belgium's offer to assist states wishing to develop their own precautionary domestic legislation banning DU was welcome, as was Japan's observation that the views of civil society should be taken more fully into account. And, as Sweden and Switzerland argued, DU should continue to be debated within and beyond the UN, with a particular focus on precautionary measures to minimise civilian harm. But, on the basis of this year's performance, this is unlikely to be a role in which First Committee would excel. •

## OUTER SPACE

Jessica West | Project Ploughshares

In contrast to the opening of general debate on outer space, during which the United States (US) claimed that it "will use this year's First committee session to advance space security and sustainability," voting results on space-related resolutions inspired déjà vu: the same resolutions, with the same cast of supporters and dissenters, reinforcing the same stalemate.

Importantly, the long-standing resolution L.3, "Prevention of an arms race in outer space" (PAROS), inviting the Conference on Disarmament (CD) to establish a working group on of the same title was adopted once again with near consensus, supported by 178 states, four abstentions (Israel, Palau, South Sudan, US), and no negative votes. Similarly, the US-Russia-China sponsored L.19, "Transparency and confidence-building measures on outer space activities," focused on implementation of the proposed measures in the 2013 report of the Group of Governmental Experts (GGE) was once again adopted by consensus. These are important achievements that reflect a broad desire to enhance security and sustainability of outer space conveyed by states throughout the general debate.

But this consensus is belied by voting on L.18, "No first placement of weapons in outer space" (NFP), calling for political commitments against the deployment of weapons in space and for the CD to resume substantive work specifically on the draft Treaty on the Prevention of Placement of Weapons in Outer Space (PPWT), which faced 49 abstentions and 4 negative votes (Georgia, Israel, Ukraine, US).

The NFP resolution faces two sources of division: the role of unilateral political commitments, and the content of the draft treaty as a basis for negotiation. Explanations by New Zealand, Slovakia, Ukraine, and the US questioned the role of political commitments on the basis of unilateralism, poor clarity of intention, and hostility in the current political environment. Despite fairly wide support for negotiating a treaty to restrict the deployment of weapons in outer space, an explanation of vote by Japan noted the lack of adequate definitions and verification in the draft PPWT, while the US and Slovakia pointed to its silence on ground-based anti-satellite capabilities.

Moving forward on this issue may first require looking backward. Currently there is no consensus on using the PPWT as the basis of work at the CD, while efforts to elicit political commitments or other TCBMs are marred by a deficit of trust and transparency related to outer space activities. However, as the explanations from New Zealand and Iran illustrate, there is support for the principles and language of existing international law, namely the 1967 Outer Space Treaty. Echoing calls made by the civil society statement on this issue and Paul Meyer at the side event "Tracking Space Security," the 50th anniversary of this treaty in 2017 provides an opportune time to hold a first ever meeting of states parties. Given the current political climate affecting outer space, such a meeting would provide a means to reflect on past achievements, shared values, and an important source of consensus on the governance of outer space. •





# CYBER

Allison Pytlak | Reaching Critical Will of the Women's International League for Peace and Freedom

Draft resolution L.17, "Developments in the field of information and telecommunications in the context of international security," was put to a vote on 31 October. It passed with 177 states in favour, none against, and only one abstention, from Ukraine.

Ukraine's abstention is rooted in its experience of cyber conflict with Russia. In its explanation of vote, Ukraine welcomed the most recent GGE report and signaled support the role of information and communications technology (ICTs) as a tool for development, and in accordance with the provisions of the UN Charter. Ukraine is however concerned about the use of computer systems to "attack and hack" and noted that ICTs are central to the so-called "hybrid war" that Russia is running against it.

Russia made a barbed comment about Ukraine's abstentions and commended the group of resolution co-authors, noting that the resolution is indicative of the importance of this subject at the UN.

Sweden delivered a general statement on behalf of thirty-five other states that was notable not only for their support of an "open, free, equal and secure" Internet but also for emphasising that "the same rights that individuals have offline must also be protected online, in particular freedom of expression, including the freedom to seek, receive and impart information and the right to privacy." States welcomed the adoption of resolution 20/8 at the 20th session of the UN Human Rights Council in 2012, which advocates for the promotion, protection, and enjoyment of human rights on the Internet, as well as related follow-up resolutions passed by the Council in 2014, 2015, and 2016 that include additions pertaining to internet access for global development and the Sustainable Development Goals. The statement closed by noting that the Human Rights Council will request the High Commissioner to prepare a report on ways to "bridge digital divides between and within countries, including between women and men."

The joint statement delivered by Sweden also emphasised the central role of the UN's Group of Governmental Experts (GGE) on the subject as a space to develop common understanding on norms of responsible behavior, confidence building measures, capacity building, and the applicability of the international law. A contrary view about the GGE was put forward by Pakistan. While it "strongly supports" the resolution, and "appreciates the importance" of the cyber issue, it expressed disappointment at having not been included in the current GGE. Pakistan recommended moving the work being done in the GGE to broader multilateral and more representative forums.

Cuba also made a brief statement about resolution L.17, expressing that the GGE has important responsibilities and that there should be rules and regulations to put an end to the "covert and illegal use of cyber-systems" of other countries to attack third countries.

These final statements, coupled with those made throughout the First Committee about cyber and ICTs, demonstrate emerging divisions, sources of concern, and that cyber space is already highly politicised. There appears to still be a lack of clarity around exactly how the cyber issue fits within a disarmament or arms control framework, but that it is an issue of security is universally agreed. More and more states are calling into question the utility of the GGE, particularly as a closed forum, while others affirm a positive view of its potential. The future of this body will central to how the UN interacts with cyber from a security perspective. There was greater acknowledgement in this First Committee session than others about the connection between privacy, human rights, and Internet freedom and related UN resolutions or processes, and continued references to the applicability of international law. That said, states largely avoided reference to specific cyber attacks, conflicts, or operations taking place between them. This will need to be addressed to bring the debate from the abstract into reality. •



# DISARMAMENT AND DEVELOPMENT

Josephine Roele | Reaching Critical Will of the Women's International League for Peace and Freedom

Roughly half of all resolutions adopted by First Committee this year make reference to development, some more fully than others. Whether in the context of the harmful effects of the use of weapons on communities and populations, or in the disproportionate diversion of government resources towards military expenditure, or in reference to sustainable social and economic development through instruments such as the UN Programme of Action on small arms and light weapons (UNPoA), it is evident that progress in development shares a common border with progress in disarmament. Nevertheless, not all states are convinced by a resolution making reference to this relationship.

Resolution L.46, "Relationship between disarmament and development," was adopted without a vote in First Committee, albeit with statements of contention from the United States (US) and the United Kingdom (UK), who also spoke on behalf of France. The US stated that disarmament and development are two distinct issues, pointing out that it has not moved from its position in 1987 at the International Conference on the Relationship between Disarmament and Development. The UK-France statement problematised preambular paragraph 7 of the resolution, which reads as follows: "Stressing the importance of the symbiotic relationship between disarmament and development and the important role of security in this connection, and concerned at increasing global military expenditure, which could otherwise be spent on development needs." The UK and France emphasised that the relationship between disarmament and development is complex, not automatic, and do not feel that this is duly reflected in the language of the resolution. Furthermore, the UK and France called for greater nuance in the idea that military spending takes away from development spending since security also plays an important role in development. This position is in keeping with the UK's National Aid Strategy of 2015, where international development is "at the heart of national security," but with no mention of disarmament. However, approaches to development that foreground securitisation should be treated with caution, as past post-conflict interventions of this nature have shown that development needs become side-lined, or are treated as ancillary to military "hearts and minds" campaigns. The UK and France noted that they would join consensus on this resolution, and do support many aspects of the text.

Other references to development in the final week of First Committee came from the Netherlands on behalf of a number of countries in their statement of support for resolution L.37 on women and disarmament,

which was adopted as a whole without a vote. The Ukraine, despite its solitary abstention on resolution L.17 on developments in the field of telecommunications in the context of international security introduced by the Russian Federation, acknowledged that information and communications technologies should be protected for development purposes.

Poland, on behalf of Greece, Romania, Finland, and Estonia, spoke on the "humanitarian and socio-economic" impact of cluster munitions in relation to resolution L.22 on the implementation of the Convention on Cluster Munitions (CCM), and supported the humanitarian objectives of the resolution. However, despite this implicit recognition of the adverse effects of cluster munitions on development, these states abstained because they feel that the CCM does not give appropriate weight to the security needs of states. Cluster munitions are, according to these states, better suited to discussion in the Convention on Certain Conventional Weapons. Resolution L.22 was adopted with 134 votes in favour, 2 votes against, and 40 abstentions.

Ireland and New Zealand, in relation to resolution L.68/Rev1, commented on the humanitarian harm of improvised explosive devices (IEDs) in terms of their threat to human rights, stability, sustainable development, and humanitarian operations. This resolution was adopted in First Committee without a vote.

Mali, on behalf of the Economic Community of West African States (ECOWAS), introduced resolution L.32 on assistance for curbing the illicit traffic in small arms and light weapons. Both the resolution and the statement from ECOWAS reflect the role that arms control has to play in the eradication of poverty and sustainable development.

Finally, draft resolution L.60, on the UN regional centre for peace, disarmament and development, and draft decision L.69, on good-neighbourliness, stability and development in South-Eastern Europe, note the synergy between regional disarmament initiatives and development and both were adopted without a vote. Resolution L.60 explicitly recalls the relationship between disarmament and development, and the promotion of sustainable development by disarmament initiatives. •

# GENDER AND DISARMAMENT

Josephine Roele | Reaching Critical Will of the Women's International League for Peace and Freedom

Resolution L.37, "Women, disarmament, non-proliferation and arms control," is the only resolution that focuses solely on the relationship between gender and disarmament. It was introduced by Trinidad and Tobago and was adopted without a vote during the last week of First Committee. In the general statements for the cluster on other disarmament measures and international security, the Netherlands (on behalf of many states) and Pakistan expressed their support for resolution L.37. Pakistan spoke on the importance of equal and effective participation in disarmament from men and women, noting that a number of women hold disarmament and security positions in Pakistan.

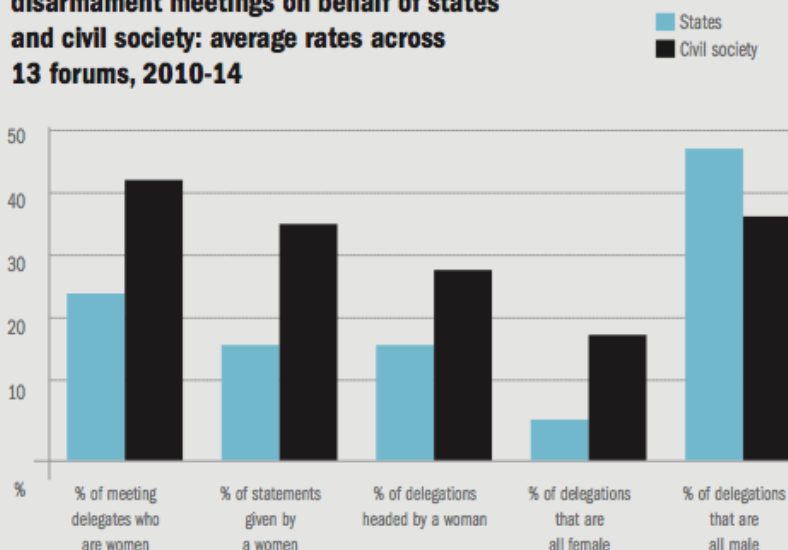
The Netherlands linked its joint statement to various security, disarmament, and development instruments, including the Arms Trade Treaty (ATT), the Sustainable Development Goals (SDGs), and the women, peace and security agenda (WPS). The statement highlighted the role of women in relation to small arms and light weapons (SALW), and drew attention to synergies between disarmament and development from a gender perspective. The joint statement focused particularly on SDGs 5 on gender equality and 16 on peace, justice and strong institutions, as well on as the criteria on gender-based violence in the ATT, as found in Article 7(4) of the Treaty text: "The exporting State Party, in making this [export] assessment, shall take into account the risk of the conventional arms covered... being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children."

A separate vote was held on preambular paragraph 10 (PP10) of resolution L.37, which specifically recalls the ATT and the implementation of export risk assessments on gender-based violence. PP10 was retained with a vote of 146 in favour, none against, and 24 abstentions. In its explanation of vote, Cuba stated that it supported the resolution but is concerned at the imbalance of focus, with too much stress placed on a certain type of weapon (small arms and light weapons). India, Fiji, and Venezuela explained their abstentions from the vote on PP10, with the stance that since they have not yet signed or ratified the ATT, they could not vote in favour.

Resolution L.36, "Ethical imperatives for a nuclear-weapon-free world," emphasises the greater attention needed to women's participation in discussions, decisions, and actions on nuclear weapons, as well as to the gender differentiated effects that a nuclear weapon detonation might have. It was adopted with 131 states voting in favour, 36 against, and 17 abstentions. Resolutions L.50 and L.60 covered the UN regional centres for peace and disarmament in Africa, and for peace, disarmament and development in Latin American and the Caribbean respectively. Both resolutions contained language around the promotion of the role and representation of women in disarmament, and were adopted without a vote.

Most discussions in the different disarmament clusters of First Committee raised gender, either with a view to enhanced gender mainstreaming or from the perspective of vulnerable and marginalised groups. However, references to gender were limited in the resolutions themselves, often not appearing at all despite voiced acknowledgments of the gendered dimensions from nuclear disarmament, to information and communications technologies, to SALW arms control. Gender strategies are currently focused on participation and representation, as well as on goals around social and economic development. In the future, resolutions will benefit from increasing their scope by signalling the relevance of the integration of gender-sensitive approaches in all aspects of disarmament. •

**Participation of women in multilateral disarmament meetings on behalf of states and civil society: average rates across 13 forums, 2010-14**



# FIRST COMMITTEE MONITOR

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

*Contributing organisations and campaigns to this edition:*

Article 36  
Biosecu.re  
Cluster Munition Coalition  
Control Arms  
Disarmament Dynamics  
International Action Network on Small Arms  
International Campaign to Ban Landmines  
International Campaign to Ban Uranium Weapons  
International Network on Explosive Weapons  
Women's International League for Peace and Freedom

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