

# First Committee briefing book



Reaching Critical Will

2017

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Human Rights Watch ([www.hrw.org](http://www.hrw.org))

International Action Network on Small Arms ([www.iansa.org](http://www.iansa.org))

International Campaign to Abolish Nuclear Weapons ([www.icanw.org](http://www.icanw.org))

International Campaign to Ban Landmines ([www.icbl.org](http://www.icbl.org))

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International Network on Explosive Weapons ([www.inew.org](http://www.inew.org))

Project Ploughshares ([www.ploughshares.ca](http://www.ploughshares.ca))

Toxic Remnants of War Network ([www.toxicremnantsofwar.info](http://www.toxicremnantsofwar.info))

Women's International League for Peace and Freedom ([www.wilpf.org](http://www.wilpf.org))

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Reaching Critical Will

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# Introduction

## Reaching Critical Will/WILPF

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The theme of this year's World Humanitarian Day, held on 19 August, was "civilians are not a target".

Picture a neighbourhood filled with homes providing comfort and safe haven, surrounded by bustling markets and shops, schools, playgrounds, hospitals, and factories. Weeks later, what is left is a collection of bombed-out structures in the middle of a war zone. All essential infrastructure and semblance of normal life have been destroyed. The use of wide-area explosives has left vast damage and destruction, causing profound and long-lasting consequences for people's safety, livelihood, and basic needs, like food, water, and electric/fuel power. This often leaves people little choice but to flee to safer regions, often exposing them to new dangers.<sup>1</sup>

Millions of people are facing this reality every day. The use of explosive weapons in populated areas, which is one of the topics covered in this briefing book (see chapter 5), has wrecked havoc around the world. Since this time last year, hundreds of thousands of civilians have been killed, injured, displaced, or suffer from chronic food shortages, health crises, and sexual violence. Aleppo, Mosul, Raqqa, and other cities around the world have been bombed relentlessly into devastation.

This is a grave reality. Humanitarian disasters due to conflict—particularly those fought in urban settings—are on the rise and while the states or armed groups involved in creating these disasters are sometimes

condemned (though rarely brought to account), the weapons that fuel these disasters continue to flood the most affected regions. The major weapon manufacturers and exporters make profits while blood and rubble fills the streets of cities abroad. The guns and the bombs that destroy lives, homes, and hospitals represent dollar signs to their traders and devastation to their victims.

This is where First Committee comes in. UN agencies like the Office for the Coordination of Humanitarian Affairs (OCHA) or the UN High Commissioner for Human Rights are lending their voices to the campaign to protect civilians. But where is the UN General Assembly's core disarmament forum? What can it do to actually *prevent* violence by dealing, in a real way, with the weapons that are sustaining the wars?

It is not impossible for First Committee to have a real impact. We should be riding high right now on a recent—and rare—success. We banned nuclear weapons. On 7 July, 122 countries voted in favour of a new legally binding instrument that prohibits nuclear weapons. This effort was an initiative of First Committee—the resolution adopted last October led to the negotiations that led to this treaty.

This treaty makes the possession of these horrific weapons of mass destruction illegal, along with other related activities such as testing, using, developing, or assisting with nuclear weapons (which includes financing or planning to use the weapons, among

other things). The treaty also includes provisions for assisting victims of nuclear weapons use and testing, and environmental remediation. It is the first treaty to recognise the disproportionate impact of nuclear weapons on indigenous people and on women.

Reaching this agreement is an amazing feat of collective action by people who came together to do something that had not been tried before. It is the result of decades of campaigning for the abolition of nuclear weapons and a concerted effort over the last several years of many governments that were willing to renew the discussion on the humanitarian impacts of nuclear weapons and take forward new legal and political processes to deal with the challenges of nuclear weapons.

As we always knew, this treaty has not magically eliminated nuclear weapons over night. But as atomic bomb survivor Setsuko Thurlow said in her remarkable closing statement to the negotiating conference on 7 July, “This is the beginning of the end of nuclear weapons.” This treaty was conceived of as a tool that could help change the politics and economics of nuclear weapons as a means of facilitating disarmament. It provides a solid foundation to change policies and practices, as well as to shift the thinking and discourse on nuclear weapons even further.

Like anything created by people, this treaty has its imperfections. But it’s a good start on the road to abolition, and it gives a glimpse of what is possible in this world. That, all on its own, has meaning. In her book *Hope in the Dark*, author and activist Rebecca Solnit writes about “the slow incremental victories that begin in the imagination and change

the rules.” Seeing them, she notes, “requires being able to recognize the shades of gray between black and white or maybe to see the world in full color.” The world is a mess and we have not yet figured out how to change everything all at once. Absolute “victory,” whatever that may be, continues to elude us. But we need to celebrate the ground we have taken. As Solnit argues, “being able to celebrate or at least recognize milestones and victories and keep working is what the times require of us.”

Keep working we must. This briefing book, written by civil society activists and experts, presents both challenges and suggested solutions for a number of issues related to weapons and war. The non-governmental organisations, coalitions, and campaigns participating most actively at First Committee have argued consistently that we can and must advance human security and social and economic justice through disarmament and arms control. 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.

The groups that have contributed to this briefing 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.

*Author: Ray Acheson*

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1 World Humanitarian Day 2017, <http://www.worldhumanitarianiday.org>.

2 See <https://www.facebook.com/icanw.org/videos/1911146518902258>.

3 Rebecca Solnit, *Hope in the Dark: Untold Histories, Wild Possibilities* (Chicago: Haymarket Books, 2016).

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# Nuclear weapons

## International Campaign to Abolish Nuclear Weapons

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### Background

Any use of nuclear weapons would cause unacceptable humanitarian suffering and would violate international humanitarian law, environmental law, and human rights law. The humanitarian effects of the use of nuclear weapons in Hiroshima and Nagasaki are still felt today, over 70 years later.

On 7 July 2017, 122 states voted to adopt the Treaty on the Prohibition of Nuclear Weapons (TPNW)—a landmark international agreement that categorically outlaws the worst weapon of mass destruction and establishes a pathway to its elimination.

The TPNW aims to protect civilians by preventing the use of nuclear weapons. It build upon and further develops norms established through the nuclear Non-Proliferation Treaty, nuclear-weapon-free zones, the biological and chemical weapons conventions, and other prohibitions of weapons that cause unacceptable harm.

The Treaty will open for signature at UN Headquarters in New York on 20 September 2017, during the high-level segment of the 72nd session of the United Nations General Assembly. This will be a great moment for heads of state, foreign ministers, and other representatives of governments to sign this historic treaty.

This Treaty is a historic breakthrough in the efforts to eliminate nuclear weapons, and is a counter-measure to escalating tensions between the nuclear-armed states. The TPNW will set a powerful norm and impact behaviour and policies even in states that initially do not join.

### Current context

In the context of rising geopolitical tensions, which have included threats to use nuclear weapons and further demonstrate the increasing risks of a nuclear detonation, states must unequivocally reject nuclear weapons as legitimate tools of war or “security”. The TPNW is the best response states can make to reject the “nuclear sabre-rattling” which is a threat to the international community.

The Treaty prohibits the use, possession, and development of nuclear weapons. It also contains obligations on state parties to provide assistance to victims of nuclear detonations and to work towards remediation of affected environments. These landmark provisions help situate the Treaty in the broader humanitarian disarmament framework, which seeks to outlaw and eliminate weapons that led to human suffering.

ICAN calls on all states to sign and ratify this Treaty as soon as possible, and for all states to stop activities that run counter to its aims

and objectives. Any state can sign the Treaty, regardless of whether they participated in the negotiations or not. Each state that signs and ratifies this treaty will contribute to strengthening this instrument's wider impact in global nuclear politics, to delegitimising the role of weapons of mass destruction in security policies, and even to influencing military practices in states that do not initially sign the Treaty.

## Recommendations

*During First Committee, delegations should:*

- Express support for the Treaty on the Prohibition of Nuclear Weapons and declare intentions to become a state party to the Treaty as soon as possible;
- Highlight that the Treaty forms part of the growing body of law regulating means and methods of warfare and that it sets a common standard that nuclear weapons are unacceptable for all, similar to other weapons with indiscriminate and unacceptable effects such as biological and chemical weapons, landmines, and cluster munitions;
- Highlight and condemn any on-going activities that are prohibited under this Treaty, such as threats to use nuclear weapons, testing of nuclear weapons, and the development and modernisation of nuclear arsenals; and

- Call for all resolutions on nuclear weapons to include a reference to the TPNW.

*Beyond First Committee, states should:*

- Become states parties to the TPNW and work to ensure its quick entry into force, including by encouraging other states to join it;
- Develop national measures to implement the Treaty, including those aimed at ending investments in nuclear weapon producing companies and other activities that support the use, development, maintenance, or modernisation of these weapons;
- Designate a focal point within the government to assess the needs and plan implementation of victim assistance and environmental remediation efforts.
- Reject nuclear weapons as legitimate weapons and work to end any military activities related to the development and use of nuclear weapons; and
- Encourage, bilaterally and multilaterally, all states to join the broad international consensus against weapons of mass destruction and for nuclear-armed states to eliminate their nuclear weapons in accordance with the TPNW or other effective measures in accordance with the NPT.

*Author: Beatrice Fihn*



*Civil society applauds as the TPNW is adopted on 7 July 2017 © xxxx*



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# Armed drones

## Article 36

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### Background

Armed drone technologies hold the potential to facilitate practices that challenge boundaries to the use of force, and to lower thresholds for military action. This arises from features they offer such as the ability to survey and gather unprecedented amounts of data,<sup>1</sup> and to attack across borders without physical risk to the attacker using systems considered more expendable. Drones give states possibilities to operate military technologies in areas or against people where they may not otherwise have been able or willing to apply military force.

The record of use of these systems to undertake airstrikes during the past sixteen years has borne out many of these risks. Some states have used armed drones to expand the contexts in which they use explosive force, taking such practices beyond armed conflicts into other spaces. They have presented legal justifications that if accepted would represent regressive changes in international law.

The most notable example has been US use of drones in Pakistan, Somalia, and Yemen to conduct killings of those suspected of affiliation with certain groups, in areas where armed conflicts involving the US are not taking place. Serious harm has been seen in communities as a result over the years, including deaths, injuries, destruction,<sup>2</sup> and psychological harm.<sup>3</sup> These activities have increased under the new US administration.<sup>4</sup> Despite the humanitarian, legal, and ethical

challenges posed by current use, and implications for dangerous trajectories in the use of force, insufficient attention has been paid by states at the international level to drones as a development in weapons technology.

Strong international standards clarifying the limits of acceptable use for drones would help to prevent and mitigate harm from these increasingly popular military technologies. Almost 30 countries are now known to have armed drones, with many more possessing unarmed systems for deployment in the use of force.<sup>5</sup>

### Current context

In October 2016, the US launched a political declaration that has now been endorsed by 53 countries, outlining five principles that these states “recognize” as important for ensuring the “responsible export and subsequent use” of “armed or strike-enabled UAVs [“unmanned” aerial vehicles].”<sup>6</sup>

Though this indicates possible interest from states in addressing certain aspects of these technologies, the document inevitably does not acknowledge or seek to address the harm caused by the activities of current users. States and policy experts have expressed concern about the weakness and vagueness of the text compared even with current US domestic standards—and therefore the declaration’s potential to undermine states’ existing obligations.<sup>7</sup>

The declaration does not contain commitments, but includes a resolution to “continue discussions”. Work is now being taken forward by a core group of states to develop politically binding international standards, building on it.

At the regional level, the European Parliament’s subcommittee on Human Rights published “Towards an EU Common position on the use of armed drones”<sup>8</sup> in June 2017. This proposes a legal and policy framework outlining the contours of a common position on the use of armed drones, including principles of transparency and accountability and recommendations on export controls that member states were urged to adopt.

At last year’s meeting of First Committee, only ten states spoke on the subject of drones. These countries raised concerns relating to the upholding of the law, as well as ethical and proliferation issues. There was one relevant resolution, on transparency in armaments (71/44), which adopted the 2016 recommendations of the Group of Governmental Experts (GGE) on the UN Register on Conventional Arms. These included that “unmanned combat aerial vehicles” be added to the categories of reporting for the Register.

Later this year, the United Nations Institute for Disarmament Research (UNIDIR) plans to release the results of its project on UAV transparency, oversight, and accountability, which draws on a series of meetings with states and experts on drones. States should study its recommendations, with an eye to developing international standards that would reduce and mitigate the harm caused by current drone use.

## Recommendations

*During First Committee, delegations should:*

- Recognise the ethical, legal, and humanitarian concerns raised by drones, including risks and the patterns of harm caused by current use;
- Assert the need to ensure that the rights of victims of drones are upheld by all states, and that all casualties should be recorded;
- Recognise the need for discussions to clarify the limits of acceptable use for drones, which should lead to the agreement of international standards that address the risks and respond to the harms caused by these technologies; and
- Recommend that any follow up agreement to the US-led declaration should be: inclusive of all states and civil society in its process of development; include clear commitments that add value to existing regimes; uphold principles of transparency, accountability and oversight; and include commitments to transparency on national policy and practice.

*Beyond First Committee, states should:*

- Raise concerns and support the articulation of progressive standards in all relevant forums internationally and regionally;
- Articulate detailed national policies on the use of drones in the use of force that are in line with and strengthen international norms that limit the use of force; and
- Explore how work can be undertaken to develop international standards that clarify the limits of acceptable use for drones.

*Author: Elizabeth Minor*

## Article 36



Close Pine Gap encampment in Australia protesting the military base's involvement in targeting US drone strikes, September 2016 © Ray Acheson

- 1 Though this does not necessarily translate in to the accurate identification of those the attacker wishes to target. See Pratap Chatterjee and Christian Stork, "Drone, Inc.: Marketing the Illusion of Precision Killing," CorpWatch, 2017, <http://s3.amazonaws.com/corwatch.org/downloads/DroneInc-August2.pdf>.
- 2 For data on casualties and analysis of the destruction of residential dwellings in Pakistan, see The Bureau of Investigative Journalism's Drone Warfare project: <https://www.thebureauinvestigates.com/projects/drone-war>.
- 3 See for example *Living Under Drones: Death, Injury, and Trauma to Civilians From US Drone Practices in Pakistan*, International Human Rights and Conflict Resolution Clinic, Stanford Law School and Global Justice Clinic, NYU School of Law, 2012, <http://chrgj.org/wp-content/uploads/2012/10/Living-Under-Drones.pdf> and Radidja Nema, "Traumatising Skies: U.S. Drone Operations and Post-Traumatic Stress Disorder (PTSD) among Civilians in Yemen," Alkarama, 2015, <https://www.alkarama.org/en/articles/component/k2/1764-yemen-alkarama-s-report-2015-traumatising-skies-u-s-drone-operations-and-post-traumatic-stress-disorder-ptsd-among-civilians-in-yemen>.
- 4 See for example Sarah Kreps and Miles McCain, "Congress keeps quiet on U.S. drone policy—and that's a big problem," *Washington Post*, 25 August 2017, <https://www.washingtonpost.com/news/monkey-cage/wp/2017/08/24/congress-keeps-quiet-on-u-s-drone-policy-and-thats-a-big-problem>.
- 5 "World of Drones: Military," New America, <http://securitydata.newamerica.net/world-drones.html>.
- 6 The declaration text and endorsers are available at <https://2009-2017.state.gov/r/pa/prs/ps/2016/10/262811.htm>.
- 7 See for example Rachel Stohl in *Defence News*: <http://www.defensenews.com/pentagon/2016/09/29/new-draft-on-drone-export-rules-more-problematic-than-original>.
- 8 Jessica Dorsey, "Towards an EU common position on the use of armed drones," European Parliament Directorate-General for External Policies, June 2017, [http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578032/EXPO\\_STU\(2017\)578032\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578032/EXPO_STU(2017)578032_EN.pdf). See also "Subcommittee on Human Rights Workshop: Towards a European common position on the use of armed drones?" European Parliament, 22 March 2017, <http://www.europarl.europa.eu/ep-live/en/committees/video?event=20170322-1500-COMMITTEE-DROI>.

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# Fully autonomous weapons (“killer robots”)

## Campaign to Stop Killer Robots

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### Background

The last multilateral meeting to discuss concerns raised by fully autonomous weapons, also known as lethal autonomous weapon systems, was in April 2016. Since then, concerns have continued to mount over these weapons, which, once activated, would select and fire on targets without further human intervention.

States at the Convention on Conventional Weapons (CCW) should be ashamed by their failure in 2017 to discuss, let alone take action, on this urgent emerging issue of concern. They should resume work at the international level and develop national policies affirming the necessity of retaining meaningful human control of weapons systems by preemptively banning fully autonomous weapons.

States should use the first meeting of the CCW Group of Governmental Experts on lethal autonomous weapons in November 2017 to elaborate their desired outcome for these talks. They should agree to begin negotiating a new CCW protocol in 2018 to prohibit the development, production, and use of fully autonomous weapons.

### Current context

In 2014–2016, approximately 80 countries discussed concerns over lethal autonomous

weapons systems at three informal CCW meetings at the UN in Geneva together with key UN agencies, the International Committee of the Red Cross, and the Campaign to Stop Killer Robots. These meetings helped increase awareness and understanding of the ethical, legal, operational, proliferation, technical, and other challenges posed by these weapons. Permitting machines to take a human life on the battlefield or in policing, border control, and other circumstances is a moral line that should never be crossed.

Since 2013, 19 countries have endorsed the call to ban fully autonomous weapons and dozens more have affirmed the importance of retaining meaningful or appropriate or adequate human control over critical combat functions.

At their Fifth Review Conference in December 2016, CCW states agreed to formalise their deliberations on lethal autonomous weapons systems by establishing a Group of Governmental Experts (GGE) to meet twice in 2017. At the time the Campaign to Stop Killer Robots welcomed this incremental step, which it said demonstrated progress by moving the deliberations to the next level, dedicating more time for substantive discussions, and raising the expectation of an outcome. Past GGEs have led to negotiations of new CCW protocols.

Yet the GGE still has not convened, ostensibly due to financial challenges stemming from the failure of key states, most notably Brazil, to pay their outstanding CCW dues. The first GGE meeting scheduled for April 2017 was postponed until August. The rescheduled meeting that was supposed to open on 21 August was cancelled. A November meeting of the GGE is going ahead, but its chair Ambassador Amandeep Singh Gill of India now faces the enormous task of somehow covering the long-list of topics that the GGE is supposed to discuss over a matter of days as well as ensure substantive deliberations on the options for future action that the GGE is supposed to investigate.

Rather than be embarrassed, CCW states should be emboldened by the call to action on fully autonomous weapons issued on 21 August 2017 by 116 founders of artificial intelligence and robotics companies. The private sector letter describes their serious concerns that fully autonomous weapons could proliferate and fall into the hands of dictators and terrorists. It warns these weapons could be hacked and demands preventative action by the CCW “to protect us all”.

The CCW process on lethal autonomous weapon systems could and should result in a new CCW protocol banning these weapons, but it should not take years to do so. A long, drawn-out process that achieves a weak or no result must be avoided. If the CCW continues its poor record of inaction this year on lethal autonomous weapon systems then states serious about protecting civilians should look at other routes to conclude a ban outside the CCW in another forum.

## Recommendations

*During First Committee, delegations should:*

- Articulate their national policy on fully autonomous weapons, including their position on the calls for a ban; and
- Elaborate their desired outcome for the CCW Group of Governmental Experts and express their intent to contribute substantively in its deliberations.

*Beyond First Committee, states should:*

- Participate substantively in the CCW Group of Governmental Experts meeting on lethal autonomous weapons systems on 13–17 November 2017, which is open to all states regardless of whether they have ratified the CCW;
- Pursue agreement on a revised mandate at the CCW’s annual meeting on 22–24 November 2017 that continues the GGE with a specific mandate to meet for at least four weeks in 2018 to negotiate a new CCW protocol on lethal autonomous weapons systems; and
- Develop formal national policies and national legislation that explicitly ban these weapons.

*Author: Mary Wareham*



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# Explosive weapons in populated areas

## International Network on Explosive Weapons

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### Background

Civilian harm from the use of explosive weapons in populated areas has been highlighted as a top humanitarian priority;<sup>1</sup> given that conflicts are increasingly taking place in urban settings resulting in high levels of civilian casualties. Beyond those killed and injured, an even greater number of civilians are affected as a result of damage to essential infrastructure and services. The bombing and bombardment of towns and cities destroys homes leaving people without shelter. Hospital buildings are damaged hampering the provision and quality of medical care to civilian populations in desperate need of it.<sup>2</sup> Damage to sanitation systems creates additional problems around maintaining basic levels of hygiene. Damage to electricity, energy, and power further compound such problems, and in some instances prevents the civilian population from fleeing the area.<sup>3</sup> The use of explosive weapons in populated areas represents one of the main causes of forced displacement. Countless civilians are driven from their homes and displaced, and suffer from psychological distress and trauma.<sup>4</sup>

Most types of explosive weapons are designed for use in open battlefields, not towns and cities where there are high numbers of civilians. Whilst there is a pattern of harm associated with explosive weapons in populated areas in general, the risk to civilians is most severe when the weapons have wide area effects, including weapons with a large blast or fragmentation radius (heavy aircraft bombs), multiple explosive

munitions (for example multi-barrel rocket systems), inaccurate weapons (indirect fire mortars), or a combination of these factors.

### Current context

Data shows that when explosive weapons are used in populated areas, approximately 91% of those reported killed and injured are civilians.<sup>5</sup> In 2016, over 32,000 civilians were recorded killed or injured by explosive weapons, with Syria, Iraq, Yemen, Afghanistan, and Turkey having the highest numbers of civilian deaths and injuries.<sup>6</sup>

The UN Secretary-General has called on states to engage constructively in efforts to develop a political declaration to address the harm caused by explosive weapons in populated areas.<sup>7</sup> Discussions towards developing an international political instrument to address this humanitarian problem are ongoing, and already 70 states have spoken out on the issue of the use of explosive weapons in populated areas.<sup>8</sup>

A clear collective commitment on this vital humanitarian question is urgently needed. A political declaration would help shape operational policy to reduce the impact of explosive weapons on civilians by enacting a commitment against the use in populated areas of explosive weapons. International discussions on this issue have been underway since 2013. In 2015 and 2016, Austria hosted meetings to discuss the possibility of a declaration.

## Recommendations

*During First Committee, delegations should:*

- Acknowledge that the use of explosive weapons in populated areas frequently causes severe harm to individuals and communities and furthers suffering by damaging vital infrastructure;
- Endorse the UN Secretary-General's and International Committee of the Red Cross' recommendation that states should avoid the use of explosive weapons with wide area effects in populated areas<sup>9</sup>; and
- Indicate support for the development of an international political instrument on explosive weapons to reduce harm from the use of explosive weapons by stopping the use of explosive weapons with wide area effects in populated areas, and by providing a framework for assistance to victims including affected communities.

*Beyond First Committee, states should:*

- Review and make available national policies and practices related to the use of explosive weapons in populated areas, and make changes that will strengthen the protection of civilians;
- Support and make publicly available data-gathering on the use and impact of explosive weapons in populated areas, including age-, sex- and disability-disaggregated recording of casualties, and information on disabilities amongst survivors; and
- Recognise the rights of survivors, families of those killed or injured, and affected communities and respond to their short- and long-term needs.



*Author: Laura Boillot*

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- 1 See for example “World at a turning point: Heads of UN and Red Cross issue joint warning,” UN Office in Geneva, October 2015, <http://bit.ly/2v16jOc>.
  - 2 See for example *Explosive weapons in populated areas: The consequences for civilians*, International Committee of the Red Cross, June 2015, <http://bit.ly/2weUp0u> and *Operating under fire: The effects of explosive weapons on healthcare in the East of Ukraine*, Harvard Law School and PAX, May 2017, <http://bit.ly/2i4Is8d>.
  - 3 See for example *Explosive weapons in populated areas: The consequences for civilians*, International Committee of the Red Cross, June 2015 <http://bit.ly/2weUp0u> and *Explosive violence: The problem of explosive weapons*, Landmine Action, August 2009, <http://bit.ly/2vLJSrC>.
  - 4 “The impact of explosive weapons on mental health and psycho-social wellbeing,” Article 36, September 2013, <http://bit.ly/1ATCBS0>.
  - 5 “Patterns of Harm: Five years of explosive violence 2011–2015,” Action on Armed Violence, June 2016, <http://www.inew.org/site/wp-content/uploads/2016/08/Patterns-of-Harm.pdf>.
  - 6 “Explosive Truths: Monitoring Explosive Violence in 2016,” Action on Armed Violence, April 2017, <http://bit.ly/2waipCV>.
  - 7 *Report of the Secretary-General on the protection of civilians in armed conflict (S/2017/414)*.
  - 8 See <http://www.inew.org/acknowledgements>.
  - 9 The UN Secretary General has repeatedly called on all state and non-state parties since 2009 to “avoid the use of explosive weapons with wide-area effects in populated areas,” including most recently in the *Report of the Secretary-General on the protection of civilians in armed conflict (S/2017/414)*. Since 2011, the International Committee of the Red Cross has stated that “due to the significant likelihood of indiscriminate effects and despite the absence of an express legal prohibition for specific types of weapons, the ICRC considers that explosive weapons with a wide impact area should be avoided in densely populated areas.” See <http://bit.ly/2uLSsJm>.

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# Landmines

## International Campaign to Ban Landmines

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### 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 one of the most universally adhered-to international instruments. This year marks 20 years since the Treaty was adopted. In only two decades, remarkable progress has been made towards eliminating these weapons and addressing their deadly legacy. Sustained financial and political support is needed to ensure the Mine Ban Treaty fully delivers on its promises.

States parties to the Mine Ban Treaty have adopted the target date of 2025 for the global elimination of antipersonnel mines. They will strive to universalise the Treaty, complete clearance of mine-contaminated land, destroy all stockpiles, and make assistance to victims sustainable—as soon as possible and by 2025 at the latest.

### Current context

Last year, the *Landmine Monitor* recorded a major increase in people injured or killed in explosions of landmines and explosive remnants of war—in part due to ongoing acute conflicts. Eighty percent of people injured or killed by landmines worldwide were civilians.

Fifty-nine states have antipersonnel landmine contamination on their territory. Some 35 states may own stockpiles of the weapon, including four states parties that have a legal obligation

to destroy them. Survivors, their families, and communities must see their rights respected and their needs met. Through the 2014–2019 Maputo Action Plan, states parties to the Mine Ban Treaty have agreed on robust and realistic measures to end the suffering caused by landmines.

Thirty-five states are still outside the Mine Ban Treaty, but the vast majority abide *de facto* with its core provisions: they do not use, produce, or transfer antipersonnel mines. Each year, half of them vote in favour of the First Committee resolution on the Mine Ban Treaty, thus showing their support for the aim of eliminating antipersonnel mines.

Non-state armed groups in some ten countries still use antipersonnel mines. Most use improvised mines, also known as victim-activated improvised explosive devices (IEDs), rather than factory-made landmines. Such devices are covered by the Mine Ban Treaty as they explode due to the presence, proximity, or contact of a person.

The 16th Meeting of States Parties (16MSP) will take place from 18 to 21 December 2017 in Vienna, Austria. All states are welcome to participate. The Treaty leadership is made up of the following states until the 16MSP: Algeria, Austria (President), Belgium, Canada, Chile, Colombia, Costa Rica, Croatia, Ecuador, Iraq, the Netherlands, Peru, Sweden, Switzerland, Uganda, United Kingdom, and Zambia.

## Recommendations

*During First Committee, delegations should:*

- Report on measures taken in 2017 to implement the Maputo Action Plan or to otherwise put an end to the suffering caused by landmines;
- Pledge financial support for the implementation of Treaty obligations, including land clearance and assistance to survivors, their families, and communities;
- Reiterate that any use of landmines by any actor is unacceptable;
- Report on progress towards joining the Mine Ban Treaty;
- Engage bilaterally in discussions on the universalisation or implementation of the Mine Ban Treaty; and
- Vote in favour of the resolution on the Mine Ban Treaty and encourage others, such as regional group members, to do so as well.

*Beyond First Committee, states should:*

- Adopt laws, regulations, and policies that facilitate Treaty implementation;
- Contribute to discussions on how to ensure sufficient resources and their efficient use to reach the goal of a mine-free world by 2025; and
- Participate in meetings of the Mine Ban Treaty and report on efforts made to eliminate antipersonnel mines.

*Author: Amelie Chayer*



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# Cluster munitions

## Cluster Munition Coalition

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### Background

Sixty percent of the world's states have now formally committed to the goals of the 2008 Convention on Cluster Munitions through their signature, ratification, or accession, while more than 70% have demonstrated their support for its humanitarian goals through a 2016 UN General Assembly resolution.

The stigma against cluster munitions is strong, given the wide recognition that they are indiscriminate both at the time of use due to their vast area effect and long after use due to the explosive duds they leave behind. The vast majority of states that are still outside the Convention abide *de facto* by the ban on use and production of cluster munitions.

### Current context

In recent years, over 150 states condemned the use of cluster munitions in the context of the conflict in Syria. Cluster munitions have also been used extensively in the current conflict in Yemen.

At the First Review Conference of the Convention, states parties set the objective of 130 member states by 2020. They pledged to ensure that cluster munitions “remain a stigmatized weapon.” States parties to the Convention include former major producers, users, and possessors of the weapon, as well as affected states, and states that have never owned or been affected by the weapon. Collectively, states parties have already destroyed

96% of their cluster munitions, ensuring those weapons can never claim a life or limb.

States are also taking steps to assess the needs of survivors of explosions, and to increase the participation of survivors in governmental decision-making that affects their lives. Some 26 states are contaminated by cluster munition remnants. By making good use of adequate land release methodologies, the majority of them should be in a position to become cluster munition-free within five years of the start of clearance operations.

In 2016 the UNGA resolution on the implementation of the Convention was passed with 141 votes in favour, two against, and 39 abstentions. Thirty-three non-signatories voted in favour, demonstrating their support for the humanitarian aims of the Convention.

The 7th Meeting of States Parties (7MSP) to the Convention took place from 4 to 6 September 2017 in Geneva, Switzerland. All states should join the Convention to strengthen the international rejection of this weapon—even those that do not possess cluster munitions. By joining, each state adds one more voice in favour of the ban, thus strengthening the body of international humanitarian law and demonstrating solidarity with affected countries and victims. Cluster munitions do not meet the criteria a responsible government should have for the weapons in

its arsenal. States that own stockpiles, and past users, should prevent further civilian suffering by renouncing cluster munitions forever.

## Recommendations

*During First Committee, delegations should:*

- Report on measures taken to implement the Dubrovnik Action Plan, including “discouraging, in every way possible” the use of cluster munitions;
- Condemn recent instances of use of cluster munitions;
- Vote in favour of the resolution on cluster munitions and encourage others, such as regional group members, to do so as well;
- Report on steps taken to join the Convention; and
- Engage bilaterally in discussions on the universalization or implementation of the Convention.

*Beyond First Committee, states should:*

- Follow-up with capital on steps taken to ratify or accede to the Convention;
- Request support on ratification or accession from the Implementation Support Unit, the Cluster Munition Coalition, UN agencies, the International Committee of the Red Cross, or the coordinators of the working group on universalization;
- Be persistent in speaking out against the use of cluster munitions; and
- Reach out to neighboring and partner states, encouraging them to join the Convention.

*Author: Amelie Chayer*



*Cluster bomb remnants fired by suspected Russian warplanes in Termanein town in Idlib, 11 July 2016 © Syrian Network*

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# Depleted uranium weapons

## International Coalition to Ban Uranium Weapons

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### Background

Since 2007, the General Assembly has passed six increasingly comprehensive resolutions on depleted uranium (DU) weapons. As they are biennial, 2017 is an opportunity for states to reflect on the need to implement 2016's text,<sup>1</sup> which focused on the complexity of DU clearance and the ongoing concerns of communities living and working in affected areas.

DU is a by-product of the uranium enrichment process; 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.

Radioactive and chemically toxic, DU use creates hotspots of persistent contamination that present a hazard to communities long after conflict ends, particularly for pregnant women and children. Buildings and civilian infrastructure have regularly been targeted with DU and its use can contaminate soils and groundwater and create vast quantities of contaminated military scrap.<sup>2</sup> Effectively managing DU's post-conflict legacy places a significant financial and technical burden on affected states.

### Current context

As states were debating 2016's text, it emerged that US aircraft had used DU munitions in Syria in 2015, in spite of assurances to the contrary.<sup>3</sup> That the munitions, claimed to be restricted for use against armoured targets, had been used against oil trucks, reflected past examples of use in Iraq and in the Balkans, where DU use has been documented against everything from unmounted troops to buildings:<sup>4</sup> patterns of use that contrast starkly with the DU users military necessity justifications. All members of the coalition against Islamic State—many of which have voted in favour of past resolutions—share responsibility for the use of DU in Syria. A similar pattern of attacks against fuel convoys and other targets by US A-10 aircraft continued throughout 2016, making it possible that its use has been more extensive than the US military has acknowledged.

The refusal to fully acknowledge use, or to share strike coordinates with international organisations or national authorities, is testament to the unacceptability of DU munitions, and the reluctance of users to accept liability for contamination. This deliberate policy of ambiguity greatly increases the risk of human exposure to DU, preventing harm reduction measures and clearance. Problems compounded further by the continuing absence of any clear obligations on

either user or affected states for the post-conflict assessment and remediation of sites.<sup>5</sup>

There is a clear disparity in the approaches taken by DU users to post-conflict DU management, with that in peacetime, which also extends to the guidelines intended to protect service personnel from exposure, and the absence of standards for civilians in contaminated areas.<sup>6</sup> The handling, production, testing, and environmental management of DU and contaminated areas are regulated in peacetime, because DU is recognised as hazardous.<sup>7</sup> Similarly, personnel benefit from training and post-deployment DU exposure testing, due to the potential health risks from exposure.

DU's advocates at First Committee typically argue that the environmental and long-term health effects of the use of DU munitions have been “thoroughly investigated”.<sup>8</sup> While there have

indeed been laboratory studies—which confirm that DU is both genotoxic and a carcinogen<sup>9</sup>—statistically useless follow-up studies on small numbers of veterans and geographically and temporally limited environmental surveys of a tiny fraction of affected sites<sup>10</sup> have done little to increase our understanding of the health consequences of DU use on civilians. A recent meta-analysis of DU research in the Balkans found that there is a pressing need to study potentially exposed populations.<sup>11</sup> Yet this is precisely the kind of fundamental research that has not taken place. The reasons for this include a lack of transparency from users, a lack of donor interest, and the complexity of scientific research in insecure post-conflict settings.

States wishing to implement 2016's resolution should focus on research that identifies and studies exposed populations, on developing post-conflict DU clearance obligations and, in



the interim, support the European Parliament's proposed precautionary moratorium on DU use.<sup>12</sup>

## Recommendations

*During First Committee, delegations should:*

- Raise concerns over the potential use of DU in operations against Islamic State in Syria and Iraq in their national and regional statements; and
- Discuss how they are implementing, or planning to implement, A/RES/71/70 *Effects of the use of armaments and ammunitions containing depleted uranium*, in their national and regional statements.

*Beyond First Committee, states should:*

- Disclose targeting coordinates of any use of DU weapons to facilitate clearance and civilian exposure studies;
- Contribute technical and financial assistance to states affected by DU contamination, including public health and environmental monitoring for communities affected by the use of DU;
- Review how the lack of obligations for the postconflict management of DU contamination could be best addressed, within or beyond the United Nations;
- Help strengthen the global norm against their use by introducing domestic ban legislation as Belgium and Costa Rica have done; and
- Impose an immediate moratorium on the use of DU weapons.

*Author: Doug Weir*



- 1 A/RES/71/70, *Effects of the use of armaments and ammunitions containing depleted uranium*, <http://undocs.org/A/RES/71/70>.
- 2 *Laid to Waste: Depleted uranium contaminated military scrap in Iraq*, PAX, 2014, <http://www.paxforpeace.nl/stay-informed/news/no-solution-in-sight-for-iraqs-radioactive-military-scrap>.
- 3 "Iraq War records reignite debate over US use of depleted uranium", *Irin News*, 6 October 2016, <https://www.irinnews.org/investigations/2016/10/06/exclusive-iraq-war-records-reignite-debate-over-us-use-depleted-uranium>.
- 4 *Targets of opportunity - Analysis of the use of depleted uranium by A-10s in the 2003 Iraq War*, PAX/ICBUW, 2016, <http://www.bandepleteduranium.org/en/docs/227.pdf>.
- 5 "Do the ILC's draft principles on remnants and data sharing reflect state practice?," *Toxic Remnants of War Project*, 2016, <http://www.trwn.org/blog-do-the-ilcs-draft-principles-on-remnants-and-data-sharing-reflect-state-practice>.
- 6 *Hazard aware: Lessons learned from military field manuals on depleted uranium and how to move forward for civilian protection norms*, IKV Pax Christi, 2012, <http://www.paxforpeace.nl/media/files/hazard-aware.pdf>.
- 7 "US Army's depleted uranium licensing saga highlights post-conflict contradictions," ICBUW, 2016, <http://www.bandepleteduranium.org/en/us-armys-depleted-uranium-licencing-contradictions>.
- 8 *Explanation of vote, United States, United Kingdom and France*, 2014, [http://reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com14/eov/L43\\_P3.pdf](http://reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com14/eov/L43_P3.pdf).
- 9 *Malignant effects – depleted uranium as a genotoxin and carcinogen*, ICBUW, 2014, <http://www.bandepleteduranium.org/en/docs/216.pdf>.
- 10 Field assessments by UN agencies, including UNEP and the IAEA have typically been limited to studying a fraction of the sites affected by DU. The reasons include a lack of transparency over targeting data from users, cross contamination with mines and ERW, and security constraints. Given the range of environmental and social factors influencing the risks from sites, extrapolating data from small numbers of locations is unreliable.
- 11 Besic et al, "Meta-analysis of depleted uranium levels in the Balkan region," *Journal of Environmental Radioactivity*, 2017, <https://www.ncbi.nlm.nih.gov/pubmed/28395154>.
- 12 European Parliament resolution on (depleted) uranium weapons and their effect on human health and the environment—towards a global ban on the use of such weapons, P6\_TA(2008)0233, 2008,

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# Incendiary weapons

## Human Rights Watch

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### Background

While countries took modest diplomatic steps over the past year to respond to the humanitarian problems of incendiary weapons, continued use of the weapons in Syria is a reminder that further action is needed. States parties to the Convention on Conventional Weapons (CCW) have included incendiary weapons on the agenda of their annual meeting in November. They should seize that opportunity to push for stronger international law to prevent the horrific injuries and harm that these weapons cause.

Incendiary weapons, which produce heat and fire through the chemical reaction of a flammable substance, inflict excruciating burns that are difficult to treat and lead to long-term physical and psychological injury. The weapons also start fires that can destroy civilian objects and infrastructure.

Protocol III to the CCW, adopted in 1980, prohibits certain uses of incendiary weapons, but its restrictions have failed to stop the civilian harm seen in Syria and elsewhere. The CCW protocol has two major loopholes. First, it prohibits the use of air-delivered incendiary weapons in “concentrations of civilians,” but has weaker regulations for ground-launched models. Second, many states parties believe the current definition does not cover multipurpose

munitions, such as white phosphorus, because the definition is based on the purpose for which they were “primarily designed,” rather than on their effects.

### Current context

Syrian government forces have used air-dropped and ground-launched incendiary weapons in Syria since 2012. A YouTube video, published by *Russia Today* in June 2016, showed a Russian aircraft with incendiary bombs at Russia’s airbase in Syria, suggesting that Russia has also been using incendiary weapons in Syria. Russia has neither confirmed nor denied such use.

Human Rights Watch documented 22 attacks with incendiary weapons in five Syrian governorates in March and April 2017. For example, videos and photographs provided evidence of use on April 9 of ZAB incendiary submunitions in the city of Saraqeb. Delivered by RBK-500 bombs, such submunitions contain thermite, which burns intensely for up to 10 minutes. Other online videos that week showed incendiary weapon attacks on several nearby villages.

Meanwhile, members of the United States-led coalition used ground-launched white phosphorus munitions during their operations against the Islamic State (ISIS) in Mosul, Iraq

and Raqqa, Syria. Videos and photographs from early June show the use of US-made M825-series 155mm artillery projectiles, containing 116 felt wedges impregnated with white phosphorus. The substance, which ignites and continues to burn when exposed to oxygen, can be used for marking, signaling, and obscuring as well as to set fires that burn people and objects. It can burn through human flesh to the bone and reignite when bandages are removed. Even relatively minor burns are often fatal.

The Iraqi Security Forces stated that white phosphorus had been used to create a smokescreen. Although declining to discuss specific incidents, a US Army spokesperson for the coalition said that white phosphorus was generally used for “screening, obscuring and marking”.<sup>1</sup> Human Rights Watch could not independently verify whether the attacks

caused civilian casualties. According to the *New York Times*, a Raqqa resident reported that approximately 20 people were killed.<sup>2</sup>

Since 2010, more than three dozen countries, along with the International Committee of the Red Cross, the UN Secretary-General, and nongovernmental organizations, have called attention to the harm that incendiary weapons can cause to civilians, and many have called for revisiting CCW Protocol III.<sup>3</sup>

At CCW’s Fifth Review Conference in December 2016, states parties took two additional measures. They adopted a final report that goes beyond merely expressing concerns and “condemns any use of incendiary weapons against civilians or civilian objects, and any other use incompatible with relevant rules of International Humanitarian Law,



*Screenshot of a video taken in April 2017 in Saraqeb, northwestern Syria, showing the bright trails produced by incendiary weapons*

including provisions of Protocol III where applicable.”<sup>4</sup> States parties also agreed to dedicate a slot—for the first time since 1980—to discuss Protocol III at their November 2017 meeting.

Governments should build on this momentum. States not party to CCW Protocol III should join as soon as possible. At their November meeting, states parties should promote efforts to review Protocol III and close its loopholes. A stronger protocol would not only bind CCW states parties, but also further stigmatise incendiary weapons, thus discouraging any use, even by those outside the treaty.

## Recommendations

*During First Committee, delegations should:*

- Call for a formal review of Protocol III and amendments to address the negative humanitarian impacts of incendiary weapons; and

- Publicly condemn incendiary weapons use in Syria and urge the Syrian government to accede to the Convention on Conventional Weapons and its Protocol III.

*Beyond First Committee:*

- At their annual meeting, CCW states parties should take advantage of the dedicated agenda time to condemn incendiary weapon use and call for reviewing and strengthening Protocol III. They should also set aside at least as much time in 2018 for further discussion of the implementation and adequacy of Protocol III.

*Author: Bonnie Docherty*



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- 1 Thomas Gibbons-Neff, “U.S.-Led Forces Appear to be Using White Phosphorus in Populated Areas in Iraq and Syria,” *Washington Post*, June 9, 2017.
  - 2 Anne Barnard, “U.S.-Led Forces Said to Have Used White Phosphorus in Syria,” *New York Times*, 10 June 2017.
  - 3 For more information on developments through December 2016, see Human Rights Watch and the Harvard Law School International Human Rights Clinic, *A Time to Act against Incendiary Weapons*, December 2016, <https://www.hrw.org/news/2016/12/12/time-act-against-incendiary-weapons>.
  - 4 Final Document of the Fifth Review Conference, CCW/CONE.5/10, December 23, 2016, para. 71.

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# Small arms and light weapons

## International Action Network on Small Arms

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### Background

Small arms and light weapons (SALW) continue to be the weapons of choice in many acts of armed violence. According to the Small Arms Survey, on average, 535,000 people die each year as the result of armed violence.<sup>1</sup> Of these deaths, an estimated 17 percent are the direct result of conflict. In order to develop a comprehensive approach to reducing deaths caused by SALW, states need to focus on armed violence as a whole, rather than limiting their efforts to addressing only conflict violence.

Key instruments that address the trade in and misuse of SALW include the UN Programme of Action to Reduce, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects (UNPoA, 2001) and its accompanying International Tracing Instrument (2005), as well as the Arms Trade Treaty (ATT), which entered into force in December 2014.

### Current context

In June 2018, the United Nations will hold a two-week conference in New York to review the implementation of the UNPoA (RevCon 3). The Preparatory Committee meeting for RevCon 3 will take place in New York in March 2018. These meetings provide an opportunity to review and strengthen the UNPoA and provide a framework for work for the First Committee and beyond.

The French government will hold the presidency of RevCon 3, and has stated four top priorities for the conference:<sup>2</sup>

1. Recognising the urgency of the threat
2. Strengthening and sustaining our commitment
3. Ensuring a comprehensive approach
4. Prioritizing concrete achievements

States also have the opportunity to continue building on the sixth Biennial Meeting of States (BMS6) on the UNPoA, which provided important consideration of gender issues, the relationship between the UNPoA and the Sustainable Development Goals (SDGs), and the full weapons cycle, including destruction. BMS6 also considered key areas of potential synergy among the UNPoA, other activities at the UN, and other instruments dealing with arms transfers.

Continuing implementation challenges with the UNPoA include uneven commitment to the instrument, resource constraints, and lack of infrastructure for implementation. Consensus decision-making also remains a weak link of the process.

## Recommendations

*During First Committee, delegations should establish a far-reaching agenda for the 2018 UNPoA Review Conference, including:*

- Preparing proposals to make explicit the inclusion of the illicit trade in ammunition in the UNPoA;
  - Developing measures to address pervasive SALW violence in crime as well as conflict settings, recognising that the vast majority of armed violence deaths are not the direct result of conflict;
  - Continuing their focus on gender-based action to curb SALW proliferation and violence, and working to decrease the gaps in women's participation and representation in the SALW process;
  - Focusing on links among SALW reduction, SDG 16.4, and development; and
  - Considering synergies between the PoA and the Arms Trade Treaty (ATT), to enhance implementation of both instruments.<sup>4</sup>
- Apply the criteria, guidelines, and prohibitions in the ATT to help bring more of the international trade in weapons into compliance with international human rights and humanitarian law;
  - Include NGOs as full partners in the work to reduce the human costs of armed violence, include NGO representatives on national delegations, and commit to keeping negotiation sessions open at multilateral meetings so that NGOs are able to contribute more fully; and
  - Focus on implementing SDGs in addition to SDG 16.4 that are related to arms control issues; e.g. pursuing SDG 5, “Achieve gender equality and empower all women and girls,” through the UNPoA and ATT. This would affect the substance of states’ deliberations, as well as the membership and staffing of relevant agencies, national commissions, and delegations to international meetings and negotiations.

*Author: Natalie Goldring*

*Beyond First Committee, states should:*

- Utilise UNPoA provisions on recordkeeping, end-user certification, prevention of diversion, and provision for destruction of surplus weapons and weapons that remain when conflicts end, to strengthen the implementation of other instruments;



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- 1 Armed violence statistics from the *Small Arms Survey* are available at [http://www.smallarmssurvey.org/fileadmin/docs/H-Research\\_Notes/SAS-Research-Note-59.pdf](http://www.smallarmssurvey.org/fileadmin/docs/H-Research_Notes/SAS-Research-Note-59.pdf).
  - 2 “French Presidency of the Third Review Conference of the UN Programme of Action on the Illicit Trade in Small Arms and Light Weapons,” <http://tinyurl.com/y9joqp53>.
  - 3 See “Gaps in Women’s Participation and Representation in the Small Arms and Light Weapons Process,” IANSA, June 2017, for additional detail and recommendations on these issues: <https://tinyurl.com/y9pcfaeq>.
  - 4 See “Five key issues for the 2018 Review Conference on the Illicit Trade in Small Arms and Light Weapons,” IANSA, June 2017, for additional detail and recommendations on these issues: <https://tinyurl.com/ybxc8ud5>.

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# Arms Trade Treaty

## Control Arms

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### Background

Three years on from its entry into force, the Arms Trade Treaty (ATT) has 92 states parties and a further 41 signatories. The ATT is the first treaty aimed at reducing human suffering by bringing the conventional arms trade under control. If implemented effectively, it will prevent the transfers of arms where there is a risk of arms being used in violation of international human rights and humanitarian law.

Yet more than two years after becoming international law, these aspirations for the ATT remain unfulfilled. From Yemen to South Sudan to the Philippines, armed violence and human rights abuses throughout the world continue to be fuelled by irresponsible arms transfers, including those supplied by ATT states parties and signatories. Thousands of civilians have been killed and injured, and many millions forced to flee their homes, fuelling a global displacement crisis. Continuing conflict has led to widespread famine and disease, and decimated development efforts.

### Current context

The intersessional period between ATT conferences of states parties (CSPs) has been active. In 2016, the Second Conference of States Parties to the ATT (CSP2) established three working groups, on Effective Treaty Implementation (WGETI), Transparency and Reporting (WGTR), and Treaty Universalization

(WGTU). These working groups convened for multiple meetings over the past year, with the objective of moving the ATT process forward in between CSPs.

During WGETI meetings, states parties reported progress made on the Treaty's implementation and shared national challenges and perspectives. The working group has agreed its priority areas for its work after the third CSP:

- Article 5 obligations (national control system, national control lists, legislative framework, national competent authorities, and national points of contact);
- Article 6 and 7 obligations;
- Interagency cooperation or communication;
- Transit and transshipment;
- Diversion; and
- Record keeping.

Civil society and UN initiatives such as the ATT Academy and the have continued to help foster capacity for more effective implementation over the last year. Many of these are mapped out in an ATT database maintained by the Stockholm International Peace Research Institute (SIPRI) that focuses on assistance and cooperation activities.

Over three meetings held in 2017, the WGTR developed three documents aimed at assisting states to meet their reporting obligations.

The overall progress on reporting under the ATT has been disappointing over the past year, both in terms of the quantity and the quality of reports submitted.

- By 31 May 2017, only 59 (70%) of the 82 initial reports due to be submitted had been received. Five reports have been kept confidential (Burkina Faso, Mauritius, Nigeria, Senegal, and Togo).
- Fewer than half (32 of the 75) of the annual reports for imports and exports in 2016 were submitted by 31 May 2017, a significant reduction from last year's rate, when 75 per cent of countries submitted their reports by the legal deadline. More have since been received (43 as of July 2017), but many are still outstanding. Panama and Senegal have made their reports private.
- 13 states parties still have not submitted a report for their 2015 arms exports and imports, more than a year after that deadline had passed.<sup>1</sup>

The WGTU provided information about the outreach trips conducted by Ambassador Korhonen of Finland, CSP3 President, and updates on progress made on the Treaty's universalisation from each region of the world. The WGTU also discussed the Co-chairs' Draft Discussion Paper and the working paper *Promotion of Arms Trade Treaty Universalization*. Madagascar, Cape Verde, Benin, Republic of Korea, and Honduras have become states parties since the last First Committee. Outreach in the Asia-Pacific region continues to be a universalisation priority for many.

Three Preparatory Committees were also held this year to draft the CSP3 agenda and programme of work, and to provide updates on

several on-going programmes and processes. Noteworthy among these was the selection of 19 ATT implementation project proposals from all regions, to be funded through the Voluntary Trust Fund.

CSP3 took place on 11–15 September 2017 in Geneva. It had a disappointingly heavy emphasis on procedural matters and no acknowledgement at all about arms transfers that are in violation of Treaty provisions. ATT states parties had the opportunity during this implementation session to directly address arms sales to users that may violate human rights and international laws, but mostly failed to do so, with the notable exception of 13 states in the Americas that called for a cessation of arms transfers to Venezuela. Significant time was put into discussing administrative and budgetary matters pertaining to underspending but also potential liquidity risks; the priorities and capacity of the ATT Secretariat; and treaty universalisation patterns by region. The terms of reference for each of the working groups were harmonized. Japan was announced as the president-designate for the next CSP and intends to host the meeting in Japan.

Concern was expressed at CSP3 that some states are not meeting their legal reporting obligations; it was agreed that future CSPs would review reporting compliance as a standing agenda item. The conference "recommended" a guide to streamlining national reporting practices and endorsed a Q&A document on annual reports that tries to clarify technical questions. CSP3 was the first ATT conference to include a special thematic debate, focused on the links between the ATT and the 2030 Sustainable Development Goals (SDGs).

In the meantime, initiatives outside of the ATT process are underway to challenge transfers that cause human suffering. Several ATT states parties are in direct violation of legally binding obligations by continuing to supply arms to Saudi Arabia in the context of the conflict in Yemen, for example. The UK High Court has been examining the UK government's decisions to sell weapons to Saudi Arabia for use in Yemen despite the clear and overriding risk that they will be used in further violations of international humanitarian and human rights law. In July 2017, the Court ruled against campaigners and upheld the government's argument that its process is not open to challenge. This was a deeply disappointing decision. Campaign Against the Arms Trade, who brought the original case, will appeal the ruling.

## Recommendations

*During First Committee, delegations should:*

- Highlight and challenge arms transfers that appear to be in violation of the Treaty;
- Encourage continued universalisation of the Arms Trade Treaty;
- 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; and
- Support an ATT resolution that calls for strong and effective Treaty implementation.

*Beyond First Committee, states should:*

- Implement the ATT robustly and in a transparent manner—including by immediately ceasing arms transfers that fuel conflict, poverty, and human rights abuses;
- Commit to timely, comprehensive, and public reporting;
- Engage in the ATT process by actively participating in the Working Groups and Preparatory Committees as well as in the CSPs;
- Share best practices and provide implementation support, through information exchange and resources;
- Support the newly established Voluntary Trust Fund; and
- Identify concrete measures to link implementation of the ATT to their efforts to meet the 2030 Sustainable Development Goals and the 2001 Programme of Action on small arms and light weapons.

*Authors: Raluca Muresan and Allison Pytlak*



Reaching Critical Will

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1 Antigua and Barbuda, Bahamas, Burkina Faso, Grenada, Guinea, Guyana, Iceland, Malta, Nigeria, St Kitts and Nevis, St Lucia, St Vincent and the Grenadines, Trinidad and Tobago.

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# Outer space

## Project Ploughshares

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### Background

The world is reliant on space applications, from communications, transportation, and banking, to search-and-rescue operations, weather forecasting, and arms control verification. The key challenge is to maintain a sustainable outer space domain so that the social, economic, and security benefits derived from it can continue to be enjoyed by present and future generations. In this context, the primary consideration is not the interests of particular national or commercial entities, but the security and sustainability of outer space as an environment that can be used safely and responsibly by all.

The threat posed by space debris to all spacecraft continues to be a critical challenge to the security and sustainability of outer space. There is a growing risk that space assets may collide with one another or with a piece of orbital debris, which is amplified as the use of outer space accelerates and the environment becomes more congested. Awareness of the space debris problem has grown considerably, and efforts to mitigate the production of new debris through compliance with national and international guidelines have become highly important.

Development and demonstration of capabilities to use force and disrupt the use of outer space has also increased. In the past decade, deliberate jamming of satellite signals has become common; ground-based anti-satellite weapons

(ASATs) have been tested; missile defence systems have been demonstrated to have ASAT uses; and precursor technologies that would allow space-to-space offensive capabilities have been developed. This makes it more important than ever to protect outer space against weaponisation and irresponsible behaviour. A conflict in space would lead to devastating consequences for daily life on earth and damage the long-term sustainability and peaceful use of space.

### Current context

There is broad consensus for the need to maintain outer space as a peaceful, global domain, reflected in continuing wide support for First Committee resolutions, including the Prevention of an Arms Race in Outer Space (PAROS), Transparency and Confidence-building Measures in Outer Space Activities (TCBM), and International Cooperation in the Peaceful Uses of Outer Space. But the international community has been unable to reach consensus on how to preserve and enhance this security. Specific proposals on the table for consideration include both legally-binding treaties, such as the proposed Treaty on the Prevention of the Placement of Weapons in Outer Space and the Threat or Use of Force against Outer Space Objects (PPWT); and politically-binding norms of behaviour, such as the proposed International Code of Conduct for Outer Space Activities.

Initiatives like the Group of Governmental Experts on Transparency and Confidence-Building Measures (TCBMs) for space, the UN Committee on the Peaceful Uses of Outer Space (COPUOS) Working Group on Long-Term Sustainability of Outer Space, and the proposed International Code of Conduct for Outer Space Activities are undoubtedly valuable efforts and represent essential steps toward building norms for responsible behaviour in space. However, there remains concern that a narrow focus on the development of such norms has resulted in a retreat from broader policy discussions and legal instruments specifically related to the need for arms control in outer space.

Efforts to address the prevention of an arms race in outer space (PAROS) have unfortunately been relegated to a diplomatic limbo. The Conference on Disarmament, which has the primary responsibility for negotiations related to PAROS, has been deadlocked and unable to conduct any substantive negotiations for years. And at the UN General Assembly, the annual PAROS resolution has not once been supported by the most advanced spacefaring nation in history—the United States. And while COPUOS is emerging as an alternate forum to address safety, security, and sustainability in space, this precludes discussion of issues related to arms control and the use of force.

## Recommendations

*During First Committee, delegations should:*

- Pledge not to use any space- or ground-based capabilities, whether exclusively military or multi-use in nature, to deliberately damage or destroy space assets;
- Highlight the importance of preventing the weaponisation of outer space to preserve peace and security and benefit all humankind;

- Acknowledge the fact that the year 2017 marks the 50th anniversary of the Outer Space Treaty (OST) and call for the convening of the first-ever OST conference of states parties to mark this anniversary;
- Condemn any anti-satellite tests and the development of weapons to be placed in orbit or any system to be used to target space-based assets; and
- Indicate support for the negotiation of a treaty preventing an arms race in outer space and for interim transparency and confidence-building measures toward that end.

*Beyond First Committee, states should:*

- Refrain from testing and deploying space-based weapons or weapons that target space-based assets, including antisatellite technologies;
- Work to enhance synergies and cooperation between First Committee and other relevant UN bodies working on outer space security issues; and
- Ratify and implement the existing collection of outer space treaties.

*Author: Jessica West*



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# Cyber

## Reaching Critical Wil/WILPF

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### Background

Few subjects are as multi-dimensional or present as many unique challenges as “cyber”. It constitutes an ever-widening spectrum of activities and concerns affecting individuals, private industry, society, and governments alike. The aspects most relevant to international security and disarmament are likely that of inter-state cyber conflict or cyber attacks. These concepts lack universal agreement on their meaning, but could be broken down to include activities such as mass espionage and surveillance, privacy intrusions, denial-of-service attacks, and ransomware or malware operations with the potential to negatively impact, disable, or destroy vital infrastructure or national or human security.

Potential impacts are vague but worrying. It is true that some cyber-attacks can have impacts similar to those of kinetic attacks, but these modes of conflict are as yet purely speculative. In practice, the majority of attacks have information security implications and no direct physical effects. The last twelve months have presented new challenges though, with growing evidence of digital interference in at least two national elections by a foreign power and unprecedented ransomware attacks.<sup>1</sup> In approaching these issues, it is important to be wary overinflating the threat and tacitly promoting militarisation. Given the dual-use nature of what constitutes “weapons” in this sphere, an unaddressed

problem is how governments regulate the manufacturers of malicious technologies; an issue that the Hacking Team case illustrates well.<sup>2</sup> There could be lessons in how other dual-use materials are treated or if existing arms control regimes can continue to expand<sup>3</sup> to encompass digital weaponry—if, the international community views them as such—which is something that civil society encourages states to question vigorously. The Internet is now essentially civilian infrastructure and as such it should not be made the target of or the medium for attacks. States should establish the strongest norms against such actions and attacks and not drift into an acceptance or legitimization of problematic emerging practice.

Agreement that existing international law, including international human rights law and international humanitarian law (IHL), applies to activities in cyberspace provides a shared baseline, but this should not be taken to mean that the existing legal framework is sufficient. There is a lack of clarity regarding which legal framework should have primacy in relation to certain actions, and challenges to the application of legal frameworks, including in terms of accountability. Existing frameworks may not adequately reflect a wider social interest in developing and preserving the public space of the Internet as a shared, non-militarised resource.

The cyber realm also potentially intersects with issues of militarism and war in relation to surveillance, intelligence, and warfighting or the operation of specific weapon systems. The installations and cyber networks associated with the “Five Eyes” surveillance network, for example, are frequently also critical nodes in contributing to the US government’s wars and military interventions abroad, including by targeting drone strikes or nuclear weapons. Given this complexity, cyberspace needs to be addressed on its own terms, with consideration of its specific characteristics.<sup>4</sup>

## Current context

The United Nations Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security (GGE on ICTs) is the most immediately relevant UN forum covering cyber issues for First Committee delegates. The first GGE on ICT was established in 2004.

Following the fourth Group’s adoption of what many called a groundbreaking report in 2015,<sup>5</sup> expectations were high for the fifth Group, but unfortunately it was not able to agree to a consensus report at its final meeting in June 2017. Reportedly a major point of contention concerns the applicability of IHL to the ICT environment. Some states feel strongly that doing so legitimises cyber space as an arena of war while others feel that omitting IHL is unacceptable. Another area of significant disagreement was around if a cyber attack can trigger Article 51 of the UN Charter. It’s likely that both GGE-participating and non-participating states will express views on these subjects during the First Committee.

The failure to agree on a report means that the General Assembly has no guidance on how to continue engaging in this aspect of the cyber issue. Suggestions reportedly include establishing an open-ended working group, a UN entity or high representative, or relocating the issue to the International Telecommunications Union (ITU). During last year’s First Committee, a growing number of states and civil society criticised the lack of transparency of the Group; this is an issue that must be resolved for future progress.<sup>6</sup> It’s possible that new resolutions could be introduced with any of these suggestions or that a proposal will be included in the annual Russian-led cyber resolution. The chair of the fifth GGE will deliver a minimal report or debrief during the First Committee.

Beyond First Committee, an Arria-formula meeting on cyber security and international peace and security took place in November 2016. Participants discussed challenges resulting from the use of ICTs that can threaten international peace and security. Some common themes and concerns emerged included a shared concern about cyber attacks on critical infrastructure and the necessity of developing international norms and confidence building measures.

Another part of the UN system that considers cyber issues are human rights bodies, largely in the context of rights to privacy and freedom of expression. While those aspects are outside the purview of First Committee, it is good to have an awareness that such dialogues occur and related resolutions exist. There are also obvious linkages between cyber security and First Committee subjects such as nuclear safety, autonomous lethal weapons, and the networked systems through which drones operate.

At national levels, there continues to be a growth in the articulation of official cyber doctrines and the establishment of relevant bodies, units, or departments both offensive and defensive. First Committee is an ideal opportunity for states to provide updates on such measures; this could also be accomplished by submitting an annual report to the Secretary-General on national efforts—a practice in which too few countries engage.<sup>7</sup>

## Recommendations

*During First Committee, delegations should:*

- Express concern about the risk of cyber attacks and the militarisation of cyberspace and promote a vision of the Internet as a shared public space that should not be the target of or medium for attacks;
- Work cooperatively to identify and establish an inclusive and transparent mechanism by which to continue work on behavioural norms in cyber space;
- Promote a fact-based discussion, avoiding language that over-inflates the threat and tacitly promotes militarisation;

- Advocate for common understandings within the international community around key terms and activities, in order to facilitate cooperation; and
- Commit to submit a report to the UN Secretary General

*Beyond First Committee, states should:*

- Uphold the behavioural norms that already enjoy broad support;
- Ensure information sharing between different international processes that address cyber issues, both within and outside of the UN system;
- Support technical capacity building initiatives; and
- Refrain from undertaking or facilitating any repression of human rights or freedoms through digital means.

*Author: Allison Pytlak*



Reaching Critical Will



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- 1 Lily Hay Newman, “The biggest cyber security disasters of 2017 so far,” *Wired*, 1 July 2017, <https://www.wired.com/story/2017-biggest-hacks-so-far>.
  - 2 “Cyberwar for sale,” *The New York Times*, 4 January 2017, <https://www.nytimes.com/2017/01/04/magazine/cyberwar-for-sale.html>.
  - 3 “Wassenaar arrangement changes in multi-faceted (digital) society,” Tech and Law Center, 17 June 2015, <http://techandlaw.net/wassenaar-arrangement-changes-in-multifaceted-digital-society>.
  - 4 For example, Menwith Hill in the United Kingdom, Pine Gap in Australia, and Waihopi in New Zealand/Aotearoa.
  - 5 UN Doc A/70/174, available [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/70/174](http://www.un.org/ga/search/view_doc.asp?symbol=A/70/174).
  - 6 Reporting on cyber issues during the 71st session of the UN First Committee was included several editions of in the 2016 *First Committee Monitor*, available online <http://reachingcriticalwill.org/disarmament-fora/unga/2016/fcm>.
  - 7 Annual national reports are available on the UN Office of Disarmament Affairs website <https://www.un.org/disarmament/topics/informationsecurity>.

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# Gender and disarmament

## Reaching Critical Will/WILPF

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### Background

On 27 March 2017, the US ambassador to the United Nations, Nikki Haley, opened a press conference opposing negotiations of the Treaty for Prohibition on Nuclear Weapons by stating, “First and foremost I’m a mom, I’m a wife, I’m a daughter.” And, “as a mom, as a daughter, there’s nothing I want more for my family than a world without nuclear weapons. *But we have to be realistic*” (emphasis added).

Ambassador Haley’s statements are rooted in patriarchy. She identifies the desire for disarmament with her womanhood, but connects her desire to “protect” her family to the “necessity” of retaining nuclear weapons. She links caring about humanitarian concerns to being weak and not relevant for the job of “protecting” one’s people. This approach—taken by many governments previously, including during First Committee debates<sup>1</sup>—not only suggests that caring about the use of nuclear weapons is silly, but also makes the pursuit of disarmament out to be an unrealistic, irrational, and even “emotional” objective.

By consequence, achieving disarmament becomes relegated to the realm of fantasy while in reality, military budgets continue to rise and increasingly high-tech weapons of violence are developed and deployed. This must be challenged, and a gender perspective is useful for doing so.

Employing a **gender perspective** means investigating and analysing the ways in which weapons and war are coded with gender norms. The framing of war and violence as “strong” and “masculine” is often coupled with a framing of peace and disarmament as “weak” and “feminine”.<sup>2</sup>

Changing these norms can be aided by increasing **gender diversity** in disarmament. There is a stark disparity in the level and volume of participation of women, men, and others in disarmament and arms control discussions, negotiations, and processes. Recent research has shown that at any given intergovernmental meeting on disarmament, only about one quarter of participants are likely to be women and almost half of all delegations are likely to be composed entirely of men.<sup>3</sup>

Yet women often suffer **disproportionate or differential harm** from the development, use, and trade of weapons. Men tend to make up the majority of direct victims of armed violence. Sometimes, they are targeted just for being men.<sup>4</sup> Women, however, can face differential impacts from the use of weapons such as social and political inequalities and pressures from the increase in female-headed households; inequalities in access to survivor assistance; and higher risk of sexual violence, especially when they are displaced from their homes.<sup>5</sup>

## Current context

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. In 2010, the UN General Assembly (UNGA) 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". In 2016, the UNGA adopted a fifth resolution on this subject, which urges member states and others 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.

Recent nuclear weapon forums have taken forward this charge. The Chair's summary of the 2017 nuclear Non-Proliferation Treaty (NPT) Preparatory Committee reflects that NPT states parties "emphasized the importance of promoting the equal, full and effective participation of both women and men in the process of nuclear non-proliferation, nuclear disarmament and the peaceful uses of nuclear energy." It draws out research brought to the Preparatory Committee by Ireland showing that women's participation in NPT meetings is lower than in other multilateral forums, and notes that states parties "were encouraged, in accordance with their commitments under United Nations Security Council resolution 1325, actively to support participation of female delegates in their own NPT delegations and through support for sponsorship programs."<sup>6</sup>

The Chair's summary also recognises the "disproportionate gendered impact of ionizing radiation," as does the new Treaty on the Prohibition of Nuclear Weapons. The nuclear weapon ban treaty, adopted 7 July 2017, recognizes that nuclear weapons "have a disproportionate impact on women and girls, including as a result of ionizing radiation." The treaty also recognises "that the equal, full and effective participation of both women and men is an essential factor for the promotion and attainment of sustainable peace and security, and committed to supporting and strengthening the effective participation of women in nuclear disarmament."<sup>7</sup>

These developments are very welcome. They should be used to increase women's participation in disarmament and to encourage efforts in other forums, including toward the achievement of relevant Sustainable Development Goals (SDGs), and to highlight disproportionate impacts where relevant. However, a more robust reflection of the relationship between weapons and gender-based violence, and other gendered aspects of armed conflict and armed violence, are crucial to addressing the challenges associated with the proliferation and use of weapons in and out of conflict.

## Recommendations

*During the First Committee, delegations should:*

- Welcome the gender perspectives included in the 2017 NPT Chair's summary and the Treaty for the Prohibition of Nuclear Weapons and commit to advancing the goals contained therein
- Welcome the inclusion of the provision on gender-based violence in the Arms Trade Treaty

and highlight the need for implementation of this aspect of the Treaty;

- Highlight the need to ensure gender diversity in disarmament discussions and negotiations and gender and sexual diversity in their delegations;
- Share their experiences with ensuring gender perspectives in disarmament policies and initiatives;
- Submit reports to the Secretary-General on their implementation of the UNGA resolution on women and disarmament; and
- Continue work began this year on strengthening gender perspectives in effective small arms control to ensure this is an area of focus at the 2018 Review Conference of the UN Programme of Action.

*Beyond First Committee, states and others should:*

- Avoid gender essentialisms, victimisation of women, and reinforcement of violent masculinities in resolutions and action plans on disarmament and arms control;

- Effectively implement the ATT provision against GBV by training export licence officials and updating their risk assessment procedures accordingly;
- Seek to ensure gender diversity in discussions, negotiations, and peace processes;
- 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
- Invest in gender equality and other human rights and sustainable development goals instead of militarism.

*Author: Ray Acheson*



Reaching Critical Will

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- 1 See for example Ray Acheson, "Full-spectrum change," *First Committee Monitor*, 2015, No. 2, Reaching Critical Will of the Women's International League for Peace and Freedom, 19 October 2015; Ray Acheson, "First Committee fairy tales and a measure of reason," *First Committee Monitor*, 2016, No. 3, 17 October 2016; Statement by Jean-Hughes Simon-Michel to the UN General Assembly First Committee, New York, 7 October 2014; Statement by Rose E. Gottemoeller to the UN General Assembly First Committee, New York, 7 October 2014.
  - 2 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*, Reaching Critical Will of the Women's International League for Peace and Freedom, 2010.
  - 3 *Women and multilateral forums: Pattern of underrepresentation*, Article 36, October 2015.
  - 4 *Sex and drone strikes: gender and identity in targeting and casualty analysis*, Reaching Critical Will of the Women's International League for Peace and Freedom and Article 36, October 2014.
  - 5 *Women and explosive weapons*, Reaching Critical Will of the Women's International League for Peace and Freedom, February 2014.
  - 6 "Draft Chairman's factual summary," First session, Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Vienna, Austria, 11 May 2017, <http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/prepcom17/documents/CRP3.pdf>.
  - 7 See <http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/nuclear-weapon-ban/documents/TPNW.pdf>.

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# Disarmament and development

## Reaching Critical Will/WILPF

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### Background

There are many direct and indirect links between military expenditure, the arms trade, violent conflict, and the reduction of available resources for social and economic development. Governments that spend excessive financial, technological, and human resources on their militaries divert resources from economic, social, and environmental programmes. The military-industrial complex—composed of a state's armed forces, the government, suppliers of weapons systems and services (corporations), and academic institutions that conduct research on weapon systems and designs—absorbs vast amounts of funding that could otherwise be spent on human security, including the achievement of the Sustainable Development Goals. Furthermore, funds reserved for development initiatives are increasingly spent on emergency relief and rehabilitation operations to clean up after violent conflict. The manufacture and use of weapons also prevents sustainable ecological development and preservation, creating unequal access to resources and further impeding poverty reduction initiatives.

Article 26 of the UN Charter tasks the UN Security Council to create a plan for the regulation of armaments and reducing military expenditure—a task it has not just neglected

but vigorously undermined with its permanent member's excessive military spending, rampant arms trading, and facilitation of conflicts worldwide.

Given the failures of the UN Security Council to effectively deal with the problem of military spending, the UN General Assembly has tried to grapple with the connections between disarmament and development for the past four decades.

The International Conference on the Relationship between Disarmament and Development in 1987 adopted an action plan that included commitments to allocate resources released by disarmament to development and consider reducing military expenditure.<sup>1</sup> This followed an in-depth study by the UN in 1982 that set out the negative impacts of a large military sector on long-term economic growth and the structural changes required for economic development.<sup>2</sup>

A reappraisal of the relationship between disarmament and development by a Group of Governmental Experts was released in 2004.<sup>3</sup> Reaffirming the core concerns and evidence regarding military expenditure and economic development, the report also elaborated on other

threats to safety, stability, and development that can result from the trade and use of certain weapons (e.g. landmines and small arms).

Every year, a resolution is introduced to the First Committee on behalf of the Non-Aligned Movement (NAM) on the relationship between disarmament and development, requiring the UN Secretary-General to report on this issue.

Since the adoption of the Sustainable Development Goals (SDGs) in 2015 there has been an increased interest from the disarmament community in development and how reducing armed violence and related insecurity can be a catalyst for achieving the goals and their targets. For example, target 16.4 seeks to reduce “significantly” illicit arms flows; something that could be accomplished via robust implement of the Programme of Action on small arms and light weapons or the Arms Trade Treaty (ATT). The reporting mechanisms for both instruments and related data could be utilized for measuring the indicator set for Target 16.4 or national indicators, many of which are yet to be established. As well, fulfilling obligations relating to women, gender, sexual violence, or gender-based violence that are included in weapons treaties such as the ATT or the Treaty on the Prohibition of Nuclear Weapons also moves us closer to achieving SDG 5 on gender equality and women’s empowerment.

## Current context

In 2016, global military spending reached 1.686 trillion USD. The United States continues to dominate, spending 611 billion on militarism (without including its nuclear weapons). The other four permanent members of the UN Security Council are also among the top ten spenders.<sup>4</sup>

The UN General Assembly—including through its First Committee—needs to take more active responsibility on this issue, beyond its annual resolution or national statements. It could consider commissioning a new study on military spending, following a similar approach to the 1982 study, that could provide recommendations for additional work on reducing military expenditure and arms production and development. First Committee could also consider adopting practices or policies related to increasing the participation of developing countries in disarmament forums.

Recent research on participation data of meetings between 2010 and 2014 of thirteen forums addressing disarmament and weapons issues shows the serious underrepresentation of developing countries in discussions. Lower-income countries are less likely to attend, speak at, or hold formal roles in multilateral meetings on disarmament and weapons issues. Where they do attend, they field smaller delegations than richer countries.<sup>5</sup>

Developing countries often more negatively affected by the use and trade of weapons, and less likely to be major arms producers. A diverse range of interests must be fully represented at international forums for any attempt to construct an equitable international legal order that reflects the concerns of populations worldwide.<sup>6</sup> Developing countries and their civil society are currently relatively marginalised from agenda setting and decision-making in disarmament through their structural underrepresentation. This must be addressed.

## Recommendations

*During the First Committee, delegations should:*

- Recognise the contribution that disarmament, the restriction of certain weapons, and reduction of military spending can make to development, or to removing barriers to development; and
- Recognise the need to address the issue of the underrepresentation of lower-income countries and certain regions in multilateral disarmament forums, and suggest practical measures to correct this; and
- Suggest new ways for the UN General Assembly to effectively engage in this issue, including new studies and recommendations for international level work.

*Beyond First Committee, states should:*

- Reduce military budgets and redirect funds to social and economic development within their countries and through development aid;
- Support and resource programmes of sponsorship, training, capacity building, and preparation, and

promote the consideration of other practical measures in the organisation of forums that could maximise participation (e.g. regarding length of meetings, location etc.);

- Contribute to the wider framing of disarmament and weapons issues to address a broader range of concerns, for example through making links with humanitarian and development agendas, in order to facilitate broader inclusion;
- Raise the visibility of marginalisation by supporting the consistent collection, monitoring, and analysis of participation data, to improve awareness and measure progress;
- Identify how current practices in disarmament and arms control can facilitate progress toward fulfilling certain of the SDGs and build on those practices; and
- Consider how security sector reform resources and initiatives can support the SDGs to achieve mutual objectives.

*Author: Ray Acheson*



Reaching Critical Will



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- 1 *Report of the international conference on the relationship between disarmament and development*, A/CONF.130/39, 1987.
  - 2 *Report of the Secretary General: The Relationship between Disarmament and Development*, A/35/356, Department of Political and Security Council Affairs, United Nations Centre for Disarmament, 1982.
  - 3 *The relationship between disarmament and development in the current international context*, A/59/119, UN General Assembly, 2004.
  - 4 “World military spending: Increases in the USA and Europe, decreases in oil-exporting countries,” Stockholm International Peace Research Institute, 24 April 2017, <https://www.sipri.org/media/press-release/2017/world-military-spending-increases-usa-and-europe>
  - 5 Elizabeth Minor, *Disarmament, Development and Patterns of Marginalisation in International Forums*, Article 36, 2016, <http://www.article36.org/wp-content/uploads/2016/04/A36-Disarm-Dev-Marginalisation.pdf>.
  - 6 John Borrie and Ashley Thornton, “The Value of Diversity in Multilateral Disarmament Work,” United Nations Institute for Disarmament Research (UNIDIR), 2008, <http://unidir.org/files/publications/pdfs/the-value-of-diversity-in-multilateral-disarmament-work-344.pdf>.

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# Protection of the environment in relation to armed conflicts

## Toxic Remnants of War Network

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### Background

Where and how wars are fought matters for the environment, and what matters for the environment matters for the protection of civilians. Yet all too often, the environmental dimensions of armed conflicts are rarely prioritised. With a few exceptions, this trend is also reflected at First Committee, which consistently underperforms in addressing the environmental and derived humanitarian consequences of the topics it considers.

Its weakness on the environment is becoming increasingly apparent because of the substantive work on the topic the *Protection of the environment in relation to armed conflicts* underway in the Sixth Committee<sup>1</sup> and elsewhere,<sup>2</sup> aimed at addressing the weak legal protection for the environment before, during, and after conflicts.

The scope of “conflict and the environment” extends beyond First Committee’s traditional disarmament mandate. However it also intersects with it in a number of ways. This is particularly true for the pollution and environmental damage caused by the production, testing, use, management, and disposal of weapons:

necessitating a holistic approach to understanding the costs to the environment from conflicts and militarism.<sup>3</sup>

### Current context

Conflicts in the Middle East and North Africa (MENA) region continue to highlight the environmental and human health risks from the toxic remnants of war. In Iraq, Islamic State (IS) has utilised scorched earth tactics—burning oil infrastructure and industrial facilities, and deliberately polluting rivers.<sup>4</sup> States opposing them have targeted IS’s means of oil production and distribution—a policy extended to IS-controlled areas of Syria that is likely to have a significant environmental and health legacy.

Severe damage has been caused to urban areas through the use of explosive force in both countries. In Aleppo and Mosul, numerous environmentally sensitive sites have been affected, including industrial areas, and critical infrastructure such as power, water, and sewage facilities.<sup>5</sup> Damage to such sites carries with it the threat of severe chemical incidents and localised pollution. The destruction of housing and industrial areas has generated millions of tonnes of debris, often contaminated with household,

medical, and industrial waste.<sup>6</sup> Dealing with it will require special attention to minimise health risks to both workers and civilians.

The long-term health impacts of the use of explosive weapons in populated areas remain poorly documented. However a recent study on military-origin heavy metals in Gaza identified exposures linked to conflicts; and the transmission of metals from mothers to their babies.<sup>7</sup> In Ukraine's industrialised Donbas region, parties have been warned that the shelling of industrial sites risks triggering a chemical emergency.<sup>8</sup> This in addition to the serious pollution already caused during the conflict.<sup>9</sup>

Last November, the Sixth Committee debated a legal principle on the management of “toxic and hazardous remnants of war” proposed by the International Law Commission.<sup>10</sup> Together with other principles, it is helping to define a normative legal framework for reducing and addressing pollution from armed conflicts,

helping align this neglected area with the standards increasingly applied to domestic military activities.<sup>11</sup>

The recently-adopted Treaty for the Prohibition of Nuclear Weapons includes an environmental remediation obligation, which is relevant to other weapons that cause persistent contamination, such as depleted uranium. Nevertheless, the negotiations saw a number of missed opportunities for the inclusion of environmental perspectives.<sup>12</sup>

## Recommendations

*During First Committee, delegations should:*

- Acknowledge the link between conflicts, military activities, environmental pollution, and health; and
- Make greater use of the annual resolution Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control in articulating concerns over the lifecycle environmental impacts of weapons.



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*Beyond First Committee, states should:*

- Engage with the International Law Commission's study on the *Protection of the environment in relation to armed conflicts* in the Sixth Committee, and by submitting examples of state practice to its Special Rapporteur, upon request;
- Ensure that environmental protection standards are prioritised in policies on the production, testing, use, management, and disposal of weapons;
- Support studies into the health and environmental risks from weapons throughout their lifecycle; and
- As donors, promote robust environmental criteria in weapons clearance programmes.



*Author: Doug Weir*

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- 1 "States back further progress on conflict and environment in UN legal debate," Toxic Remnants of War Project, 2016, <http://www.trwn.org/states-support-further-legal-work-on-environmental-protection-in-conflict>.
  - 2 "UNEA-2 passes most significant UN resolution on conflict and the environment since 1992," Toxic Remnants of War Project, 2016, <http://www.trwn.org/unea-2-passes-most-significant-resolution-on-conflict-and-the-environment-since-1992>.
  - 3 "Lifecycle versus the law: defining the environmental impact of weapons," Toxic Remnants of War Project, 2015, <http://www.trwn.org/blog-lifecycle-versus-the-law-defining-the-environmental-impact-of-weapons>.
  - 4 "ISIL's 'scorched earth policy' creating environmental and health havoc in Mosul, warns UN," UN Environment, 2016, <http://www.un.org/apps/news/story.asp?NewsID=55411#.WYyD09J97AU>.
  - 5 Mosul Environmental Hazards Assessment, UN Habitat, 2017, [http://unhabitatiraq.net/mosulportal/wp-content/uploads/2017/06/170515\\_Environmental-Hazards.pdf](http://unhabitatiraq.net/mosulportal/wp-content/uploads/2017/06/170515_Environmental-Hazards.pdf).
  - 6 "Amidst the debris: Environmental impact of conflict in Syria could be disastrous," PAX, 2015, <https://www.paxforpeace.nl/stay-informed/news/amidst-the-debris-environmental-impact-of-conflict-in-syria-could-be-disastrous>.
  - 7 Manduca et al, "A cross sectional study of the relationship between the exposure of pregnant women to military attacks in 2014 in Gaza and the load of heavy metal contaminants in the hair of mothers and newborns," *British Medical Journal*, 2017.
  - 8 "Chemical disaster fear in Eastern Ukraine prompts UN expert to raise alarm," Office of the United Nations High Commissioner for Human Rights, 2017.
  - 9 "New data on Ukraine conflict's environmental risks supports calls for comprehensive assessment," Zoi Environment Network/Toxic Remnants of War Project, 2017, <http://www.trwn.org/new-data-on-ukraine-conflicts-environmental-risks-supports-calls-for-comprehensive-assessment>.
  - 10 "UN lawyers present revised post-conflict environmental protection principles," Toxic Remnants of War Project, 2016, <http://www.trwn.org/un-lawyers-present-revised-post-conflict-environmental-protection-principles>
  - 11 See for example, the proceedings of the 2017 European Conference of Defence and the Environment, <http://www.ecde.info/speakers>.
  - 12 Doug Weir, How the Nuclear Weapons Ban Treaty Helped Expose Disarmament's Weakness on the Environment, 2017, <https://disarmament.blogs.pace.edu/files/2017/07/Nuclear-Weapons-Ban-and-Environment-1rieiz2.pdf>.

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# Disarmament education

## International Disarmament Institute, Pace University

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### Background

There is broad international consensus that pursuing disarmament requires an educational dimension. But in multilateral discussions some have framed “disarmament education” primarily in technocratic terms, while others wish it to support political progress on disarmament. Early articulations favored a more technical approach. For instance, in 1968 the UN General Assembly called on “national and international scientific institutions and organizations to co-operate” with the UN in “research on disarmament” (A/RES/24/54).

However, frustration with the Cold War arms race and the emergence of the academic field of peace studies contributed to a more comprehensive vision. The Final Document of the UN General Assembly’s 1978 First Special Session on Disarmament conceived of disarmament education as the mobilisation of the public to end the arms race and seek “general and complete disarmament”. Similarly, the 1980 UNESCO World Congress on Disarmament Education declared that “dissemination of data” or even “hopes and ideals” was not enough. Rather, to be “effective” disarmament education must “be related to the lives and concerns of the learners,” analyse “the political realities within which disarmament is sought,” and offer insight into “the political, economic and social

factors on which the security of peoples could be based.” This more political approach drove the UN’s World Disarmament Campaign, launched at the 1982 UNGA Second Special Session on Disarmament.

Since then, the pendulum has swung in a more technocratic direction. The World Disarmament Campaign was renamed the United Nations Disarmament Information Programme in 1992 (A/RES/47/53D). A 2002 report by the UN Secretary-General on “disarmament and nonproliferation education” (in response to a 2000 General Assembly resolution (A/RES/55/33E)) similarly focused on best practices and programmatic approaches rather than a political strategy for mobilising the public. In adding “nonproliferation,” it also follows the trend of states prioritising the control of others’ access to weapons, rather than getting rid of their own.

The Secretary-General has reported on implementation of the 2002 report’s recommendations every two years and the General Assembly has passed resolutions calling for ongoing implementation, changing little in substance from year to year. The 2002 resolution added a reference to small arms and light weapons as a focus of concern, which has been included in subsequent resolutions. Since 2006,

the resolutions have welcomed specific UN initiatives, including the UN CyberSchoolBus website and the UN Office for Disarmament Affairs' website, publications, and Disarmament Today podcast. The last three resolutions have acknowledged the importance of sharing the stories of the "hibakusha, the atomic bomb survivors". The resolutions have passed without opposition for many years.

However, neither the reports nor the resolutions mention the relevance of the Sustainable Development Goals nor the groundbreaking 2015 Security Council Resolution 2250 on Youth, Peace and Security that calls for "quality education for peace". Lack of attention to political dimensions means disarmament and non-proliferation education receives little attention from states. Few states submit reports to the UN Secretary-General as requested by successive resolutions and there is scant funding available for substantive programming. It was this "anemic vision of disarmament education" that prompted a statement by 12 civil society organizations to the 71st First Committee Session in October 2016. Salcedo affirmed the potential of Disarmament Education to "empower the greater participation of youth, women, survivors of violence and people from the Global South in peace and security policymaking." But, in order to do so, states, civil society, and academic institutions needed to recognise the impact of "unequal access" to disarmament education "in marginalizing some people from multilateral deliberations."

## Current Context

The successful negotiation of the 2017 Treaty on the Prohibition of Nuclear Weapons (TPNW) has provided new political and legal impetus for disarmament education. The preamble

specifically recognises "the importance of peace and disarmament education in all its aspects and of raising awareness of the risks and consequences of nuclear weapons for current and future generations, and committed to the dissemination of the principles and norms" of the TPNW. It also stress the role of UN, "International Red Cross and Red Crescent Movement, other international and regional organizations, non-governmental organizations, religious leaders, parliamentarians, academics and the hibakusha" as representatives of the "public conscience" in pressing for nuclear disarmament. This framing represents a welcome turn toward a more vigorous approach to disarmament and nonproliferation education. At the time of writing, the UN Office for Disarmament Affairs (UNODA) was also compiling an Occasional Paper on Disarmament Education, featuring articles from experts in the field.

First Committee will not pass a disarmament and nonproliferation education resolution this year, but the TPNW and the UNODA Occasional Paper both offer an opportunity to educate governments on their responsibilities to support disarmament education, as well as build political will for more robust and coherent initiatives and resolutions in the future.

## Recommendations

*During First Committee, delegations should:*

- Ensure that a commitment to support disarmament education as integral to treaty universalisation is included in any resolution(s) regarding the TPNW;
- Welcome the Secretary-General's 2016 report in their interventions and express the ongoing relevance of the 2002 Study, UNSCR 2250, the Sustainable Development Goals (particularly Goal

- 4 on education and Goal 16 on peace and justice), as well as the contributions of civil society and educational institutions in providing disarmament and non-proliferation education; and
- Report in their interventions on their government's disarmament and non-proliferation education initiatives and call on states, international organizations, civil society, and educational institutions to make submissions to UNODA for the 2018 report.

*Beyond First Committee, states should:*

- Provide funding and institutional support to international organisations, civil society, and educational institutions providing disarmament and nonproliferation education;
- Seek synergies between disarmament and non-proliferation education and the implementation of the SDGs and UNSCR 2250;
- Make a submission to UNODA for the 2018 report on their support for disarmament and non-proliferation education;
- Implement disarmament and non-proliferation education in ways that is sensitive to

marginalisation and differential access, for example, mainstreaming promotion of gender equality across all programs and building capacity of poorly-represented peoples and groups;

- Avoid using “disarmament and nonproliferation education” as a figleaf for political inaction on pressing disarmament issues; and
- As the General Assembly considers a Fourth Special Session on Disarmament, explore its potential to launch a second World Disarmament Campaign.

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## Reaching Critical Will

The 2017 session of the UN General Assembly  
First Committee on Disarmament  
and International Security  
will meet from 2 October–2 November 2017.

Follow the discussions on [www.reachingcriticalwill.org](http://www.reachingcriticalwill.org)



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