

# First Committee briefing book



Reaching Critical Will

2019

Reaching Critical Will, a programme of the Women's International League for Peace and Freedom  
777 UN Plaza, 6th Floor, New York, NY 10017 USA  
email: [disarm@wilpf.org](mailto:disarm@wilpf.org)  
web: [www.reachingcriticalwill.org](http://www.reachingcriticalwill.org)

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Edited by Ray Acheson and Allison Pytlak

Written by Ray Acheson, Matthew Bolton, Bonnie Docherty, Hector Guerra, Elizabeth Minor, Katrin Geyer, Natalie Goldring, Fiippa Lentzos, Manfred Mohr, Raluca Muresan, Allison Pytlak, Rachel Taylor, Mary Wareham, Doug Weir, Jessica West, Tim Wright, and Wim Zwijnenburg.

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

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

King's College London (<https://www.kcl.ac.uk/>)

PAX ([www.paxforpeace.nl](http://www.paxforpeace.nl))

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

The Conflict and Environment Observatory ([www.ceobs.org](http://www.ceobs.org))

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

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# Table of contents

Introduction	4
Nuclear weapons	6
Chemical weapons	9
Biological weapons	11
Armed drones	14
Fully autonomous weapons	17
Explosive weapons in populated areas	19
Landmines	22
Cluster munitions	24
Depleted uranium weapons	26
Incendiary weapons	29
Small arms and light weapons	32
Arms Trade Treaty	34
Casualty recording	36
Outer space	39
Cyber	41
Gender and disarmament	44
Disarmament and development	47
Protection of the environment in relation to armed conflicts	50
Disarmament education	53

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# Introduction

## Women's International League for Peace and Freedom

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This briefing book, written by activists and experts from a range of non-governmental organisations and coalitions, presents challenges and solutions for a number of issues related to weapons and war. Those of us in “civil society” 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 those most responsible for it.

This is a key point when it comes to any of the topics that will be debated and discussed in First Committee once again this October. As it stands, the norm is for a certain select group of states to try to control the narrative in this forum. These are by and large the governments profiting from the international arms trade, or investing billions of dollars into the expansion or renewal of their nuclear arsenals, or using explosive weapons in populated areas, or seeking to develop new and innovative ways to kill human human beings such as armed drones, fully autonomous weapons, and cyber or space technologies. These governments tend to assert their perspectives and interests as the only rational, credible, and knowledgeable interventions, and belittle or ignore the perspectives of those who disagree or dissent.

In recent years, these delegations have also spent a great deal of time ridiculing—and at times, yelling—at each other in ever-increasingly long right of replies issued at the end of each meeting.

The UN General Assembly was designed as a place for the governments of all member states to have an equal say, and it is this spirit that we urge First Committee delegates to uphold in 2019. The activists, survivors, and others that participate in or look to the UN for progress and change urge all delegates to speak up for humanity. Do not let a handful of heavily militarised governments shut you down. What needs to be shut down are arms factories and arms fairs, not international discourse about disarmament. At a time when the nuclear-armed states are ripping apart arms control treaties, and when they are more interested in the profits of the arms trade instead of the well-being of people, the rest of the international community has a vital role to play in putting forward alternatives for our collective security—security based on the rule of law, disarmament, equity, justice, and peace.

*Author: Ray Acheson*





*Photo: Charlotte Hooj, for WILPF*

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# Nuclear weapons

## International Campaign to Abolish Nuclear Weapons

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### Background

An estimated 13,890 nuclear weapons still exist in the world today<sup>1</sup>, despite repeated calls over many years from the vast major of UN member states for such weapons to be eliminated. Their continued existence poses grave implications for human survival, the environment, socioeconomic development, the global economy, food security, and the health of current and future generations.

Nuclear weapons have been used twice in warfare, by the United States government against the people of Hiroshima and Nagasaki in 1945. Those two attacks claimed more than a quarter of a million lives. Nuclear weapons have also been detonated in tests more than 2,000 times since the dawn of the atomic age, with devastating long-term consequences for human health and the environment.

Any use of nuclear weapons would violate international humanitarian law, environmental law, and human rights law. Out of deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons, 122 states voted on 7 July 2017 to adopt the Treaty on the Prohibition of Nuclear Weapons (TPNW)—a landmark disarmament agreement that comprehensively outlaws the most destructive instruments of war ever created and establishes a pathway to their total abolition.

The Treaty prohibits the development, production, possession, use, and threatened use of nuclear weapons, as well as assistance with or encouragement of such activities. In addition, the Treaty obligates states parties to provide for the needs of nuclear weapon victims and to work towards environmental remediation areas contaminated by nuclear weapon detonations.

The TPNW builds upon and strengthens the norms established by the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the regional treaties creating nuclear-weapon-free zones, and the Comprehensive Nuclear-Test-Ban Treaty, as well as the biological and chemical weapons conventions and other prohibitions of weapons that cause unacceptable harm.

The TPNW opened for signature on 20 September 2017 and, of early September 2019, has 70 signatories and 26 parties. A further 24 states must either ratify or accede to the TPNW to trigger its entry into force. The Treaty will enter into force as binding international law 90 days thereafter. A first meeting of the states parties will then be convened within a year of the TPNW's entry into force.

### Current context

All nine nuclear-armed states, instead of pursuing nuclear disarmament as they are obligated

to do, are investing heavily in the so-called modernisation of their nuclear arsenals and related infrastructure. Some are developing and testing new nuclear-capable missiles and new types of warheads.

In addition, five European states continue to host US nuclear weapons on their territories, and around 30 states claim “protection” from an ally’s nuclear weapons. These states are complicit in perpetuating nuclear dangers.

In many situations, tensions among nuclear-armed states appear to be at a historic high. Veiled or explicit threats to use nuclear weapons have become increasingly common. The security of all other states, particularly neighbouring states, is diminished as a result of the behaviour of these few states.

Certain nuclear arms control agreements have come under threat or been abandoned. For instance, the 1987 Intermediate-Range Nuclear Forces Treaty ceased operation in August 2019 following the United States’ withdrawal, and the fate of the 2015 Joint Comprehensive Plan of Action, or “Iran nuclear deal”, is highly uncertain.

Against this current, the TPNW has established a powerful non-nuclear norm. It has placed nuclear weapons on the same legal footing as other weapons of mass destruction, thereby challenging the pervasive notion that certain states are entitled to wield such weapons.

The TPNW has already begun to impact on behaviour and policies even in states that have not yet adhered to it. For instance, major financial institutions in two states that claim protection from nuclear weapons have indicated their intention to exclude nuclear weapon-producing

companies from their investment portfolios.

City councils—including in Berlin, Hiroshima, Los Angeles, Oslo, Paris, Sydney, Toronto, and Washington DC—have added to the normative weight of the TPNW by endorsing the Treaty and urging their respective national governments to join it.

Each state that signs and ratifies the TPNW will contribute to its early entry into force and increase its wider impact in global nuclear politics, including by delegitimising the role of weapons of mass destruction in security policies.

## Recommendations

*During First Committee, delegations should:*

- Express strong support for the Treaty on the Prohibition of Nuclear Weapons and, if they have not yet signed and ratified it, declare their intention to do so;
- Highlight and condemn as illegitimate any ongoing 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:*

- Sign and ratify the TPNW and work to ensure its quick entry into force, including by encouraging other states to join it;
- Adopt national legislation and other measures to implement the Treaty, including by ending investments in nuclear weapon-producing companies;
- 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

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1 See Hans M. Kristensen and Matt Korda, "Status of World Nuclear Forces," Federation of American Scientists, updated May 2019, <https://fas.org/issues/nuclear-weapons/status-world-nuclear-forces>.



*Author: Tim Wright*



*Photo: Ralf Schlesener*



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# Chemical weapons

## Women's International League for Peace and Freedom

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### Background

The use of chemical weapons is universally considered to be a crime against humanity and contradictory to the dictates of public conscience. The Chemical Weapons Convention (CWC, 1992), prohibits the development, production, acquisition, stockpiling, and retention, transfer, or use of these weapons. Twenty-one years after its entry into force, the CWC has 193 states parties and one signatory state. The Organisation for the Prohibition of Chemical Weapons (OPCW) is tasked with regulating treaty compliance. Russia—formerly the largest possessor of chemical weapons—is officially said to have completed the destruction of its stockpile in 2017.<sup>1</sup>

### Current context

Since 2014, the discourse about chemical weapons in the First Committee has changed, to reflect real world concern about instances of their use. As First Committee statements have become more specific by citing incidents in Syria, Malaysia, and the United Kingdom, for example, a new dynamic is emerging as to whether or not the First Committee is the appropriate UN forum to references these specific cases, or if that is best left to the UN Security Council (UNSC) or meetings and mechanisms of the CWC. In both 2017 and 2018, the First Committee discussions were occurring against a backdrop of either debate in the UNSC about renewing the Joint Investigative

Mechanism (JIM), a partnership between the United Nations and the OPCW established in response to the use of chemical weapons in Syria, or efforts within the CWC to establish an attribution mechanism.

Most member states indicate through their statements and voting patterns that it is important to defend the norm, and law, against chemical weapons use in any forum by assigning responsibility and not allowing for impunity or continued transgression. In this context, France established in January 2018 an International Partnership against Impunity for the Use of Chemical Weapons, an association of 38 countries and international organisations, and in June 2018, a special session of CWC states-parties voted to establish another mechanism to attribute responsibility for chemical weapons attacks. Earlier this year, it was announced that that Ambassador Santiago Oñate Laborde would head the new OPCW's Investigation and Identification Team (IIT).

A smaller group of member states have argued argued against efforts to assign attribution to chemical weapon attacks and have taken issue with statements delivered at First Committee that speak to recent incidents of use, or their reference in the annual First Committee resolution on chemical weapons. They state that these references make

the issue unnecessarily politicised. This tends to come to a head in the context of voting on the chemical weapons resolution, which is traditionally sponsored by Poland. In 2018, resolution L.20 “Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,” elicited five paragraph votes and several explanations of vote, in which accusations of deliberate politicisation and double standards were highlighted along with statements reinforcing the importance of the rule of law and multilateralism.<sup>2</sup>

It is probable that this dynamic will continue at the 2019 First Committee, given that external efforts to assign attribution are on-going and that the CWC’s Fourth Review Conference was not able to agree on a consensus-based report in late 2018.<sup>3</sup>

## Recommendations

*During First Committee, delegations should:*

- Highlight and publicly condemn any on-going activities that are prohibited under the CWC;

- Defend the norm against chemical weapons use; and
- Report on measures taken to implement provisions from the Convention.

*Beyond First Committee, states should:*

- Review national measures and policies and make changes or implement new ones to strengthen compliance with CWC; and
- Adopt and enforce necessary legal measures to ensure effective compliance with the Convention, develop national action plans, and share national experiences, challenges and initiatives, to adopt legal measures giving effect to the Convention, and share relevant laws and regulations.

*Author: Allison Pytlak*




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1 *Yearbook 2018: Armaments, Disarmaments and International Security—Summary*, Stockholm International Peace Research Institute (SIPRI), 2018, [https://www.sipri.org/sites/default/files/2018-06/yb\\_18\\_summary\\_en\\_0.pdf](https://www.sipri.org/sites/default/files/2018-06/yb_18_summary_en_0.pdf).

2 For an overview of 2018 explanations of vote, see our coverage in the *2018 First Committee Monitor*, No. 6, 11 November, <http://reachingcriticalwill.org/images/documents/Disarmament-fora/1com/FCM18/FCM-2018-No6.pdf>.

3 Alicia Sanders-Zakre, “States Fail to Agree to Final Review Conference Document,” *Arms Control Now*, 3 December 2018, <https://www.armscontrol.org/blog/2018/covering-cwc>.

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# Biological weapons

Kings College London

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## Background

Biological weapons are dangerous pathogens—bacteria or viruses—that are combined with a delivery mechanism to inflict harm. They are most often thought of as targeting humans, through inhalation, ingestion or skin absorption, but they can also be anti-animal, anti-plant or anti-material.

Biological weapons are prohibited under international law. The principal legal instruments are the 1925 Geneva Protocol and the 1972 Biological and Toxins Weapons Convention (BWC). The BWC bans the development of biological agents and toxins, of any type or quantity including their components, that do not have protective, medical or other peaceful purposes, and any weapons or means of delivery for such agents and toxins. The Convention has 183 states parties and four signatory states.

The BWC itself is relatively short, comprising only 15 articles. Over the years, the treaty articles have been supplemented by a series of additional understandings reached at Review Conferences. In addition, the wider regime has been augmented by a growing array of other measures, such as export control regimes and UN Security Council resolution 1540, which serve to bolster aspects of the prohibition and prevention of biological weapons.

## Current context

Today, there is limited public information on possible illicit biological weapons activity. There is no verified public reporting that any country is maintaining a biological warfare programme.

Yet concerns about biological weapons have endured and are now escalating.<sup>1</sup> A major source of the growing concern is scientific and technical advances in abilities to manipulate genes and biological systems. Concurrent developments in other emerging technologies, such as advanced artificial intelligence, machine learning, nanotechnology, and additive manufacturing, are also impacting potential future biological weapons threats.<sup>2</sup> These technical developments are taking place amidst wider changes in the geostrategic landscape that create uncertainty in the regime. Particularly relevant are: a worldwide increase in the number, size and scope of biodefence programmes;<sup>3</sup> an expansion of “grey zone” activities that fall between legitimate defensive work and prohibited offensive work;<sup>4</sup> and possible changes in the warfighting requirements of powerful states. A key question is whether this picture will alter the balance of incentives and disincentives to comply with the BWC.

The adverse financial environment of the BWC was the most immediate worry for the disarmament community in 2018. Last year's First Committee resolution on the BWC noted this untenable financial situation with concern and requested the Chair of the 2018 Meeting of States Parties (MSPs) to develop measures to address financial predictability and sustainability for future BWC meetings and for the treaty's Implementation Support Unit. The MSP, which took place in December, endorsed a set of substantive measures to encourage timely payment, ensure liquidity and avoid deficit spending/accumulation of liabilities.

In an unanticipated development, the MSP was unable to reach a consensus on the deliberations of its eight-day Meetings of Experts, including on any possible outcomes. This was despite considerable preparation and substantial discussion at the expert meetings, as well as concerted efforts by the vast majority of states parties negotiating the final report to get more of the substantive discussions reflected. The impasse resulted from the obstinacy of a single delegation<sup>5</sup>, and underscores the outdated working methods employed in BWC meetings.

Other major developments in biological disarmament in 2018 were the increasingly confrontational statements by Russia alleging that US biological weapon laboratories are operating in neighbouring states, most notably in Georgia.<sup>6</sup>

## Recommendations

*During First Committee, delegations should:*

- Reaffirm their commitment to the Geneva Protocol and the BWC; and
- Report on measures taken to implement and strengthen BWC provisions.

*Beyond First Committee, states should:*

- Pay any outstanding assessed contributions in full, and pledge financial support for the implementation of the BWC;
- Strengthen information-sharing under the treaty's Confidence-Building Measures, and further evolve the consultation and clarification procedures as well as the peer review and transparency visits under BWC Article V;
- Establish a dedicated technical body such as a technical open-ended working group under the BWC to monitor relevant scientific and technological developments, consider their potential bearings on the BWC, and formulate individual and collective action to address possible challenges; and
- Strengthen national and international assistance, response and preparedness efforts, including the UN Secretary-General's Mechanism for Investigation of Alleged Use of Biological Weapons, in the event of a deliberate biological attack.

*Author: Filippa Lentzos*

- 1 Filippa Lentzos, “Re-thinking biological arms control for the 21st Century,” Fletcher Security Review, Vol. 6.1 (2019): 33–36; Filippa Lentzos, “Strengthen the taboo against biological and chemical weapons,” *The Bulletin of Atomic Scientists*, 26 July 2018, <https://thebulletin.org/2018/07/strengthen-the-taboo-against-biological-and-chemical-weapons>.
- 2 Kolja Brockmann, Sibylle Bauer, and Vincent Boulanin, “Bio Plus X: Arms Control and the Convergence of Biology and Emerging Technologies,” Stockholm International Peace Research Institute, March 2019, <https://www.sipri.org/publications/2019/other-publications/bio-plus-x-arms-control-and-convergence-biology-and-emerging-technologies>.
- 3 Gregory Koblentz and Filippa Lentzos, “21st Century Biodefence: Risks, Trade-Offs & Responsible Science,” *Biological Weapons Convention Review Conference Policy Brief Series: Brief 3*, International Law and Policy Institute, 2016.
- 4 Filippa Lentzos and Jez Littlewood, “DARPA’s Prepare program: Preparing for what?” *The Bulletin of Atomic Scientists*, 26 July 2018, <https://thebulletin.org/2018/07/darpas-prepare-program-preparing-for-what>.
- 5 Richard Guthrie, “The 2018 Meeting of States Parties: Conclusion and reflections,” MSP Report No. 5, Daily Reports from BWC Meetings, BioWeapons Prevention Project, <http://www.bwpp.org/reports.html>.
- 6 Filippa Lentzos, “The Russian disinformation attack that poses a biological danger,” *The Bulletin of the Atomic Scientists*, 19 November 2018, <https://thebulletin.org/2018/11/the-russian-disinformation-attack-that-poses-a-biological-danger>.

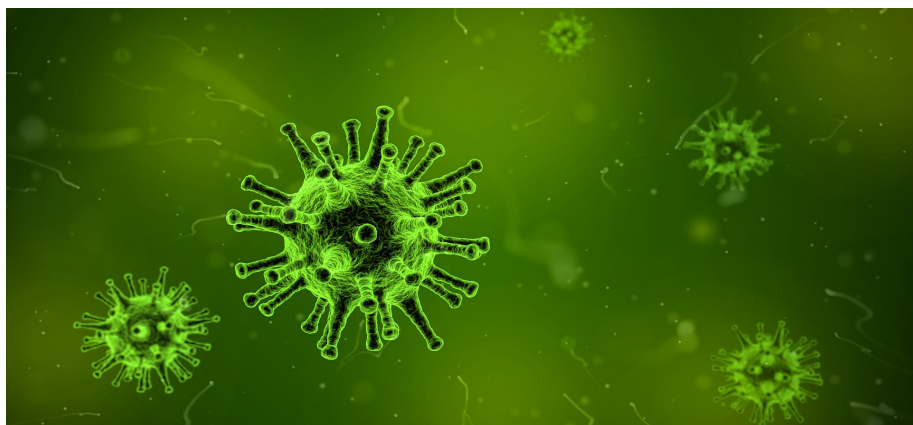


Photo: Arek Socha

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# Armed drones

## PAX

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### Background

A new era in the use of armed violence has emerged over the last couple decades. In an effort to improve situational awareness of the battlefield, lower costs, and reduce risks to military personnel armed forces are increasingly deploying remote controlled vehicles, better known as drones. Over 120 states have acquired military drones, and more than 20 have armed versions and use them actively. At the same time, states are also stepping up their research on the development and export potentials of military drone technology.<sup>1</sup> This increase in the use and proliferation of military drones contributes to a decrease in the threshold for the use of lethal force by states, and increasingly, also by non-state actors.

Drones armed with missiles and bombs are killing and wounding of thousands of civilians<sup>2</sup>, in particular through clandestine counter-terrorism operations in remote areas in Pakistan, Yemen, and Somalia. These operations have been conducted without clear legal justifications for targeting suspected terrorists, and the lack of transparency and accountability around these operations has so far contributed to a murky state of affairs regarding the use of lethal force with armed drones.

Current violent dynamics in the Middle East and northern Africa involving armed drones and

so-called ‘suicide drones’ by state and non-state actors already sped-up force escalation, resulting in the death of civilians and targeting of critical infrastructure such as airports, power plants, and oil refineries. The reverberating and cumulative effects of their increased use could impact civilian lives or create serious environmental risks.

Despite calls by UN Special Rapporteurs, national parliaments, the European Parliament, human rights and peace organisations, and victims of drone strikes, states have not yet clarified their legal position on this issue. The absence a progressive legal interpretation risks normalising the stretched interpretation of international humanitarian law and international human rights law that is being applied by current users of armed drones to justify their counter-terrorism operations. Now more than ever a clear position is needed to strengthen international norms and prevent drone wars being waged on murky legal and political grounds.

Legal, ethical, political and military-strategic concerns associated with the increase use of armed drones should be part of a multilateral process to address the growing application of lethal force with remote controlled systems. Strong and progressive international standards and risks-assessments should be developed and incorporated in arms export controls mechanisms, as called for by the UN Secretary-General in

his 2018 Agenda for Disarmament. Reviews of the rapid technological developments of drone platforms and payloads, and their use in military operations should be made a part of regular risk assessment processes.

## Current context

During the 2018 First Committee, 16 states expressed concerns over armed drones in their statements, compared with just 7 states in 2017.<sup>3</sup> This demonstrates a growing interest in addressing the challenges around armed drones use. Meanwhile, a group of states led by the United States has stepped up the drafting of international standards for the “responsible export and subsequent use of drones”. Concerns have been raised that this process lacks transparency and inclusion and is leading to weak language that risks undermining existing export control frameworks.

Various reports published by the UN Institute for Disarmament Research (UNIDIR) in 2018 and 2019 highlight the risk of force escalation and proliferation,<sup>4</sup> while other reports by human rights<sup>5</sup> groups and investigative journalists highlight the expanding nature of clandestine US drone operations,<sup>6</sup> and deliveries and use of drones in the Libyan conflict.<sup>7</sup>

Beyond the condemnation of current unacceptable practices, an international policy response is needed that addresses the role of drones in the use of force. Multilateral dialogue will be vital to the development of robust, progressive and meaningful future-proof standards that contributes to holding states accountable for both export decisions and subsequent use.

*During First Committee, delegations should:*

- Recognise the ethical, legal, and humanitarian concerns that drones represent in the contemporary landscape, and express a commitment to reducing and addressing harm and ensuring the protection of rights;
- Recognise the grave risk that international legal frameworks could be eroded through the use of armed drones, in the context of practices that challenge existing norms;
- Assert the need for transparency in the use of drones by any and all states, for the recording of casualties and the addressing of victims’ rights, and for accountability and democratic oversight; and
- Recognise the need for a broader multilateral conversation about what role drones should play in the use of force and the specific limits and standards for their use.

*Beyond First Committee, states should:*

- Raise these issues in all relevant forums international and regionally, including human rights-focused forums;
- Ensure that issues related to export control are pursued in relevant forums, such as the Arms Trade Treaty; and
- Develop progressive, detailed policies and standards on the use and export of military drones that align with and strengthen international norms.

*Author: Wim Zwijnenburg*



- 1 Unmanned Ambitions. *Security implications of growing proliferation in emerging military drone markets*, PAX, 2018, <https://www.paxforpeace.nl/publications/all-publications/unmanned-ambitions>.
- 2 “Drone Warfare,” The Bureau of Investigative Journalism, 2018, <https://www.thebureauinvestigates.com/projects/drone-war>.
- 3 “Increased awareness about armed drones in the United Nations,” EFAD, 2018, <https://www.efadrones.org/increased-awareness-about-armed-drones-in-the-united-nations/>.
- 4 See the webpage for UNIDIR’s research project on “Increasing Transparency, Oversight and Accountability of Armed UAV’s” including a full overview of the reports: <http://www.unidir.org/programmes/conventional-arms/increasing-transparency-oversight-and-accountabilty-of-armed-unmanned-aerial-vehicles-phase-ii>.
- 5 “The hidden US war in Somalia. Civilian casualties from air strikes in lower Shabelle,” Amnesty International, 2019, <https://www.amnesty.org/en/documents/afr52/9952/2019/en/>.
- 6 “C.I.A. Drone Mission, Curtailed by Obama, Is Expanded in Africa Under Trump,” *New York Times*, 9 September 2019, <https://www.nytimes.com/2018/09/09/world/africa/cia-drones-africa-military.html>.
- 7 “Hit Haftar Forward Airbase After Receiving Turkish Drones,” *Bloomberg News*, 26 July 2019, <https://www.bloomberg.com/news/articles/2019-07-26/tripoli-government-says-it-struck-haftar-s-main-forward-airbase>; and “Deadly airstrikes and drone hits displace thousands of civilians in Libya oasis town, August 2019,” <https://news.un.org/en/story/2019/08/1044531>.



*Photo: The Not A Bug Splat artist collective. Published by PAX in their report, Unmanned Ambitions.*



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# Fully autonomous weapons

## Campaign to Stop Killer Robots

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### Background

Lethal autonomous weapon systems, also known as fully autonomous weapons or killer robots, raise fundamental ethical, moral, legal, accountability, operational, technical, and security concerns. There is now widespread agreement that some form of human control is required over life-and-death decisions.

Yet a handful of heavily militarised governments are blocking proposals to begin negotiations on a new treaty or any other concrete measure, in a desperate attempt to curb collective ambitions aimed at regulating this emerging technology.

Around the world, demands are multiplying for a new treaty to prohibit weapons systems that would select and engage targets without meaningful human control. The Campaign to Stop Killer Robots, which is working to support the development of such a treaty, has nearly doubled in size over the past year, to a current total of 113 non-governmental organisations in 57 countries.<sup>1</sup>

### Current context

Approximately 90 governments have met eight times since 2014 at the Convention on Conventional Weapons (CCW) at the UN in Geneva to discuss what to do about killer robots. Most participating states have expressed their strong desire to negotiate a legally-binding instrument to retain human control over the use of force, including 29 countries that explicitly seek a ban treaty.<sup>2</sup>

Yet a few countries with advanced militaries object to any regulatory action, arguing that moves to create new law are “premature.” These states are investing significant funds to develop weapon systems with decreasing human control over the critical functions of selecting and engaging targets.

The CCW’s reliance on taking decisions by consensus has meant that one or two states can block agreement sought by a majority. At the last meeting in August 2019, Russia and the United States bullied the meeting into accepting an outcome document containing ambiguous and unambitious recommendations for future work.<sup>3</sup> The inability of states to reach a credible outcome at the CCW means more diplomatic talk but no viable action in that forum. With demands increasing for a new treaty to prevent a future of fully autonomous weapons, it is time to find another path to negotiate one.

Last November, UN Secretary-General António Guterres called such weapons systems “politically unacceptable and morally repugnant” and urged nations to prohibit them. On 9 July, the parliamentary assembly of the Organization for Security and Co-operation in Europe (OSCE) adopted a declaration urging the 57 OSCE member states “to support international negotiations to ban lethal autonomous weapons.”<sup>4</sup>

An increasing number of technology workers are refusing to work on projects that may pave the way towards fully autonomous weapons. They join more

than 4,500 artificial intelligence (AI) experts that have called for a new treaty to prohibit lethal autonomous weapons systems in various open letters since 2015.

In August, Dutch NGO PAX published a survey of 50 technology companies in 12 countries, reviewing their activities and policies in the relation to potential development of killer robots.<sup>5</sup> The report found that Google is putting safeguards in place after it committed in 2018 to not “design or deploy” AI for use in weapons.<sup>6</sup>

More than 20 Nobel Peace Laureates and more than 160 religious leaders and faith organisations of various denominations have called for a ban on killer robots, while children and young people are showing increasing interest in the killer robots challenge. In August, an exhibition by the Campaign to Stop Killer Robots at the 24th World Scout Jamboree in West Virginia attracted strong interest. Thousands of scouts visited the booth, providing many ideas for how to address concerns raised by fully autonomous weapons.

The time is ripe for states to launch negotiations on a new ban treaty to maintain meaningful human control over the use of force. Such an agreement would be operationalised through a collection of positive obligations and prohibitions.

## Recommendations

*During First Committee, delegations should:*

- Acknowledge the mounting calls to negotiate a new treaty to prohibit weapons systems that would select and engage targets without meaningful human control; and
- Express disappointment in the weak CCW outcome and call for negotiations on a new treaty to retain meaningful human control over the use of force.

*Beyond First Committee, states should:*

- Seek a revised mandate at the CCW’s annual meeting on 15 November to begin negotiating a new protocol stipulating prohibitions and restrictions on lethal autonomous weapons systems in 2020; and
- Develop formal national policies and national legislation to explicitly ban fully autonomous weapons and retain meaningful human control over the use of force.

*Author: Mary Wareham*



**CAMPAIGN TO STOP  
KILLER ROBOTS**

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1 See <https://www.stopkillerrobots.org/members>.

2 Algeria, Argentina, Austria, Bolivia, Brazil, Chile, China (supports a ban on use only), Colombia, Costa Rica, Cuba, Djibouti, Ecuador, El Salvador, Egypt, Ghana, Guatemala, the Holy See, Iraq, Jordan, Mexico, Morocco, Nicaragua, Pakistan, Panama, Peru, the State of Palestine, Uganda, Venezuela, and Zimbabwe.

3 Draft Report of the 2019 session of the Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapon Systems, CCW/GGE.1/2019/CRP.1/Rev.2, 21 August 2019.

4 Luxembourg Declaration and Resolutions Adopted by the OSCE Parliamentary Assembly at the Twenty-Eighth Annual Session, 4–8 July 2019, <https://www.oscepa.org/documents/annual-sessions/2019-luxembourg/3882-luxembourg-declaration-eng/file>.

5 *Don't be evil?*, PAX, August 2019, <https://www.paxforpeace.nl/publications/all-publications/dont-be-evil>

6 See <https://www.stopkillerrobots.org/2019/01/rise-of-the-tech-workers>.

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# Explosive weapons in populated areas

## International Network on Explosive Weapons

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### Background

Armed conflicts are being conducted in populated areas with weapon systems designed for open battlefields, presenting serious challenges to the effective protection of civilians. The harm caused to civilians and civilian infrastructure by the use of explosive weapons in populated areas has been repeatedly highlighted as a major humanitarian priority over the past decade. Each year, tens of thousands of people are killed and injured by the use of explosive weapons in neighbourhoods where people live and work. Data consistently shows that when these weapons are used in populated areas, approximately 91 per cent of those reported killed and injured are civilians.<sup>1</sup>

The damage explosive weapons cause to vital infrastructure also means their impacts reverberate to affect a wider population and over time. Damage to hospitals limits the provision of medical care, making even easily treatable injuries life threatening.<sup>2</sup> Damage to sanitation systems leaves civilian populations susceptible to the spread of disease.<sup>3</sup> Destruction, and the presence of explosive remnants in populated areas, causes and entrenches displacement—but where transport infrastructure is destroyed, civilians can also be prevented from fleeing to safety.<sup>4</sup> Affected areas can become inaccessible to humanitarian aid<sup>5</sup> as well clean food and water,<sup>6</sup> with damage

to energy infrastructure compounding these challenges. Severe psychological harm is experienced by many.<sup>7</sup>

### Current context

Recent years have seen distinct positive movement towards a multilateral policy response to the harms caused by explosive weapons. In 2017, 19 African states endorsed the Maputo Communiqué,<sup>8</sup> and in late 2018 23 states from Latin America and the Caribbean supported a Santiago Communiqué.<sup>9</sup> These regional initiatives support work towards an international political declaration to avoid the use of explosive weapons with wide area effects in populated areas. At the 2018 First Committee, a group of 50 states supported a joint statement<sup>10</sup> that commits to further work on this issue, including through a future political declaration. The International Committee of the Red Cross (ICRC) and the UN Secretary-General have continued to call on states to avoid the use of explosive weapons with wide area effects in populated areas “owing to the immediate and cumulative, complex and long-term harm resulting from such use.”<sup>11</sup>

These initiatives show that a growing number of states are committed to developing an international policy response that will include strengthening military policy and practice

to better protect civilians. In early October, states will gather at the Vienna Conference on Protecting Civilians in Urban Warfare, convened by Austria,<sup>11</sup> to discuss the harms caused by explosive weapons and how they can be effectively addressed. The meeting will start a process towards a political declaration that will provide a key tool for mobilising action on this issue and building stronger civilian protection norms.

## Recommendations

*During First Committee, delegations should:*

- Acknowledge that the use of explosive weapons in populated areas causes severe harm to individuals and communities, including through both direct and reverberating effects;
- Endorse the UN Secretary-General's recommendation that states should avoid the use of explosive weapons with wide area effects in populated areas;
- Support the development of an international political instrument on explosive weapons to protect civilians; and
- Support the development of a joint statement designed to maintain a focus on the challenges posed by the use of explosive weapons in populated areas.

*Beyond First Committee, states should:*

- Commit to developing, adopting, and implementing an international commitment to address this clear and documented pattern of harm by stopping the use of explosive weapons with wide area effects in populated areas and assisting affected people and communities;
- 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 of and impact of explosive weapons in populated areas including age, sex, and disability-disaggregated recording of casualties; 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: Elizabeth Minor*



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- 1 *Explosive Violence Monitor 2018*, Action on Armed Violence, 2019, <https://aoav.org.uk/wp-content/uploads/2019/05/Explosive-Violence-Monitor-2018-v5.pdf>.
  - 2 See for example *Explosive weapons in populated areas: The consequences for civilians*, International Committee of the Red Cross (ICRC), 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 “Yemen: Health system at breaking point as cholera epidemic spreads at unprecedented rate,” ICRC, June 2017, <http://bit.ly/2uLZWfx>.
  - 4 See for example *Explosive weapons in populated areas: The consequences for civilians*, ICRC, June 2015, <http://bit.ly/2weUp0u>; and *Explosive violence: The problem of explosive weapons*, Landmine Action, August 2009, <http://bit.ly/2vLJSrC>.
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- 6 *Explosive violence: The problem of explosive weapons*, Landmine Action, August 2009, <http://bit.ly/2vLJSrC>; and *The use of explosive weapons in populated areas—it's time to act*, Handicap International, 2016, <http://bit.ly/2x7WLvq>.
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- 8 See <http://www.inew.org/maputo-regional-conference-on-the-protection-of-civilians-from-the-use-of-explosive-weapons-in-populated-areas>.
- 9 See <http://www.inew.org/un-general-assembly-first-committee-fifty-states-deliver-joint-statement-on-explosive-weapons-in-populated-areas>.
- 10 *Protection of civilians in armed conflict: Report of the Secretary-General*, 2019, <https://undocs.org/S/2019/373>.
- 11 See <https://www.bmeia.gv.at/en/european-foreign-policy/disarmament/conventional-arms/explosive-weapons-in-populated-areas/protecting-civilians-in-urban-warfare/protecting-civilians-in-urban-warfare>.



*Photo: UN High Commissioner for Refugees/Susan Schulam*

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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 Antipersonnel Mines and on their Destruction (or Mine Ban Treaty) is one of the most universally adhered-to international instruments. 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 (MBT) fully delivers on its promises. The Treaty covers all antipersonnel mines, including those that are of improvised nature.

### Current context

Recent years have seen distinct positive 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. Sixty states and areas have an identified the threat of antipersonnel mine contamination.

Some 34 states may still have 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-three 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 UN General Assembly First Committee resolution on the Mine Ban Treaty, thus showing their support for the aim of eliminating antipersonnel mines.

Non-state armed groups in at least eight 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 when they are designed to be exploded by the presence, proximity, or contact of a person.

More than eighty per cent of people injured or killed by landmines worldwide were civilians, including a large percentage of children. There is a trend toward an increase in casualties from landmines of improvised nature. The Landmine Monitor has registered 120,000 casualties for the period 1999–2017.

The 4th Review Conference (4RevCon) will take place from 25–29 November 2019 in Oslo, under the Norwegian presidency. Currently, the Treaty leadership also includes the following

states: Norway (President), Austria, Belgium, Canada, Chile, Colombia, Iraq, Italy, Mozambique, Netherlands, Poland, Sweden, Switzerland, Thailand, Turkey, the United Kingdom, and Zambia.

## Recommendations

*During First Committee, delegations should:*

- Report on measures taken in 2019 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;
- Vote in favour of the resolution on the Mine Ban Treaty and encourage others, such as regional group members, to do so as well; and
- Call and commit for the strongest possible participation in the Fourth Review Conference of the Mine Ban Treaty.

*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;
- Participate in meetings of the Mine Ban Treaty and report on efforts made to eliminate antipersonnel mines; and
- As part of the Review Conference, states should raise alarm about the high number of casualties and condemn any use of landmines by any actor; discuss concrete actions to prevent future use of landmines; express urgency to finish the job; ensure meaningful involvement of survivors and victims in all aspects of the Convention; and note that mine action contributes to the attainment of the Sustainable Development Goals.

*Author: Hector Guerra*



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# Cluster munitions

## Cluster Munition Coalition

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### Background

Sixty per cent of the world's states have now formally committed to the goals of the Convention on Cluster Munitions through their signature, ratification, or accession, while more than 70 per cent have demonstrated their support for its humanitarian goals through a 2018 UN General Assembly resolution. The Convention is widely acknowledged as the principal framework for the worldwide effort to eradicate cluster munitions and to prevent the suffering they cause.

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.

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 that 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.

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.

### Current context

Collectively, states parties have already destroyed 99 per cent 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. Twenty-six states are contaminated by cluster munition remnants and must ensure that they use efficient land release methodologies to address contamination.

In recent years, over 150 states condemned the use of cluster munitions in the context of the conflict in Syria. Cluster munitions have been used extensively in the current conflicts in Syria, as well as in Yemen until February 2017.

According to the *Cluster Munition Monitor 2019*, cluster munitions continued to be used in Syria by government forces with support from Russia. Neither is a State Party to the Convention on Cluster Munitions. Since mid-2012, the Monitor has recorded at least 674 cluster munition attacks in Syria.



In 2018 the UNGA resolution on the implementation of the Convention was passed with 144 votes in favour, one against, and 38 abstentions. Thirty-two non-signatories voted in favour, demonstrating their support for the humanitarian aims of the Convention.

Over the past year, Gambia, Namibia, and the Philippines ratified the Convention bringing the total number of states parties to 106.

The 9th Meeting of States Parties (9MSP) of the Convention on Cluster Munitions took place from 2-4 September 2019 in Geneva, Switzerland, with Sri Lanka as president. The Convention leadership for the coming year comprises Austria, Chile, Germany, Iraq, Ireland, Lao PDR, Panama, Peru, Mozambique, Netherlands, New Zealand, Spain, Sweden, and Zambia.

The Second Review Conference of the CCM will take place next year with Switzerland as president.

## 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 universalisation or implementation of the Convention.

*Beyond First Committee, states should:*

- Follow-up on steps taken to ratify or accede to the Convention in advance of the Second Review Conference in 2020;
- 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 universalisation;
- Be persistent in speaking out against the use of cluster munitions; and
- Reach out to neighbouring and partner states, encouraging them to join the Convention.

*Author: Hector Guerra*



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# Depleted uranium weapons

## International Coalition to Ban Uranium Weapons

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### Background

Depleted uranium (DU) is a by-product of the uranium enrichment process, which contains proportionally less of the fissionable uranium isotope U235, and more of the isotope U238 than natural uranium. It is classified by the International Atomic Energy Agency (IAEA) as low-level radioactive waste. As a material it is highly dense and pyrophoric, meaning that it has an incendiary effect upon impact. This effect can generate an aerosol of micron and sub-micron particles that can spread between tens and hundreds of metres from the target.

DU is used by a number of states in armour-piercing-incendiary ammunition fired by tanks, armoured fighting vehicles, and aircraft. DU weapons have been controversial since their first major use in the 1991 Gulf War. 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, as well as 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. Effectively managing DU's post-conflict legacy places a significant financial and technical burden on affected states.

The refusal by some states to acknowledge the civilian health risks from DU contrasts starkly with the protective measures provided to their military personnel, as well as their own domestic standards for radioactive waste management, standards that should form the basis of post-conflict DU management. It is also at odds with the shift in some DU user states towards less toxic alternatives for DU in munitions—itself a tacit acknowledgement of their growing unacceptability.<sup>1</sup>

### Current context

Discussions over the legitimacy of DU use gained media traction during 2016's First Committee as the United States admitted that, despite previous denials, its A-10 aircraft had fired at least 5,265 PGU-14 rounds against oil trucks in Syria. In spite of the calls made in previous UNGA resolutions, no additional information has been released on the precise locations of the munitions fired that could aid the identification, clean up, and remediation of target areas and awareness-raising measures. Such efforts would also be in line with the recommendations provided by the UN Human Rights Council's Special Rapporteur on Human Rights and Hazardous Substances and Wastes in 2016.<sup>2</sup> Elsewhere, the possible use of DU in eastern Ukraine continues to be investigated by

the Organisation for Security and Cooperation in Europe (OSCE) Special Monitoring Mission to the Ukraine.<sup>3</sup>

Peer-reviewed studies into the health risks and environmental behaviour of DU have continued to be published. In confirming a novel radiation effect from DU, researchers at the US Armed Forces Radiobiology Research Institute suggested that cancer risk assessment models may have been underestimated;<sup>4</sup> another study provided further recognition of DU's genotoxicity and the means through which it can damage DNA;<sup>5</sup> while an animal study indicated that DU exposure in utero and during breastfeeding could cause neurological problems by affecting brain development.<sup>6</sup>

Meta analyses of contamination in the Balkans<sup>7</sup> and Middle East<sup>8</sup> both drew attention to the lack of data on human exposure in affected regions, while studies conducted on the corrosion rates of DU penetrators in soils in Bosnia confirmed that corrosion, and with it the potential for groundwater contamination, varies with soil chemistry.<sup>9</sup> Meanwhile the US has continued to aggressively promote the findings of its longitudinal study on Gulf War veterans in spite of its statistically insignificant sample size.<sup>10</sup>

The health and environmental legacy of DU use should be viewed in the context of growing concern over the polluting legacy of armed conflicts. UN Environment Assembly resolution 3/15 in 2017 specifically addressed the need to mitigate and minimise the effects of pollution on people in vulnerable situations, stressing the need for the swift identification, assessment, and remediation of conflict pollution.<sup>11</sup> Recommendations that match those promoted

by international organisations for the post-conflict management of DU yet which often remain unrealised in the absence of clear obligations.

## Recommendations

*During First Committee, delegations should:*

- Raise concerns over the potential use of DU in current operations in Syria, Iraq and the Ukraine in regional and national statements; and
- Explain how they are implementing to A/RES/73/38 "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 specific obligations for the post-conflict 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: Manfred Mohr*

- 1 For example the use of DU—or beryllium, cobalt or nickel—in the proposed ammunition for the F35 Joint Strike Fighter was branded undesirable on the basis of its toxicity. See <https://www.fbo.gov/utills/view?id=f934399b74944eb51de1ec687f89bba8>.
- 2 The Special Rapporteur called for “...an effective remedy for hazardous remnants of conflict and other military activities, including funding for full remediation, comprehensive medical treatment and compensation for individuals experiencing the effects of exposure to these materials”. See A/HRC/33/41, Report of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, 2016, <https://undocs.org/A/HRC/33/41>.
- 3 OSCE Special Monitoring Mission to Ukraine (SMM), based on information received as of 12 January 2018, <https://www.osce.org/special-monitoring-mission-to-ukraine/366376>.
- 4 Miller et al, “Radiation exposure from depleted uranium: The radiation bystander effect, *Toxicology and Applied Pharmacology*”, Volume 331, 2017, pp. 135-141, <https://doi.org/10.1016/j.taap.2017.06.004>.
- 5 Yellowhair et al, “Uranyl acetate induced DNA single strand breaks and AP sites in Chinese hamster ovary cells, *Toxicology and Applied Pharmacology*”, 2018, Volume 349, pp. 29-38, <https://doi.org/10.1016/j.taap.2018.04.022>.
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- 7 Besic et al, “Meta-analysis of depleted uranium levels in the Balkan region”, *Journal of Environmental Radioactivity*, 2017, Volume 172, pp. 207-217, <https://doi.org/10.1016/j.jenvrad.2017.03.013>.
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- 9 Wang et al, “Products of in Situ Corrosion of Depleted Uranium Ammunition in Bosnia and Herzegovina Soils”, *Environmental Science and Technology*, 2016, Vol. 50, No. 22, <https://doi.org/10.1021/acs.est.6b03732>.
- 10 McDiarmid et al, “The U.S. Department of Veterans’ Affairs depleted uranium exposed cohort at 25 Years: Longitudinal surveillance results”, *Environmental Research*, 2017, Volume 152, pp. 175-184, <https://doi.org/10.1016/j.envres.2016.10.016>.
- 11 UNEP/EA.3/Res.1, “Pollution mitigation and control in areas affected by armed conflict or terrorism”, UN Environment Assembly, 2017, <https://undocs.org/UNEP/EA.3/Res.1>.



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# Incendiary weapons

## Human Rights Watch

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### Background

Incendiary weapons, which produce heat and fire through the chemical reaction of a flammable substance, cause 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, many of which have been used this year in Syria. 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.

Closing these loopholes, which would be legally if not politically straightforward, would create stronger rules for states parties and increase the stigma against incendiary weapons, influencing even actors outside the treaty.

### Current context

Efforts to strengthen international law on incendiary weapons took a step backwards at the 2018 Meeting of States Parties to the Convention on Conventional Weapons (CCW). Taking advantage of the body’s consensus rules, Russia blocked the widely supported proposal to continue dedicated discussions of incendiary weapons at the CCW’s annual meeting in 2019. Meanwhile, in Syria, the Syrian-Russian military alliance renewed its use of this cruel weapon in or near civilian areas.

Since November 2012, Human Rights Watch has identified, through open-source material and interviews, almost 150 incendiary weapons attacks by the Syrian-Russian military alliance in Syria. In May–June 2019 alone, it identified 27 uses of incendiary weapons. The total number of attacks is likely much higher because some go unreported and others are not recorded by visual media so cannot be investigated.

To make these identifications, Human Rights Watch reviewed videos and photographs of incendiary weapons use that were taken by the general public, first responders, and activists. The organisation examined additional visual material and testimony from after attacks showing the effects of incendiary weapons as well as their remnants.

Human Rights Watch also assessed a time series of satellite imagery and identified extensive burn scars on agricultural land and near villages.

Most of the documented incendiary weapon attacks in 2019 took place in Idlib governorate. An attack on May 25 in Khan Sheikhoun, Idlib, for example, left approximately 175,000 square meters of burned farmland, according to Human Rights Watch's analysis of satellite imagery. Human Rights Watch also documented this year six strikes in Hama governorate and one in the village of Tal Hadya near Aleppo. Ground-launched incendiary rockets account for almost all of the attacks recorded in 2019. Syria has not joined CCW Protocol III, but Russia is a party and legally bound by its provisions.

Since 2010, more than three dozen countries, along with the International Committee of the Red Cross, the UN Secretary-General, and non-governmental organisations, have called attention to the harm that incendiary weapons can cause to civilians, and many have called for revisiting CCW Protocol III.

That trend continued at the CCW's 2018 annual meeting, which set aside dedicated time for discussion for the second year in a row. At least a dozen countries called for amendments to Protocol III, or at least a more in-depth review of its adequacy. Even states that did not favour strengthening the protocol expressed a willingness to keep the item on the CCW agenda. Russia's veto, however, led to its removal for 2019.

Despite this setback, states remain free to express their views on incendiary weapons at First Committee and during other segments of the CCW's November 2019 meeting. Indeed,

they should intensify their work on the topic now so that they are prepared to take concrete action at the 2021 CCW Review Conference.

## Recommendations

*During First Committee, delegations should:*

- Delegations should call for a formal review of Protocol III and amendments to address the negative humanitarian impacts of incendiary weapons; and
- Delegations should publicly condemn incendiary weapons use in Syria and urge the Syrian government and others to accede to the CCW and Protocol III.

*Beyond First Committee, states should:*

- At their annual meeting, CCW states parties should condemn incendiary weapon use and call for reviewing and strengthening Protocol III. They should set aside time in 2020 for in-depth discussions of the implementation and adequacy of Protocol III, with the eye to agreeing to a mandate to amend at the 2021 Review Conference.

*Author: Bonnie Docherty*

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- 1 “Russia/Syria: Flurry of Prohibited Weapons Attacks,” Human Rights Watch, 3 June 2019, <https://www.hrw.org/news/2019/06/03/russia/syria-flurry-prohibited-weapons-attacks>.
  - 2 For more information, see *Myths and Realities about Incendiary Weapons*, Human Rights Watch and the Harvard Law School International Human Rights Clinic, November 2018, [https://www.hrw.org/sites/default/files/supporting\\_resources/201811arms\\_myths\\_realities\\_incendiaryweapons.pdf](https://www.hrw.org/sites/default/files/supporting_resources/201811arms_myths_realities_incendiaryweapons.pdf).
  - 3 Human Rights Watch notes from Meeting of States Parties to the CCW, November 2018.
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*Photo: An incendiary weapon attack burned farmland in Badma, Idlib, in July 2018. © 2018 Syria Civil Defense.*

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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) are frequently the weapons of choice in acts of armed violence. According to the Small Arms Survey, in 2017 (the most recent year for which data are available), there were 589,000 violent deaths.<sup>1</sup> Less than 20 per cent of these deaths were the direct result of armed conflict. To reduce deaths resulting from the use of SALW, states need to focus on armed violence as a whole, rather than limiting their efforts to addressing only conflict violence. As UN Secretary-General António Guterres stated in his 2018 Securing our Common Future, “High levels of arms and ammunition in circulation contribute to insecurity, cause harm to civilians, facilitate human rights violations and impede humanitarian access.”<sup>2</sup>

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); the UN Firearms Protocol (entry into force, 2005), supplementing the UN Convention Against Transnational Organized Crime (entry into force, 2003); and the Arms Trade Treaty (ATT, entry into force, 2014).

### Current context

In June 2020, the United Nations will hold the seventh Biennial Meeting of States on the UNPoA (BMS7). This is an opportunity to assess progress toward implementing the results of the June 2018 Review Conference on the UNPoA (RevCon3). The final outcome document for RevCon3 included strong statements on many issues, including on ensuring that gender concerns are mainstreamed in policies on SALW transfers, and on destroying surplus, confiscated, seized, and collected SALW.

### Recommendations

*During First Committee, delegations should:*

- Demonstrate plans to meet their RevCon3 commitments for BMS7;
- Prepare proposals to encourage states to exchange good practices on preventing, combatting, and eradicating the illicit trade in SALW and ammunition;
- Emphasise the importance of addressing pervasive SALW violence and crime, recognising that the vast majority of deaths and injuries due to SALW use occur in crime, not in armed conflict;
- Focus on gender-based action to curb SALW proliferation and violence, and work to ensure women’s full and effective participation and representation in arms



control programmes and diplomatic processes, including incorporating the results of the fifth Conference of States Parties to the Arms Trade Treaty (CSP5)<sup>4</sup>; and

- Strengthen the focus on achieving Sustainable Development Goal (SDG) 16 and respecting human rights law, international humanitarian law, and UN principles governing the use of force.

*Beyond First Committee, states should:*

- Prepare their national reports on progress in implementing their commitments from RevCon3, to be considered at BMS7;
- Develop and take advantage of synergies among the UNPoA, the Firearms Protocol, and the ATT, to enhance their implementation<sup>4</sup>;
- 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 relevant instruments;
- Apply the criteria, guidelines, and prohibitions in the ATT to help bring more of the international trade in conventional

weapons, including SALW, into compliance with international human rights and humanitarian law;

- Partner with civil society organisations, by including civil society representatives on national delegations, fully integrating them into the work to reduce the human costs of armed violence, and ensuring diverse leadership from survivors, youth, and other traditionally underrepresented groups;
- Commit to increasing funding for civil society work on these issues; and
- Implement all of the SDGs that are related to arms control issues (not just SDG16); e.g. by 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*



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- 1 Armed violence statistics from the Small Arms Survey are available at <http://www.smallarmssurvey.org/fileadmin/docs/T-Briefing-Papers/SAS-BP-Violent-Deaths-Scenarios.pdf>
  - 2 António Guterres, *Securing our Common Future: An Agenda for Disarmament*, <https://s3.amazonaws.com/unoda-web/wp-content/uploads/2018/06/sg-disarmament-agenda-pubs-page.pdf>; and “IANSA Quick Guide to Small Arms Issues in Securing our Common Future,” available at: [https://docs.wixstatic.com/ugd/bb4a5b\\_6b2c03222cf64947b0a15739f943f34c.pdf?index=true](https://docs.wixstatic.com/ugd/bb4a5b_6b2c03222cf64947b0a15739f943f34c.pdf?index=true).
  - 3 For additional detail and recommendations on these issues, see “Small Arms, Big Harms: A Call to Action by Civil Society on Gender and Small Arms Control,” IANSA, updated August 2019, [https://docs.wixstatic.com/ugd/bb4a5b\\_3c33ffcbdb784b2e9e0276cfd89057e7.pdf](https://docs.wixstatic.com/ugd/bb4a5b_3c33ffcbdb784b2e9e0276cfd89057e7.pdf) and “Gaps in Women’s Participation and Representation in the Small Arms and Light Weapons Process,” IANSA, June 2017, <https://tinyurl.com/y9pcaeq>.
  - 4 See also “Quick Guide to the Results of the 2018 Review Conference on the Illicit Trade in Small Arms and Light Weapons,” IANSA, updated October 2018, [https://docs.wixstatic.com/ugd/bb4a5b\\_178dbb1ddf324d65b6717f97b60d28c0.pdf](https://docs.wixstatic.com/ugd/bb4a5b_178dbb1ddf324d65b6717f97b60d28c0.pdf).

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# Arms Trade Treaty

## Control Arms

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### Background

On 24 December 2019, the Arms Trade Treaty (ATT) will celebrate its fifth anniversary since entry into force. Over the last year seven countries— Suriname, Guinea Bissau, Mozambique, Palau, Botswana, Lebanon, and Canada— joined the ATT, bringing the total number of states parties to 104. But their geographic spread remains uneven. Currently, the regions with the lowest membership are Africa (25 of 54 countries), Asia (seven of 14), and Oceania (five of 14), while Europe (39 of 43 countries) and the Americas (26 of 35) enjoy greater regional adherence.

Many of these governments have taken concrete steps towards implementing the ATT's provisions, by strengthening their national control systems, adopting national control lists, and updating their national legislation, policies, and procedures to increase compliance with ATT obligations. However, states must ensure that the rigorous application of articles 6 and 7 in line with the ATT's object and purpose ensure that concerns over human rights and humanitarian violations take precedence over all other considerations. Transfers that violate these articles have continued relatively unabated, perhaps most apparent in transfers made to the Saudi-led coalition for use in Yemen. Since the conflict in Yemen began four years ago, ATT states parties have failed to share information regarding their domestic risk

assessment processes that led to the approval or the suspension/denial of arms transfers to members of the Saudi-led coalition for use in Yemen. This year at least, judicial reviews in a few states found certain arms transfers unlawful, instructing the government to suspend or cancel transfers, as in the case of Belgium, or to refrain from issuing new licences, as in the case of the United Kingdom and Italy.

### Current context

Two informal preparatory meetings were convened in January and April 2019 to plan for the Fifth Conference of States Parties (CSP5). The CSP5 took place on 26-30 August in Geneva, Switzerland and was attended by delegates from 86 states parties, 17 signatories, and three observer states along with other stakeholders. Ambassador Jānis Kārkliņš of Latvia, President to CSP5, selected gender and gender-based violence (GBV) as the theme of his presidency. His non-paper on this subject approached the issue from three angles: gender balance in representation; the gendered impact of armed violence; and the GBV risk assessment contained in the ATT.

The Working Group on Effective Treaty Implementation (WGETI) continued to address the implementation of specific ATT articles in dedicated sub-working groups on article 5 (general implementation), articles 6 and 7 (prohibitions and export assessment), and

article 11 (diversion) with the aim of developing good practices in the establishment of national control systems. Discussions on article 5 led to the development and endorsement of a voluntary basic guide which seeks to assist states parties that wish to establish or strengthen their national control system. The sub-group on articles 6 and 7 incorporated discussion about article 7(4)'s provision regarding serious acts of GBV and agreed to advance this work through the development of a medium-term plan coupled with voluntary sharing of experiences on key aspects of these articles. The CSP5 also welcomed the multi-year work plan developed by the sub-group on article 11. The CSP5 agreed to replace the sub-working group on article 5 with one on article 9 (transit and transshipment). Another key matter discussed this year was the problem of financial liquidity due to an increasing number of states that have failed to pay their assessed contributions.

Public, comprehensive, and timely reporting on exports and imports by states parties can increase accountability and transparency in arms transfer decisions and lead to mutual security and confidence building. However, reporting rates have remained disappointing in 2019. As of 31 May, only 70 of 94 initial reports and 45 of 92 annual reports due had been received by the legal deadline. The Working Group on Transparency and Reporting (WGTR) discussed ways to address the decreasing reporting rates.

Ambassador Carlos Foradori of Argentina was elected President of CSP6, which will be held in Geneva from 17-21 August 2020. Argentina is expected to begin its presidency with the introduction of a new resolution on the ATT during the 2019 First Committee. The annual

resolutions tend to welcome the ATT, encourage universalisation, and endorse decisions taken at CSPs.

## Recommendations

*During First Committee, delegations should:*

- Highlight and challenge arms transfers that appear to violate the ATT;
- Encourage universalisation;
- Contribute to substantive discussions taking place in side events and elsewhere in order to share expertise and strengthen capacity for robust implementation of the ATT;
- Strive for gender balance in their delegations; and
- Support the resolution that calls for strong and effective ATT implementation.

*Beyond First Committee, states should:*

- Share information regarding their arms transfer decision processes, in particular around their article 6 and 7 risk assessment processes;
- Adopt the highest norms and establish rigorous structures to ensure effective implementation and compliance with the ATT;
- Robustly implement ATT obligations that seek to address diversion;
- Commit to timely, comprehensive, and public reporting; and
- Engage in the ATT process by actively participating in the working groups and preparatory meetings as well as in the CSPs.

*Author: Raluca Muresan*

**control**arms

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# Casualty recording

## Every Casualty Worldwide

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### Background

Casualty recording is the process of systematically recording deaths—both of civilians and combatants—in situations of armed violence and conflict. Effective casualty recording provides information not only about how many people were killed but also who was killed, where, when, and how. Casualty recording is distinct from casualty tracking, which is carried out exclusively by military actors to track the effects of their own operations on the civilian population and mitigate them.

Civil society organisations have conducted casualty recording in conflicts around the world for many decades. In recent years UN agencies, field offices, and other relevant entities have also increasingly integrated casualty recording within their mandates either formally or informally. The collective expertise of a wide cross section of these organisations was codified in the *Standards for Casualty Recording*, published in 2016.<sup>1</sup>

In addition to supporting measures for human rights monitoring, the protection of civilians, and accountability, casualty recording is a valuable practical and advocacy tool for humanitarian disarmament. It provides ongoing objective evidence of the effect of particular weapons types—including armed drones, small arms, landmines, cluster munitions

and explosive weapons—and differentiates the impact by victims' age, gender, and other demographic variables. Casualty data has been used effectively to measure and improve the impact of disarmament initiatives relating to landmines and cluster munitions, and to support advocacy on limiting the use of explosive weapons. It can and should also be used to monitor compliance with UN resolutions and international law, including the Arms Trade Treaty.

Casualty recording has been repeatedly endorsed in the UN Secretary-General's annual reports on the Protection of Civilians in Armed Conflict, as well as in the UN Office for the Coordination of Humanitarian Affairs' 20-year review of the UN Security Council's engagement on protection of civilians, *Building a Culture of Protection*.<sup>2</sup> It was also promoted in the UN Secretary-General's 2018 Agenda for Disarmament, *Securing Our Common Future*<sup>3</sup>, with a particular emphasis on its relevance to civilians affected by urban warfare and explosive weapons. The report noted that collection of data on casualties, including disaggregated information on the category of arms used, was "an important practical step" which could "contribute to evidence-based dialogue to support the development of practice, policies and norms at the global, regional and national levels aimed at protecting civilians." The Secretary-General also noted that casualty

recording can “assist States in implementing Security Council-mandated arms embargoes, as well as in undertaking risk assessments applicable to transfers of conventional weapons pursuant to national export regulations and to international treaties.”

## Current context

Effective, accurate, and adaptable casualty recording methodologies have been successfully applied by a variety of actors in different contexts for many years. New technology has further facilitated the timely and detailed documentation of conflict casualties. However, despite its proven utility in supporting disarmament efforts and related agendas, casualty recording is still only mandated periodically by international bodies.

To be effective, humanitarian disarmament initiatives need to be evidence-based and measurable. This requires, among other things, objective documentation of the harm caused by particular weapon types and their impact on specific segments of the affected population. Incorporating consistent and comprehensive casualty recording (disaggregated by age, sex, and weapon wherever possible) in all relevant aspects of the First Committee’s work would ensure this data is routinely available.

## Recommendations

*During First Committee, delegations should:*

- Make use of casualty records from reliable civil society and international sources to inform their policy and advocacy on specific disarmament issues;
- Acknowledge the role of casualty recording in furthering the aims of humanitarian disarmament; and
- Consistently promote the inclusion of

casualty recording mechanisms and responsibilities in all relevant First Committee resolutions.

*Beyond First Committee, states should:*

- Make use of robust casualty records from civil society and international sources to inform their policy and advocacy on disarmament, security, humanitarian and human rights issues;
- Develop and implement national (and where relevant, multinational) policies and practices on casualty recording and casualty tracking, in line with OCHA recommendations;
- Promote the routine, consistent, and comprehensive use of casualty recording in all relevant national and international fora, including those focused on disarmament, security, humanitarian affairs, and human rights;
- Recognise the importance of civil society-led casualty recording initiatives, which ensure that ‘official’ records can be independently challenged and verified, and encourage state-led and internationally mandated casualty recording mechanisms to engage with civil society counterparts; and
- Request and ensure adequate resources for casualty recording, including lines of responsibility and resource allocations, within the mandate of all relevant UN disarmament initiatives and peacekeeping, peace-building, political, and human rights missions.

*Author: Rachel Taylor*

**everycasualty**  
promptly recorded, correctly identified, publicly acknowledged.

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- 1 *Standards for Casualty Recording*, Every Casualty Worldwide, 2016, [http://www.everycasualty.org/downloads/ec/pdf/StandardsforCasualtyRecording-Version1.0\(2016\).pdf](http://www.everycasualty.org/downloads/ec/pdf/StandardsforCasualtyRecording-Version1.0(2016).pdf).
  - 2 Leonie Arendt, *Building a Culture of Protection: 20 years of Security Council engagement on the Protection of Civilians*, UNOCHA, May 2019, <https://reliefweb.int/sites/reliefweb.int/files/resources/Building%20a%20culture%20of%20protection.pdf>.
  - 3 Antonio Guterres, *Securing Our Common Future: An Agenda for Disarmament*, United Nations, 2018, <https://s3.amazonaws.com/unoda-web/wp-content/uploads/2018/06/sg-disarmament-agenda-pubs-page.pdf>.



*Photo: Joël in 't Veld*

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# Outer space

## Project Ploughshares

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### Background

Currently free of weapons, outer space is unique. With over 2,000 operational satellites and counting, the relative stability and security of this environment has enabled a profusion of space-based applications, from communications, transportation, and banking, to search-and-rescue operations, weather forecasting, and arms control verification. The world is now dependent on outer space to support everyday life and security on Earth, but such use cannot be taken for granted. Maintaining access to and use of the outer space domain requires a focus on the security and sustainability of outer space as an environment that can be used by all. Two key threats stand out, and are related: the generation of space debris, and the view by some that outer space is a domain of warfare. Space debris—which is generated by all space missions—continues to be a critical challenge to the safety of all spacecraft. As the space environment is more heavily used, there is a growing risk that space assets may collide with a piece of orbital debris or even with one another. 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.

At the same time, there is an emerging perspective among some space actors that outer space is a legitimate domain of warfare.

Alongside this shift, development and demonstration of capabilities to use force and disrupt the use of outer space has increased. Deliberate jamming of satellite signals is common; ground-based anti-satellite weapons (ASATs) continue to be tested; missile defence systems have been demonstrated to have ASAT uses; and dual-use precursor technologies that would allow space-to-space offensive capabilities have been deployed. Not only does armed conflict and the use of force in outer space threaten the security and stability of outer space, but it also threatens peaceful uses through the potential to generate debris and other indiscriminately harmful effects on the environment. Armed conflict in space would lead to devastating consequences for daily life on Earth and damage the long-term sustainability and peaceful use of space; yet efforts to prevent this continually falter.

### Current context

There is broad concern 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, particularly the threat of an arms race in outer space.

The Conference on Disarmament, which has the primary responsibility for negotiations related to PAROS, has been deadlocked and unable to conduct substantive discussions for years. While the UN Committee on the Peaceful Uses of Outer Space (COPUOS) is a critical forum to address safety and sustainability in space, some members insist that its mandate precludes discussion of any security-related issues including arms control and the use of force. Meanwhile, specific proposals for both legally binding treaties, such as the draft 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 including the proposed International Code of Conduct for Outer Space Activities, have stalled. Support for these different approaches to security is deeply divided. This divide also prevented the adoption of a final report by the recently concluded UN Group of Governmental Experts (GGE) on the Prevention of an Arms Race in Outer Space. While discussion of how to implement TCBMs is an agenda item at the United Nations Disarmament Commission (UNDC), progress will require political goodwill and a technical focus on practical steps toward transparency in order to ameliorate the current atmosphere of mistrust.

## 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 an arms race and the escalation of armed conflict in outer space;
- Condemn any anti-satellite tests and the development of weapons to be placed in orbit or any system to be used to damage or destroy space-based assets;
- 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; and
- Seek to find common ground between legal and rules-based approaches to enhancing the security of outer space, and between hardware restrictions and behaviour-focused measures.

*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, including UN COPUOS and the UNDC;
- Provide greater transparency on national uses of space, including military uses and technology demonstrations;
- Ratify and implement the existing collection of outer space treaties; and
- Implement best practices identified in the UN COPUOS Guidelines on the Long-Term Sustainability of Outer Space, and report on national progress.

*Author: Jessica West*





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# Cyber space

## Women's International League for Peace and Freedom

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### Background

The word “cyber” has come to refer to an ever-widening spectrum of activities encompassing espionage, surveillance, privacy intrusions, denial-of-service attacks, ransomware, and malware operations that variously impact nations and individuals. Many of these activities have the ability to disrupt, disable, or destroy vital physical infrastructure or national or human security and well-being. Some constitute criminal activity while others occur within legal grey areas. Cyber operations have become an effective tool for states seeking to exercise power by causing disruption or confusion in other countries and is transforming espionage. Digital technology has added new means by which governments can control or repress the human rights of their citizens.

There are important points of intersection with militarism and traditional arms proliferation: for example, the dark web facilitates illicit arms trafficking while certain other technologies raise concerns related to surveillance and intelligence gathering. The vulnerability of certain existing weapon systems to digital attack present new areas of alarm, but also compelling incentives to disarm.

Since the first instances of malicious cyber operations between states were uncovered, there

has been a growing pre-supposition of cyber space as a militarised one. This is a dangerous path for states to continue down, given the civilian and dual-use nature of cyberspace and digital networks. By treating this primarily as a military and security issue, states and other actors risk institutionalising and taking for granted the inevitability of cyber conflict.

In the ongoing discussions about norms of responsible behaviour in cyberspace and increasing ubiquity of digital networks and tools, it's essential that actors adhere to already agreed norms. But it's also vital that space is given to articulating the means to guarantee and protect a peaceful cyber space, as based on a human-centric understanding of security and diversity of perspectives.

### 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.<sup>1</sup> The first GGE on ICT was established in 2004 with a general purpose of examining existing and potential threats in cyberspace and possible cooperative measures to address them. Subsequent groups expanded the membership slightly and worked to develop

behavioural norms for actions in cyberspace. Following the fourth Group's adoption of what was generally regarded as a "groundbreaking" report in 2015<sup>2</sup>, expectations were high for the fifth Group, but it was unable to agree to a consensus report at its final meeting in June 2017. Major points of contention were the applicability of international humanitarian law and Article 51 of the UN Charter to the ICT environment, over which the majority of participating Western states had views different to that of China, Russia, and Cuba.

Following this stalemate and breakdown, UN discussions were at an impasse. In 2018, Russia introduced new and controversial elements into the annual UNGA First Committee resolution, prompting the United States to draft its own counter-resolution. While Russia ultimately modified some of the more problematic elements of its draft, wider politicisation during the 2018 UNGA First Committee session contributed to the inability of either states to meet at a compromise. As a result, the UNGA established both a new GGE and for the first time, an Open-Ended Working Group (OEWG) that will meet concurrently throughout 2020 and 2021. The two entities have similar, yet not identical, mandates and varying modalities to receive inputs from either non-governmental stakeholders or, in the case of the GGE, non-Group members.<sup>3</sup>

The OEWG on developments in the field of information and telecommunications in the context of international security, chaired by Swiss Ambassador Jürg Lauber, is open to the entire UN membership. Its first substantive session is in September 2019, with others in February and June. An intersessional meeting with industry and civil society is planned for

December 2019, in an effort to ensure broader inclusivity. Yet non-governmental organisations without ECOSOC status have been denied access to observe the September session.

The GGE will hold its first meeting in December 2019 but will not submit a final report to the General Assembly until 2021.<sup>4</sup> The group will be comprised of 25 members<sup>5</sup>, who are working in a personal capacity. It will be chaired by Ambassador Guilherme de Aguiar Patriota of Brazil, who will additionally hold two informal consultations with all UN member states as well as six regional consultations, some of which have already occurred, again in an effort to improve inclusivity.

It will be important that these entities work toward mutually reinforcing outcomes and avoid contradicting one another. In addition, states will need to account for an ever-growing external patchwork of global and regional discussion fora for various stakeholders and ensure input from wider stakeholders into their deliberations. During the 2019 First Committee, it is likely that this message will be reinforced by many states parties who expressed frustration at the outcome in 2018. It is also likely that member states will outline their views and priorities for both entities, notably as the first session of the OEWG will have just occurred.

## Recommendations

*During First Committee, delegations should:*

- Speak out against hostile and provocative actions in and the militarisation of cyberspace, and speak in favour of cyber peace and human security online;
- Express concern about unlawful surveillance and digital censorship activities that violate human rights; and

- Articulate their views and priorities for the GGE and OEWG.
- Support technical capacity building initiatives; and
- Refrain from undertaking or facilitating any repression of human rights or freedoms through digital means.

*Beyond First Committee, states should:*

- Uphold the behavioural norms that already enjoy broad support;
- Work cooperatively ensure mutually reinforcing outcomes between the GGE and OEWG;
- Ensure information sharing between different international processes that address cyber issues, both within and outside of the UN system;

*Author: Allison Pytlak*



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- 1 For additional background, see the UN Office of Disarmament Affairs Fact Sheet, available <https://s3.amazonaws.com/unoda-web/wp-content/uploads/2018/07/Information-Security-Fact-Sheet-July2018.pdf>.
  - 2 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).
  - 3 More detailed information on dynamics during the 2018 First Committee is available through our coverage in the *2018 First Committee Monitor*, available <http://reachingcriticalwill.org/disarmament-fora/unga/2018/fcm>.
  - 4 For more information on both processes visit <http://reachingcriticalwill.org/disarmament-fora/others/ict>.
  - 5 Australia, Brazil, China, Estonia, France, Germany, India, Indonesia, Japan, Jordan, Kazakhstan, Kenya, Mauritius, Mexico, Morocco, Netherlands, Norway, Romania, Russian Federation, Singapore, South Africa, Switzerland, United Kingdom, United States, and Uruguay.

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# Gender and disarmament

## Women's International League for Peace and Freedom

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### Background

Employing a gender perspective<sup>1</sup> means investigating and analysing the ways in which weapons and war are coded with gender norms. Feminist scholars and activists have shown that the dominant discourse on these subjects tends to perpetuate the highly problematic gender constructions of men who are violent and powerful and women that are vulnerable and need to be protected. The framing of war and violence as “strong” and “masculine” is often coupled with a framing of peace and nonviolence as “weak” and “feminine.”<sup>2</sup> In this context, weapons are typically seen as important for security, power, and control. Disarmament is treated as something that makes people or countries weaker or more susceptible to attack.

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 gender non-conforming people 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> LGBT+ people can also face harm from armed gender-based violence.

### Current context

The interest in the topic of “gender and disarmament” continues to grow in international forums. At the Fifth Conference of States Parties to the Arms Trade Treaty in August 2019, states endorsed a set of recommendations related to implementing the Treaty’s gender provisions, including its legally binding criterion to assess the risk of gender-based violence when making arms export decisions. Ahead of the conference WILPF and the Irish mission hosted a training for delegates on the Treaty’s gender provisions and there were numerous related side events throughout the conference.

In October 2019, the Canadian mission worked with governments and civil society to achieve

language in 17 First Committee resolutions advocating for women's equal participation, recognising gendered impacts of weapons, and/or urging consideration of gender perspectives more broadly. This accounts for 25 per cent of all First Committee resolutions in 2018. Six of these resolutions included gendered language for the first time, while three improved the gendered language. The number of First Committee delegations speaking about gender and disarmament in their statements also continued to increase, and Namibia on behalf of 56 states dedicated a whole statement to this topic, urging examination of how “underlying assumptions about how gender shapes [delegations’] own work and the dynamics of joint disarmament efforts.”

Earlier that year, UN Secretary-General António Guterres launched his new disarmament agenda, *Securing our Common Future*, which makes several references to the gendered impacts of weapons, gender-sensitive arms control, or women's participation in disarmament, including urging states to incorporate gender perspectives in their national legislation and policies on disarmament and arms control.

This builds on recognition in 2017 from the UN Treaty on the Prohibition of Nuclear Weapons and the nuclear Non-Proliferation Treaty about the need for gender diversity in disarmament, and from the Third Review Conference of the UN Programme of Action (UNPoA) on small arms and light weapons (SALW) in 2018, which recognised the need for states to mainstream gender dimensions in their implementation of the UNPoA.

These developments are very welcome and should be continued and enhanced in as many

disarmament forums as possible. However, a more robust reflection of the gendered norms associated with weapons, war, and violence, is also crucial for effectively addressing the challenges associated with the proliferation and use of weapons in and out of conflict.

## Recommendations

*During First Committee, delegations should:*

- Welcome the gender perspectives included in recent forums and documents, and commit to advancing the goals contained therein;
- Ensure that gains made on gender in the 2018 First Committee are maintained and expanded;
- Collaborate to make First Committee resolutions more gender-sensitive;
- 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 and other forms of diversity in disarmament discussions and negotiations; and
- Share their experiences with ensuring gender perspectives in disarmament policies and initiatives.

*Beyond First Committee, states and other actors should:*

- Avoid gender essentialisms and reinforcement of violent masculinities in resolutions and action plans on disarmament and arms control;
- Effectively implement the Arms Trade Treaty provision against gender-based violence;
- Seek to ensure gender and other forms of diversity in disarmament and arms control

discussions, negotiations, and peace processes;

- Continue to research and assess the specific impact that weapons, armed conflict, and armed violence have on diverse populations;
- Promote practical linkages between the Sustainable Development Goals and the Women, Peace, and Security agenda and disarmament initiatives; and

- Invest in gender equality and other human rights and sustainable development instead of militarism.

*Author: Ray Acheson*



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- 1 Gender is not about sex but about the socially constructed norms and expectations about how we are supposed to act based on our sex.
  - 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.



*Photo: Irina Popa, for WILPF*

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# Disarmament and development

## Women's International League for Peace and Freedom

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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.

National military-industrial complexes absorb vast amounts of funding that could otherwise be spent on human security, including the achievement of the Sustainable Development Goals (SDGs). 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 members' excessive military spending, rampant arms trading, and facilitation of conflicts worldwide. 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> The 1992 Rio Declaration, Agenda 21, and the 1995 Beijing Declaration and Platform for Action contained commitments on innovative finance, including reallocating military resources toward sustainable peace.<sup>3</sup> A Group of Governmental Experts released a reappraisal of the relationship between disarmament and development in 2004.<sup>4</sup>

### Current context

According to a 2018 Institute for Economics and Peace report, the economic cost of violence globally was US\$14.7 trillion (12.4 per cent of global GDP) in 2017, a 16 per cent increase since 2012. The single largest contributor to this cost was military expenditure (37 per cent).<sup>5</sup>

Total world military expenditure rose to \$1822 billion in 2018, an increase of 2.6 per cent from 2017. The United States continues to have the world's largest military budget, spending more than the next seven highest-spending countries combined. In 2018, US military expenditure rose for the first time in seven years, to \$649 billion.<sup>6</sup>

Since the adoption of the SDGs 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. Target 16.4 seeks to reduce “significantly” illicit arms flows, which could be accomplished via robust implement of the UN Programme of Action on small arms and light weapon (UNPoA) or the Arms Trade Treaty (ATT). The reporting mechanisms for both instruments and related data could be utilised for measuring the indicator set for Target 16.4. 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. The UN Secretary-General's 2018 Agenda for Disarmament reaffirmed this.

However, there remain silos across arms control and disarmament and development action. This poses challenges to realising the transformative intent of the 2030 Agenda. Earlier this year, the High-Level Political Forum (HLPF), the main accountability platform for the SDGs, reviewed SDG 16. Only a handful of states made references to disarmament.<sup>7</sup> As well, the 2019 Global Sustainable Development Report (GSDR), an important milestone evaluating action on the 2030 Agenda, noted

that “discussion of military spending and arms proliferation is absent, despite overwhelming evidence that the availability of weapons fuels violence and armed conflicts that hamper achievement of specific SDGs...”<sup>8</sup>

The UN General Assembly (UNGA) should ensure increased coordination between arms control and disarmament efforts and the 2030 Agenda. It needs to take more active responsibility on this issue. 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.

## Recommendations

*During First Committee, delegations should:*

- Recognise and reinforce the specific ways in which disarmament, non-proliferation, and arms control can advance development, including the SDGs;
- Address the issue of the underrepresentation of lower-income countries and regions in multilateral disarmament forums, and suggest practical measures to correct this; and
- Suggest new ways for the UNGA to effectively engage in this issue.

*Beyond First Committee, states should:*

- Reduce military budgets and redirect funds to social and economic development;
- Support programmes of sponsorship, training, and capacity building;



- 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: Katrin Geyer



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# Protection of the environment in relation to armed conflict

## Conflict and Environment Observatory and PAX

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### Background

The past year has seen unprecedented attention to the deteriorating condition of the global environment, and its consequences for sustainable development, human security, and ecosystems. Alarms are sounding on land degradation, biodiversity loss, pollution, and the climate emergency. Armed conflicts are contributing to all of these threats. They also weaken the capacity of states to respond to them.

Environmental concerns should feature in many of the topics on the agenda of the First Committee, yet they are rarely articulated by delegations. This is particularly true for the environmental consequences of the proliferation and use of conventional weapons and ammunition. By focusing only on the environmental dimensions of disarmament<sup>1</sup>, the First Committee's approach has been akin to debating the technicalities of weapons disposal while ignoring the humanitarian consequences of their use. This is a situation that is becoming increasingly untenable.

Questionable targeting practices fuel serious environmental harm that worsens human suffering. Yemen continues to witness deliberate

attacks on water and agricultural infrastructure, undermining efforts to address cholera and improve food security.<sup>2</sup> Libya and Ukraine have seen repeated attacks and interruptions to their water and energy infrastructure—made possible and sustained by the ready availability of weapons.<sup>3</sup> Direct attacks on oil infrastructure during armed conflicts, and lack of proper environmental governance in post-conflict zones, have contributed to pollution of marine environments, surface, and groundwater in Syria, Iraq, and Yemen.

The accessibility of conventional weapons also threatens biodiversity. In South Sudan, efforts to rebuild globally important protected areas are being hampered by insecurity and the volume of weapons in circulation, while the influx of displaced civilians has spurred deforestation.<sup>4</sup> Meanwhile the uncontrolled dispersal of arms from the conflict in Libya has led to increased poaching and rapid declines in large mammal species across the Sahel.<sup>5</sup> Even when a conflict subsides, states are left to address the polluting consequences of millions of tonnes of contaminated debris, vast backlogs of solid waste, and damaged infrastructure.<sup>6</sup>

States and armed groups have also used the environment again as a weapon to target vulnerable populations. In Iraq and Syria, the deliberate torching of thousands of acres of croplands resulted in widespread wildfires that impacted food security, contributing to significant air pollution and the direct killing of people fighting the flames,<sup>7</sup> while deliberate use of specific weapons resulted in deforestation in Syria and northern Iraq.

Furthermore, even as our increasingly unpredictable climate amplifies the vulnerabilities of communities and heightens tensions over natural resources,<sup>8</sup> military activities in peacetime and conflict generate greenhouse gas emissions that exceed those of many countries.<sup>9</sup>

## Background

In July 2019, the International Law Commission (ILC) adopted 28 legal principles intended to enhance the protection of the environment in relation to armed conflicts.<sup>10</sup> The principles address measures that states and other actors can take to minimise harm to people and the environment before, during, and after armed conflicts, and in situations of occupation.<sup>11</sup> States will have an opportunity to debate the draft principles during this autumn's Sixth Committee, before their expected adoption in 2021.

In December 2019, the International Committee of the Red Cross (ICRC) will publish an updated version of their 1994 environmental guidelines for military manuals.<sup>12</sup> The updated guidelines are intended to help militaries and other relevant actors minimise harm to the natural environment.

The increasing international attention on the environmental dimensions of armed conflicts and military activities has not been restricted to the UN Environment Assembly or Security Council.<sup>13</sup> On 6 November, the UN day for protection on the environment armed conflict, 56 leading civil society organisations and experts called to enhance the protection of people and ecosystems by taking meaningful steps towards addressing the environment throughout the cycle of conflicts.<sup>14</sup> In July 2019, a group of conservation biologists who witnessed the devastating effects on wildlife caused by arms proliferation in the Sahel published an open letter in *Nature* calling for a Fifth Geneva Convention on the environment.<sup>15</sup>

The main takeaway message is that we have to do everything and do it now. This applies just as much to our personal actions as it does to the actions of First Committee, and right now First Committee is doing very little.

## Recommendations

*During First Committee, delegations should:*

- Acknowledge and articulate the environmental dimensions of the topics they debate; and
- Make greater use of the annual resolution “Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control” to articulate these concerns, or work with civil society and experts to develop a new resolution focused on the environmental harm caused by weapons.

*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 support the adoption of its draft principles;
- Adopt, implement, and promote the revised ICRC Guidelines for Military Manuals and Instructions on the Protection of the Environment in Times of Armed Conflict following their publication; and

- Implement the UN Environment Assembly resolution on conflict and environment and support conflict affected states by providing financial support, expertise, and capacity building.

Authors: Doug Weir and Wim Zwijnenburg



**Conflict and  
Environment  
Observatory**



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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. Educational efforts transmit information about the impact of weapons on people to decisionmakers and can build political will for disarmament. According to the 1980 UNESCO World Congress on Disarmament Education, this is not just about “dissemination of data” or even “hopes and ideals.” 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.”<sup>1</sup> This animating spirit can also be found in the book *Action for Disarmament: 10 Things You Can Do!* published by UNODA in 2014.<sup>2</sup>

In the decades since 1982, however, policymaking on disarmament education has tended toward a more technocratic tone. The UN’s “World Disarmament Campaign” was renamed the “United Nations Disarmament Information Programme” in 1992.<sup>3</sup> A 2002 report by the UN Secretary-General on disarmament and non-proliferation education<sup>4</sup> (in response to a 2000 General Assembly resolution<sup>5</sup>) focused on best practices and programmatic approaches rather than public mobilisation. Nevertheless, it did clarify that

disarmament education is not just education about disarmament but, most crucially, education *for* disarmament.

The UN Secretary-General reports on implementation of the 2002 report’s recommendations every two years and the General Assembly has passed biennial resolutions calling for ongoing implementation, which change little in substance each time and attract little to no opposition. However few states submit reports to the UN Secretary-General as requested by successive resolutions and there is little substantive programming.

The 2017 Treaty on the Prohibition of Nuclear Weapons (TPNW) offers new impetus for reinvigorating peace, disarmament, and non-proliferation education. Its preamble specifically recognises “the importance of peace and disarmament education in all its aspects” and stressed the role of non-governmental organisations, as well as “religious leaders, parliamentarians, academics, and the hibakusha” as representatives of the “public conscience” in pressing for nuclear disarmament.

A 2018 joint civil society statement to the First Committee noted that the “lack of funding and few professional opportunities for youth who are passionate about disarmament issues” leaves them “ultimately disengaged.” In contrast,

they called for education to “help empower the greater participation of youth, women, survivors of violence and people from the Global South in peace and security policymaking.”<sup>6</sup>

## Current context

In 2018, UN Secretary-General Antonio Guterres specifically addressed disarmament education as a contribution to Target 4.7 of the Sustainable Development Goals (SDGs) in his *Securing Our Common Future: An Agenda for Disarmament*.<sup>7</sup>

In the most substantive change to the biennial resolution since 2002, the 2018 resolution expressed appreciation to the Secretary-General for doing so and took note of the proposed actions in the agenda.

On 16 August 2019, the UN Office of Disarmament Affairs (UNODA) launched its Youth4Disarmament initiative (#youth4disarmament) which “seeks to connect young people with experts to learn about today’s international security challenges, the work of the United Nations and how they can become involved.”<sup>8</sup> On 11 October 2019, UNODA and PeaceBoat will hold an event in New York meant to give young people the opportunity to engage with UN officials, diplomats, and civil society working towards disarmament.<sup>9</sup>

The First Committee will not consider a disarmament and non-proliferation education resolution in 2019 (the biennial resolution will return to the body next year). However, *Securing Our Common Future*, UNODA’s new Youth4Disarmament initiative, and inclusion of peace and disarmament education in the TPNW offer opportunities to inform governments about 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:*

- Highlight the importance of peace and disarmament education and its relevance to achieving the SDGs;
- Honour the crucial role of hibakusha, survivors, civil society, and educational institutions in peace and disarmament education;
- Report on their government’s peace, disarmament, and non-proliferation education initiatives;
- Welcome the various disarmament education initiatives described in this chapter; and
- Call on member states, international organisations, civil society, and educational institutions to make submissions for the 2020 report by the UN Secretary-General on implementation of the 2002 Study.

*Beyond First Committee, states should:*

- Provide funding and institutional support to international organisations, associations of survivors, civil society, and educational institutions providing peace, disarmament and non-proliferation education.
- Seek synergies between peace, disarmament, and non-proliferation education and the implementation of the SDGs and Security Council Resolution 2250 on Youth, Peace and Security.
- Make a submission to UNODA for the 2020 report on their support for peace, disarmament, and non-proliferation education.

- Implement peace, disarmament, and non-proliferation education in ways that are sensitive to marginalisation and differential access, for example, mainstreaming promotion of gender equality across all programmes and building capacity of poorly-represented peoples and groups, including survivors of violence.



*Author: Matthew Bolton*

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## Reaching Critical Will

The 2019 session of the UN General Assembly  
First Committee on Disarmament  
and International Security  
will meet from 7 October–8 November 2019.

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



Women's International League for Peace and Freedom  
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