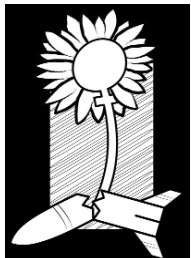


THE FIRST COMMITTEE MONITOR

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NGO Reporting on the
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THE MONITOR

The Monitor is a weekly report produced by the NGO Working Group on the First Committee, a collaborative effort undertaken by 9 non-governmental organizations to make the work of the UN General Assembly First Committee on Disarmament and International Security more transparent and useful for those not based in New York. *The Monitor* is compiled, edited and coordinated by Reaching Critical Will, a disarmament project of the Women's International League for Peace and Freedom.

RCW, supported by the NGO Working Group on the First Committee, provides several services to activists, diplomats, UN staffers, academicians and others including:

- * Posting statements, draft resolutions, and First Committee background information on line at **www.reachingcritical-will.org**;
- * Coordinating an array of briefings, workshops and panels designed to educate diplomats and activists on issues of disarmament, peace and security;
- * Providing information as requested to individuals by email or phone;
- * Distributing to the First Committee the materials of NGOs who are not in New York.

The opinions expressed herein are not necessarily those of the Editors, WILPF, or RCW.

The contributing groups to THE FIRST COMMITTEE MONITOR include:

Amnesty International;

Anglican Consultative Council;

Global Action to Prevent War;

Lawyers' Committee on Nuclear Policy;

NGO Committee on Disarmament, Peace and Security;

Quaker United Nations Office;

United Methodist United Nations Office;

Women's International League for Peace and Freedom;

and others.

Issue No. 2

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Introduction

With the firm chairmanship of Ambassador de Alba and self-restraint by Member States in respect of time limits, the general debate ended several days short of schedule, allowing for hearty, interactive, off-the-record debates. These debates focused on two main themes: the implementation of resolutions and reform of the First Committee. (See First Committee Reform report, page 12.)

With the recognition that all activities of the Committee should be as transparent as possible, the Committee agreed to allow NGOs to observe their off-record debates. This agreement corroborates with other recent, albeit small, gains made by disarmament and nonproliferation NGOs, including the February 12th decision by the Conference on Disarmament, and the correct interpretation of NPT Rule 44.4 at this year's PrepCom, which granted NGO access to the cluster debates for the first time in NPT history.

Fully cognizant of this particular gain in the First Committee, NGOs contributing to the Monitor will not be attributing statements and sentiments expressed during these off-record debates to any particular country; rather, our mission here is to convey, in general terms, proposals, suggestions and ideas broached at this 59th session.

On Wednesday, the first of the interactive sessions began with a report from Under-Secretary-General for Disarmament Affairs Nobuyasu Abe, on the ways in which the Department for Disarmament Affairs (DDA) works to help implement resolutions adopted by the General Assembly.

One of the DDA's tasks is to compile reports from Member States submitted in response to GA resolutions. The DDA submitted 24 reports in the 58th session, 13 of which contained the views of individual Member States on specific issues, as requested by the relevant resolutions. Yet the actual number of reports submitted by Member States was exceedingly low. Oftentimes only a handful of Member States offered reports; even co-sponsors of the resolution which requested the reports often did not respond to their own request.

The Under-Secretary-General's remarks solicited a wide range of responses and provoked a number of interesting questions. What is the purpose of reporting? What are the incentives to do so? What is the value added of reports when Member States make their views widely known, either through co-sponsoring or voting for or against resolutions?

Several States discussed the possibility of establishing a monitoring body, a mechanism by which the implementation of resolutions could be measured. Yet who would comprise this mechanism? Who, it was asked, would monitor whom?

Suggestions on improving the rate of reports were given, including the reiterated suggestion that the DDA offer a format for reporting, or a framework with specific questions to be answered, similar to the way in which the Counter Terrorism Committee solicits reports. It was also suggested that the DDA could perhaps provide a more comprehensive conceptual analysis of reports, one that could identify gaps in the implementation process as well as possible consequences of implementation, thereby providing incentive and direction to future resolutions.

Others argued for a broader scope of reports, suggesting that bodies other than Member States could submit reports on relevant resolutions, including the Disarmament Advisory Board and NGOs.

Still others perceived a sense of exculpation from reporting, noting that resolutions, which do not undergo the type of heavy negotiations of treaties, do not therefore beget the sense of "ownership" that treaties can command.

These thoughts provoked a discussion on the value of resolutions and their status within the body of international norms and laws.

Do resolutions carry, as argued by some, normative and moral value, even if they are not legally binding like Chapter VII Security Council resolutions? Do consensus-based resolutions carry more normative and moral weight than those adopted by majority vote?

What are the implications of votes? Is a State bound to comply with a resolution, even if it had voted against it? What implications does that have for State sovereignty, and notions of national interest which direct how a State votes in the first place?

With such complex and crucial questions, it is important to remember that, as highlighted by some, there is no need for consensus now. These interactive debates serve as substantial food for thought which should form the foundations for further discussions.

continued on page 3

Missiles

Two draft resolutions on missiles have been tabled this week at the First Committee. In addition to the resolution on the Hague Code of Conduct on Ballistic Missile Proliferation (HCOC), tabled by Chile and discussed in last week's Monitor, Iran, with lead co-sponsors Egypt and Indonesia, has tabled draft resolution L.6, "Missiles".

Iran noted that the failure of the previous panel to finalize its report, despite the hard work of all involved, should motivate everyone to "work more seriously and dedicatedly with better preparation" although everyone should understand this as "the initial stage of a longer process".

Previous Iranian-sponsored resolutions established Panels of Governmental Experts to discuss the issue of missiles "in all its aspects," a broad mandate that prevented this year's Panel from reaching consensus. This new draft resolution calls for the Secretary-General, with the assistance from the United Nations Institute for Disarmament Research (UNIDIR), to "identify... areas where consensus can be reached" and to submit a report to the General Assembly at its 61st session. The draft resolution then calls for the creation of another Panel of Governmental Experts in 2007, to discuss and prepare a report based on the limited scope determined by the SG and UNIDIR.

Some Member States prefer the Panel of Governmental Experts to the Hague Code of Conduct and the Missile Technology Control Regime (MTCR), the latter of which take place outside the auspices of the United Nations. Myanmar "continues to believe that the concerns related to missile proliferation are best addressed through multilaterally negotiated, universal, comprehensive and non-discriminatory agreements", and Pakistan noted that "unfortunately the Hague Code of Conduct does not address the concerns of several militarily significant States". Iran, too, emphasized the need for missiles to be addressed within the context of the UN.

However, some have called the efficacy of the Panel in to question as well, asking: who are these experts? How are they chosen? How, these critics ask, will either UNIDIR or the Secretariat be able to identify areas of agreement when the experts have not?

Croatia, following the EU last week, called for what might be considered a middle ground: "exploring possibilities of establishing relationship between the Code and the UN." Ecuador, while supporting the HCOC and the Chilean draft

resolution on the HCOC, also said collaboration could be established between the HCOC and the UN. Some States, however, remain opposed to initiatives seeking multilateral legitimization through the UN, *ex post facto*.

Bangladesh and Nepal discussed their support for the work of the future Panels of Government Experts without mentioning the HCOC or the MTCR, and Armenia and Serbia and Montenegro expressed their support for the HCOC and MTCR without mentioning the Panel. The Republic of Korea noted its participation in the MTCR and HCOC and its disappointment in the failure of the Panel.

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Introduction continued

Privy to these debates as we were, NGOs are now asking Member States: what can NGOs do to fulfill some of these calls? The DDA clearly operates within significant political constraints, as do all the departments and offices of the Secretariat. Non-governmental organizations, on the other hand, could be called upon to present the type of analytical reports requested by so many Member States. NGOs can also help to identify gaps in the implementation process and offer forward-looking recommendations, thereby strengthening the efficacy of the UN as a whole.

At the very least, NGOs, such as those contributing to the First Committee Monitor, can contribute to the institutional memory of the First Committee and other international disarmament fora by recording and reporting on the work of Member States. Croatia was one of many that "consistently recognize the growing beneficial role that civil society plays in the field of disarmament... their committed and insightful coverage of our deliberations in the international fora, including the First Committee, may give additional impetus to initiatives to break the deadlock and finally move the multilateral disarmament agenda forward."

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Terrorism

During the second week of its general debate, the First Committee continued discussions of terrorism and its root causes.

With the Security Council preparing for an October 19 open debate on terrorism, many representatives stressed the need to prevent terrorist groups from gaining weapons of mass destruction (WMD). As Israel said, the involvement of non-state actors in WMD proliferation has “fortified the circle of threats to international security and stability.”

To deal with this evolving danger, many governments urged further cooperation within international frameworks. States must strengthen the existing non-proliferation and disarmament initiatives and increase their commitment and compliance with UN resolutions.

The effort to fight terrorism “requires broad-based international cooperation,” Mozambique said, and governments must recognize that “multilateralism and collective solutions to global concerns, within the framework of the United Nations, are essential... to creating a climate of mutual trust and confidence.”

El Salvador argued that the threat of terrorists with WMDs should motivate more States to use the United Nation’s disarmament machinery to make and enforce international agreements. Tanzania called on all governments to ratify the Chemical Weapons Convention; currently 164 countries have done so. (See Chemical and Biological Weapons report, page 7.)

Pakistan called on Member States to create a “non-discriminatory and universal” treaty to counter the spread of WMDs to terrorists. But governments have not agreed on a common definition for terrorism— a key obstacle to creating such a treaty. Libya proposed an international conference to discuss and define terrorism, determine its causes and identify possible means to prevent it.

While Pakistan did not directly address its own involvement in proliferation through the black market network of Pakistani scientist A.Q. Khan, it did note, at length, the measures that it has undertaken in recent months to prevent terrorist acquisition of WMD. (See Proliferation report.)

Two countries- Cuba and Bangladesh- maintained that to truly end the risk of terrorists acquiring weapons of mass destruction, governments must totally eliminate their existing stockpiles and end production of new WMD. Horizontal non-proliferation must be accompanied by vertical non-proliferation, they insisted.

Many governments restated their established views on the reasons for terrorism and its broader economic and social implications.

“Terrorism does not make a distinction between States, peoples and religions,” Israel’s delegate said, and terrorists are fueled by a “hatred to the free world, hatred to democratic values and human rights and hatred towards peace and reconciliation.”

Terrorism has far-reaching effects beyond its human toll, Colombia emphasized, noting that it spends 5.8% of its GDP on fighting terrorism. Tanzania and Bangladesh complained that “ever-rising” military and defense expenditures take funding away from socioeconomic activities that could mitigate terrorism’s root causes. (See Disarmament and Development report, page 14.)

Pointing to the lack of a comprehensive strategy to address these causes, Pakistan attributed terrorism to “a consequence of growing asymmetry in power and the inability of the international system to eliminate political injustice and the unjust suppression of peoples in many parts of the world, especially in the Islamic world.”

Mozambique reminded delegates that the fight against terror can sometimes lead to the breach of civil rights. It said that “the threat of terrorism and the international response against this evil has brought new concerns related to the fundamental rights and freedoms of citizens.”

First Committee delegates will have the opportunity to elaborate on these proposals during this week’s thematic discussions.

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Nuclear Disarmament

During the second week of the First Committee, the majority of States took account of the little progress and the lack of substantive achievement in the sphere of nuclear disarmament.

Tanzania noted that “nothing substantial was achieved since we met here during the 58th Session of the General Assembly to advance the disarmament process,” a sentiment echoed by Mozambique and Bahrain.

Pakistan acknowledged that while “some progress has been made towards reducing strategic arsenals...over 20,000 nuclear weapons are still held, mostly (sic) on high alert, by the two largest Nuclear Weapon States. Moreover,” Pakistan continued, “it seems clear that the nuclear powers intend to retain their nuclear weapons ‘for the foreseeable future.’”

Disarmament goals are further frustrated, claimed many States, by continued vertical proliferation by existing Nuclear Weapon States (NWS). “(N)ew types of more sophisticated and concealable nuclear weapons and their delivery systems are being researched and developed,” remarked Tanzania, policies which “undermine and contravene the spirit and letter of the NPT.”

Iran concurred that “the new plans of one Nuclear Weapon State for production of useable mini nuclear weapons and allocation of millions of dollars for research and development of these plans has put at stake the whole future of nuclear disarmament”. North Korea also deplored “the development of new types of nuclear weapons (which are) being accelerated with a blitz.”

Tanzania highlighted that the dangers of vertical proliferation are exacerbated when coupled with “new nuclear doctrines, including the use of nuclear weapons against non-nuclear weapons states.” (See Negative Security Assurances report, page 9.)

Myanmar announced that they will reintroduce their draft resolution, “Nuclear Disarmament” (L.26) which, inter alia, calls upon the NWS to halt the qualitative improvement, development, production and stockpiling of nuclear warheads and their delivery system. Last year’s version of this resolution, 58/L.47, garnered 101 affirmative votes, 43 against, with 18 abstentions.

Many States, including Cuba and Libya, regretted the lack of commitment by the NWS and their reluctance to fully implement Article VI and the 13 practical steps agreed upon at the 2000 NPT Review Conference. To Iran, this lack of commitment constitutes “a reality that continues to be the most difficult hurdle for the success of the 2005 Review Conference”.

Viet Nam, in solidarity with the Non-Aligned Movement (NAM), supported the proposal to establish, at the 2005 Review Conference, subsidiary bodies to the Main Committee to deliberate on practical steps for systematic and progressive efforts to eliminate nuclear weapons. It is hoped for by many, including Paraguay, that the Review Conference will address disarmament and nonproliferation as interdependent, inseparable goals. Uganda expressed its hope “that the 2005 NPT Review Conference will reiterate and underline the umbilical link between nonproliferation and disarmament”.

Some States noted other legal obligations, in addition to the NPT, which the NWS continue to ignore. Myanmar, on behalf of ASEAN, stressed that “the advisory opinion of the International Court of Justice on the Legality of the Treat or Use of Nuclear Weapons is a very important contribution to the international community’s efforts for peace and security”. The ASEAN countries reaffirmed the unanimous conclusion of the 1996 ICJ advisory opinion which declared that “there exists an obligation to pursue in good faith and bring to conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.” The ASEAN countries also announced their intention to co-sponsor the resolution, submitted every year by Malaysia, reaffirming this important ruling. The 2003 version of this resolution garnered 105 votes in favor, 29 against with 20 abstentions.

Noting the failure of NWS to comply with the existing legal disarmament regime, some, including the Philippines, Tunisia, El Salvador, Ecuador, Bangladesh, Nepal and others called for further efforts to achieve the total elimination of nuclear weapons.

Laos aligned itself with the NAM’s call for an international conference, at the earliest possible date, with the objective of arriving at an agreement on a phased and time-bound program for the complete elimination of nuclear weapons.



Nuclear Disarmament Continued

Operative paragraph 20 of the ASEAN resolution L.26 reiterates the calls for such a conference.

Pakistan too supported the idea of an international conference, one that would "address and remove the current tensions between nuclear legality and nuclear reality." Pakistan highlighted three reasons to convene such a conference: the failure of Article VI to eliminate nuclear weapons; the existence of three NWS outside of the NPT regime which "are also unlikely to give up their nuclear weapons...outside the framework of a program of global nuclear disarmament"; and the real or possible exploitation of Article IV by some NNWS to develop full nuclear fuel cycles, a proliferation problem with which the international community is just now "belatedly concerned."

Yet these and other States may forget that a non-discriminatory, comprehensive treaty text is already available as a discussion document. In April of 1997, a consortium of lawyers, scientists, physicians, former diplomats and disarmament specialists and activists launched a model Nuclear Weapons Convention (NWC). The model NWC demonstrates the feasibility of a framework approach to the elimination of nuclear weapons and encourages governments to enter into nuclear disarmament negotiations. The model NWC can also help to educate and engage the public in the progress towards nuclear disarmament.

The text was enthusiastically examined by NGOs, diplomats and submitted by Costa Rica to the United Nations as a discussion document (A/C.1/52/7), and remains a viable foundation for the start of future negotiations on the total elimination of nuclear weapons.

For more on the Nuclear Weapons Convention, see: <http://www.reachingcriticalwill.org/legal/nwc/nwcindex.html>.

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Archived First Committee Monitors
can be found at:
www.reachingcriticalwill.org/political/1com/fcm.html

Fissile Materials

The Republic of Korea, Pakistan, Ghana, Nepal, and Nigeria were among those to comment on the proposed Fissile Material Cut-off Treaty this week. All of these States, with the exception of Nepal, called for a verifiable treaty to ban the production of fissionable materials for nuclear weapons.

Linking the CTBT and FMCT, the ROK stated: "The conclusion of [an FMCT] with an appropriate verification mechanism is another task that is long overdue. Placing a cap on future and existing stocks of fissile material for nuclear weapons through an FMCT, together with the ban on nuclear testing set forth in the CTBT, will constitute indispensable building blocks in achieving our nuclear nonproliferation and disarmament goals. It is imperative to uphold moratoria on nuclear testing pending the entry into force of the CTBT. Moreover, until the FMCT enters into force, we urge all relevant states to declare and abide by a moratorium on the production of fissile material used for nuclear weapons." The ROK's remarks are noteworthy because they constitute a sound rejection of the position of its close ally, the United States, that a non-verified FMCT should be negotiated.

Pakistan stated that the "work program of the CD must include the negotiations of a fissile material treaty, encompassing existing stockpiles and an effective verification mechanism." Apparently rejecting the compromise to which China has agreed on delinking fissile materials negotiations from negotiations on other matters, Pakistan further stated that the CD agenda "must also include measures to prevent the militarization of Outer Space and the negotiation of a realistic program of nuclear disarmament," and mentioned as well the importance of "security guarantees to non-nuclear weapon States". (See Negative Security Assurances report, page 9.)

Nigeria stated that an FMCT should not ignore existing stocks. Ghana warned that "any treaty devoid of credible verification and inspection provisions will not attain the goal of denying terrorist groups acquisition of plutonium and enriched uranium."

For more on an FMCT, see:
<http://www.reachingcriticalwill.org/legal/fmct.html>

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Chemical and Biological Weapons

Poland will introduce draft resolution L.16 next week: "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction," or the CWC.

It is similar to last year's resolution, (A/RES/58/52) also introduced by Poland, and probably will be adopted without a vote, as it was last year. It emphasizes the importance of achieving universality, i.e., of having all Member States sign and ratify the convention. It stresses the need for verification, and urges the cooperation of all States to meet their obligations - particularly those with chemical weapons stocks, to destroy those stocks according to the agreed timetable.

Hungary will introduce draft resolution L.17: "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction." Hungary also introduced a BWC resolution (A/RES/58/72) last year.

The ambassador of Hungary chaired the several year-long effort to negotiate a protocol for the Convention that would provide a monitoring capability for the convention. Many States, in their general statements these past two weeks, noted the failure of this effort with grave concern.

In contrast to the CWC, the BWC has no Technical Secretariat to ensure adherence to the Convention. The resolution can only call upon all 152 States Parties to participate in the implementation of the recommendations of the Review Conferences, including the exchange of information and data agreed to in the Final Declaration of the Third Review Conference and to provide that information to the Secretary-General annually.

The Fifth Review Conference called for annual meetings of the States Parties each year until the Sixth Review Conference. In 2004 there were two topics: enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease, and strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals and plants.

The resolution calls upon the States parties to the Convention to participate in the implementation of these recommendations.

The resolution calls upon the Secretary-General to provide services as may be required for the implementation of the decisions and recommendations of the Review Conferences. Yet without a verification mechanism, such as UNMOVIC, assistance from the Secretariat is limited to assisting the convening of meetings.

Malaysia, on behalf of the Non-Aligned Movement, will introduce next week draft resolution L.12, "Measures to uphold the authority of the 1925 Geneva Protocol." It welcomes the recent initiatives by three more States parties to withdraw their reservations to the 1925 Geneva Protocol, which prohibited the use of "Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare". L.12 also calls upon those States that continue to maintain reservations to the 1925 protocol to withdraw them and requests the Secretary-General to submit to the General Assembly at its 61st session a report on the implementation of the present resolution.

In the continuance of the general debate this week, these countries indicated their support of both the Chemical Weapons Convention and the Convention on Biological and Toxin Weapons: Botswana, Uganda, Israel, Tanzania, Thailand, the Republic of Korea, Iran, Tunisia, Nepal, Cuba, Qatar, Mozambique, Serbia and Montenegro, Malawi, Nigeria, Armenia, the People's Republic of Laos and Bangladesh. Some, such as the Peoples Republic of Laos, called for a protocol to the BTWC to provide a monitoring capability. Libya indicated it had ratified the CWC but did not mention the BWTC.

For more information on new scientific advances in biology, including the possible peaceful and hostile usages of these advances, see the article in the July/August, 2004 issue of Arms Control Today by Mark Wheelis, "Will the 'New Biology' Lead to New Weapons?" at: http://www.armscontrol.org/act/2004_07-08/Wheelis.asp

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Conventional Weapons/ Small Arms and Light Weapons

This week's general debate statements expressed similar hopes and concerns regarding the illicit trade of small arms and light weapons (SALW) as had been articulated during the previous week. Thirty States, as well as the International Committee of the Red Cross articulated their support for the UN Program of Action on Small Arms and Light Weapons (PoA). This demonstrated commitment to the PoA has filled many with a sense of optimism for SALW disarmament; as Nepal stated, "we see a glimmer of hope in the domain of small arms and light weapons due to the almost unanimous commitment of the global community to implement the Program of Action..."

States remain, however, alarmed at the continuing devastation wreaked by the proliferation of SALW. Numerous States, including Angola, Israel, Uganda, Tanzania, Mozambique, Papua New Guinea, and Serbia-Montenegro, elucidated the link that they see between economic and social instability and the proliferation of SALW. (See Disarmament and Development report, page 14.) Uganda underlined, "the devastating effects of the inundation of small arms and light weapons on the political, economic and social fabric of counties across the globe, particularly developing countries." As Papua New Guinea significantly noted, for many nations, "this category of weapons are our weapons of mass destruction."

Iran, Israel, Colombia, Nepal, the ASEAN nations, the Dominican Republic and Malawi were among others that expressed concern regarding the availability of SALW to non-state actors, and the role of SALW in terrorism and drug trafficking. The Republic of Korea called for the expansion of the UN Register on Conventional Arms to include Man Portable Air Defense Systems (MANPADs), a suggestion supported by Israel and Nepal.

Several nations including Angola, Uganda, Fiji, and Nigeria reported on regional or national activities on SALW, including workshops and conferences, carried out in the past year to combat the illegal trafficking of SALW. Croatia stated that it is in the last stages of ratifying the Firearms Protocol. Angola expressed its support for the Bamako Declaration "dealing with the common African stance on the illegal proliferation and traffic of small arms and light weapons." Nigeria gave an account of the work of ECOWAS, noting that, in the sub-region, "consideration is currently being given to achieving the ultimate objective of transforming the ECOWAS moratorium on import/export of small arms from

Prevention of an Arms Race in Outer Space

Several States continued to express support for the Prevention of an Arms Race in Outer Space (PAROS) in the last days of general debate. The continued existence of chemical, biological and nuclear weapons, as well as the threats posed by terrorism and the proliferation of missiles, "underscores the urgency of preventing weaponization of an arms race in outer space", as highlighted by Nepal.

Laos maintained that the abrogation of the Treaty on the Limitation of Anti-Ballistic Missiles (ABM) presents new challenges to PAROS. Laos reiterated the danger of a national missile defense system declaring that it "cannot stop being alarmed that the implementation of a national missile defense system could trigger an arms race and the further development of advanced missile systems and an increase in the number of nuclear weapons."

Bangladesh also referred to "negative implications of the development and deployment of anti-ballistic missile defense systems," which together with "the pursuit of advanced military technologies capable of being deployed in outer space...have contributed to the further erosion of an international climate conducive to the promotion of disarmament and the strengthening of international security." Bangladesh therefore reiterated its calls for the commencement of "substantive work" on PAROS within the Conference on Disarmament.

Pakistan, too, called for "mutual nuclear and missile restraint" in the South Asian region, including an agreement against "acquisition or deployment of Anti-Ballistic Missile systems... which could destabilize deterrence stability." They also noted "other worrying aspects" including "the steady militarization of Outer Space," stating that "(u)nless a global regime is agreed, outer space is likely to become a major theatre of a new global arms race."

The ABM Treaty, a bilateral agreement between the US and Russia, banned the testing, development and deployment of sea-, air-, space- and mobile land-based systems for defense of U.S. and Russian territories against strategic missiles, recognizing that a limit on defensive capabilities is necessary in order to set limits on and reduce offensive capabilities. Despite the unanimous adoption of the 2000 NPT Review Conference Final Document, which called for, inter alia, "preserving and strengthening the Anti-Ballistic Missile (ABM) Treaty as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons,"

SALW continued

its current status of a political instrument to that of a legally binding Convention” and called on the support of the international community in achieving this goal. The ECOWAS States have introduced a draft resolution, entitled “Assistance to States for curbing the illicit traffic in small arms and collecting them,” (A/C.1/59/L.21).

The majority of States, including Botswana, the Republic of Korea, the ASEAN States, Iran, Uganda, Nepal, Paraguay, Serbia-Montenegro, Nigeria, and Malawi, expressed their general support for the work of the Open-Ended Working Group on Tracing Illicit Small Arms and Light Weapons (OEWG). Nigeria took its support one step further, stating its belief that “international instrument envisaged [by the OEWG] should be legally binding for effective implementation.”

The International Committee of the Red Cross (ICRC) also stated their desire to see strengthened implementation of international law regarding SALW. It encouraged “the First Committee to mandate an Expert Group to develop proposals for an international system of controls on arms brokers.”

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PAROS continued

the US withdrew from the treaty in June 2002. Since then, the US has expedited the development of its ABM program, and is about to deploy a small number of land-based interceptors of highly doubtful efficacy.

For more information on PAROS, see:
<http://www.reachingcriticalwill.org/legal/paros/parosindex.html>

For more information on the ABM Treaty, see:
<http://www.fas.org/nuke/control/abmt/>

For more information on the US missile defense system, see:
<http://www.armscontrol.org/subject/md/>

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Negative Security Assurances

Many countries pointed to Negative Security Assurances (NSAs) as an important method in countering proliferation, easing disarmament, and encouraging positive work while the UN Disarmament Commission (UNDC) and the Conference on Disarmament (CD) remain locked in stalemate. Cuba, Bahrain, Cameroon, and Viet Nam all mentioned and endorsed the need to address NSAs in the upcoming 2005 Nuclear Non-Proliferation Treaty (NPT) Review Conference.

Laos insisted that “greater stride[s] must be made in the holistic pursuit of the world free of nuclear weapons and other weapons of mass destruction. To this end, we maintain that urgent consideration must be given to the conclusion of a universal unconditional and legally binding instrument on security assurances to Non-Nuclear Weapon States.”

Bangladesh maintained “that the provision for the use or threat of use of nuclear weapons against Non-Nuclear Weapon States is in contravention of the negative security assurances that have been provided by the Nuclear Weapons States,” alluding to those granted in 1995 through Security Council resolution 984.

To many, the flagging ability of the CD and UNDC to advance disarmament measures increases the urgency of the need for NSAs. Iran warned that slow progress with disarmament “may trigger a new arms race era and adversely affect the forthcoming 2005 NPT Conference, particularly on the issue of Negative Security Assurances (NSA).”

Many countries viewed NSAs as a powerful tool in fighting proliferation in the absence of nuclear disarmament. Pakistan emphasized, “until nuclear disarmament is achieved, security guarantees to non-nuclear weapon States can provide a most effective tool to reduce incentives for WMD proliferation.” Tunisia agreed that “in the context of this alarming situation, while we wait for the total elimination of all nuclear weapons, the non-nuclear weapon states have the right to demand to benefit from security assurances against the use or the threat of use of these weapons, against the security and integrity of countries who have voluntarily renounced nuclear weapons.”*

Ecuador succinctly brought these ideas together in their statement that “the lack of advancement in the process of nuclear disarmament has made imperative the promotion of a legally binding instrument, a *continued on page 10*

Disarmament Education

Although the second week of the First Committee did not see much formal discussion in the plenary around the issue of disarmament and peace education, Nigeria will soon introduce draft resolution 59/L.4, entitled "United Nations Disarmament Fellowship, Training and Advisory Services". Nigeria initiated this program in 1978 in order to further the education of disarmament diplomats around the world. This program continues to educate future diplomats and government officials to the most pertinent issues in disarmament as well as to the workings of UN Disarmament Machinery, enabling them to become significant contributors to promotion of international peace and security in multilateral settings.

Armenia also raised the issue of training and education in their statement to the plenary. Recognizing the support of the United States in a number of seminars and trainings on export controls, Armenia noted that officials in several governmental agencies have participated in these trainings.

While discussions around education in the formal plenary were minimal, the UN Institute for Disarmament Research (UNIDIR) and the UN Department for Disarmament Affairs (DDA) conducted a workshop during the week on disarmament education. This meeting provided an opportunity for governments and NGOs to report on their efforts to promote disarmament and nonproliferation education, as called for in the 2002 study (see First Committee Monitor, No. 1).

Mexico, Hungary, New Zealand, Russia, Japan and Canada were among the States that reported on their national initiatives on disarmament and peace education. These efforts range from high-level workshops (Mexico), primary and secondary school programs (New Zealand), support for NGOs (Canada, New Zealand), monthly seminars (Russia) as well as working papers in the nuclear Non-Proliferation Treaty context (Japan).

Intergovernmental agencies, such as the IAEA and the Cyber School Bus, also discussed their recent work in disarmament education. The UN University of Peace recently launched a two-pronged module on disarmament and nonproliferation, focusing on Weapons of Mass Destruction as well as Small Arms and Light Weapons. UPeace is also looking at developing a Master's course on disarmament and nonproliferation, as called for in the 2002 study.

NGOs and foundations also had the opportunity to express their efforts to contribute to peace education. The War and Peace Foundation explained their efforts to draw governmental attention to the issue of taking nuclear weapons off of hair trigger alert. Educators for Social Responsibility (ESR) dis-

cussed their disarmament education program for diplomats, held each week during this meeting of the First Committee (Thursdays at 1:15pm in Conference Room A). The Global Security Initiative discussed its disarmament and peace education efforts geared toward parliamentarians.

The Reaching Critical Will project of the Women's International League for Peace and Freedom also discussed its educational efforts, which include (funding permitting) several publications on the NPT, to be used as educational guides and talking point reference manuals for the public, the media and decision-makers in the lead-up to the 2005 Review Conference.

The RCW project also noted that the lack of funding for NGOs working on disarmament issues has hampered several efforts to broaden their disarmament education efforts and expressed appreciation of the note in paragraph 70 of the Secretary Generals Report which called on states (as the 2002 study did in Paragraph 30) to fund disarmament and non proliferation education efforts.

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NSAs continued

guarantee from those who have nuclear potential to never use or threaten to use nuclear arms against states that do not possess those weapons and who are party to this Treaty."

These views are embodied in operative paragraph 8 of draft resolution 59/L.26, which will be introduced to the Committee this week. The resolution "(c)alls upon the nuclear-weapon States, pending the achievement of the total elimination of nuclear weapons, to agree on an internationally and legally binding instrument on a joint undertaking not to be the first to use nuclear weapons, and calls upon all States to conclude an internationally and legally binding instrument on security assurances of non-use and non-threat of use of nuclear weapons against non-nuclear-weapon States."

Last year's resolution received 101 affirmative votes, 43 against, with 18 abstentions in the First Committee.

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Proliferation

With the mounting threats of nuclear proliferation by States as well as non-State actors, many States are attempting to identify gaps in the nonproliferation regime and measures to address them. Several States grappled with the contradiction built into the NPT from the beginning - promoting the spread of the means for acquiring nuclear weapons while simultaneously committing States to their non-acquisition.

The Republic of Korea argued that the "loopholes of the NPT must be remedied in order to prevent determined proliferators from developing nuclear weapons capabilities under the guise of ostensibly peaceful nuclear energy programs." Pakistan observed that the "international community is now belatedly concerned about the spread of these sensitive parts of the nuclear fuel cycle [enrichment and reprocessing technologies] to other States even under international safeguards. It is clear that such double discrimination [denial of both weapons and technology] is difficult to justify. Equitable solution must be found through political and technological means, not coercion or the use of force." Pakistan voiced support for the Experts Group convened by the IAEA, which it hopes will propose "practical solutions to ensuring the safety of nuclear fuel cycle." Other States, including Viet Nam and Nepal, contented themselves with insisting on the right to "peaceful" nuclear technology.

Addressing concerns regarding its nuclear program, Iran stated it "is determined to realize its right to develop nuclear energy for peaceful purpose as enshrined in the Article VI of the Treaty. We are also committed to a full cooperation with the IAEA to ensure that our program is of peaceful nature and our power reactors and its relevant components are operated under the IAEA safeguards." Iran also stated that "nuclear and other weapons of mass destruction have no place in Iran's defense doctrine, not only because of our commitment to our contractual obligations under the NPT and other relevant conventions, but in fact, because of a sober strategic calculation."

Many recognize that the NPT and the IAEA alone cannot address the other swelling challenge to the nonproliferation regime, that of non-state actor acquisition of nuclear, biological, and chemical weapons, a high-priority concern illustrated by Israel's blunt claim that "the linkage between terror-

ism and the proliferation of WMD is no longer a theoretical abstraction, but rather an all too tangible reality." (See Terrorism report, page 3.) Under intense scrutiny due to the public revelations this year about the nuclear proliferation network led by its scientist A.Q. Khan, Pakistan stated that "we have taken effective steps, in cooperation with the international community, to eliminate an underground proliferation network which had its tentacles in two dozen countries." Citing among other things close cooperation with the IAEA, recent parliamentary adoption of an Export Control Act as well as legislation pursuant to the Chemical Weapons Convention, Pakistan asserted that "we are confident that there will be no proliferation of WMD from Pakistan."

Many States voiced support for Security Council resolution 1540, including the Republic of Korea, Israel, Croatia, Thailand, Bangladesh, and Armenia. Fiji reported that in response to the resolution, "Pacific Island leaders have moved to ensure that all countries in the region have legislative provisions to address terrorism, transnational organized crimes, weapons control and transport security." While maintaining that "the continued involvement of the Security Council in addressing these threats is also important," Fiji stated that "effective progress can only be achieved when legitimate concerns of Member States are carefully considered and addressed, and universal norms adopted." Pakistan noted that it views resolution 1540 "as an interim measure." Without specific reference to the resolution, Pakistan also stated generally that "decisions promulgated in exclusive and limited bodies representing the views, interests and perspectives of the few and the powerful do not enjoy universal commitment and are thus lacking in the legitimacy which can only be offered by international treaties."

Other States expressed views on the theme, as stated by the Republic of Korea, that "disarmament and nonproliferation are mutually complementary and reinforcing". In this vein, Uganda expressed its desire that the upcoming Review Conference of the NPT will "reiterate and underline the umbilical link between non-proliferation and disarmament."

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First Committee Reform

In addition to the general debate, in which Member States continued to voice their perspectives on the issue of First Committee reform, the Committee held three informal sessions this week, allowing them to delve more deeply into this pertinent topic. Statements in both the general as well as the informal debate were framed around one of three themes: the need to situate any reform measures within the greater context of overall UN reform; action-oriented suggestions for immediate reform; the fundamental importance and original mandate of the Committee.

Non-Aligned States continued to demonstrate their unity on this issue, with most every NAM State supporting the idea that First Committee reform should be undertaken in the overall reform of the General Assembly. Myanmar, Tanzania, Nepal, Bahrain, Mozambique and Pakistan were among those which placed Committee reform in the framework of overall GA and/or UN reform. Israel reminded the Committee that, "improving the effectiveness of the methods of work of the (Committee) should provide the UNGA with better means to address the challenges to security and stability."

The need for First Committee reform takes on a greater sense of urgency when viewed in light of the stalemate paralyzing other international disarmament machinery. (See Disarmament Machinery report, page 15.) As South Korea noted, "(s)uch a lamentable state of the major disarmament machineries and fora makes the role and responsibility of the First Committee all the more important." The deplorable state of the UNDC and the CD leaves many to rest all of their hopes on the First Committee, which is viewed by some as a weathervane for all UN-based disarmament machinery.

Many proposals for immediate reform have been discussed since the original US draft resolution surfaced last year. These ideas picked up steam through the various workshops held throughout the 58th GA session, including the one convened by Norway on October 3. Therefore, some proposals that are viewed favorably by a large number of States include:

- the biennialization and triennialization of resolutions (see the Monitor, No. 1)
- more interactive sessions;
- the election of the bureau far in advance of the session;
- a more transparent agenda (including clustering of items);
- the combining of similar resolutions, to be negotiated primarily by the cosponsors;
- better electronic support;

- no automaticity for inclusion in next year's agenda;

While the bi- or triennialization of resolutions has been broached frequently, some Member States noted that the annual presentation of certain resolutions is often deemed necessary in the absence of implementation of its objectives.

The 58th session had also floated the idea of a rolling list of speakers as a way of maximizing time and resources available to the Committee. Chairman de Alba's attempts at implementing a rolling list proved successful and were commended as such by many.

While a clear majority favors reforming the First Committee in some way, many remain hesitant to codify any changes before receiving the report of the Secretary-General's "High-Level Panel On Threats, Challenges, and Change," due in December. Many recognize that the findings of the panel will provide insight to the First Committee and provide direction and suggestions for its reform.

Sprinkled throughout all of the proposals were warnings and suggestions regarding the fundamental importance of the Committee. Many States, while eager to debate the various suggestions, sought to ensure that the Committee will not lose sight of its original mandate, as codified in Articles 10, 11 and 13 of the Charter. The GA shall, according to the text, "make recommendations for the purpose of promoting international cooperation in the political field and encouraging the progressive development of international law and its codification". Some perceive that the Security Council has begun to usurp this political, lawmaking mandate through SC resolutions 1373 and 1540.

The clear majority of Member States found the interactive debates on reform very useful, but some wondered aloud how much more useful this could have been prior to the 59th session, so that these suggestions could be acted upon now. It was noted, however, that the coming weeks will allow states to revise draft resolutions to accommodate some of the suggestions discussed. Cosponsors of similar resolutions could still combine their drafts and resubmit their compromise text. More informals can still take place, and Member States can focus their energy on spending more time on negotiations, as was suggested by some.

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Comprehensive Test Ban Treaty

A large emphasis was put this week on the importance of the Comprehensive Test Ban Treaty (CTBT) in achieving non-proliferation and nuclear disarmament by a great many countries. It is "vital" according to Uganda and "a building block" as expressed by the Republic of Korea. Bangladesh affirmed that any testing constitutes a major threat to international peace and security and Tanzania described it as an effective confidence building measure in ending the nuclear arms race.

Some focused on the progress that has been realized. Myanmar was encouraged by the rising status of ratification of the CTBT. On behalf of the ASEAN member states, Myanmar was pleased to note that to date, three nuclear weapon states have ratified the CTBT: the United Kingdom, France and the Russian Federation. Botswana, the Lao People's Democratic Republic and Uzbekistan recalled their accession to the CTBT. This year Libya, Togo, Serbia-Montenegro and Tunisia acceded as well, the latest to ratify being Tanzania (September 30, 2004).

In collaboration with the Preparatory Committee for the CTBT, Tunisia organized a workshop for North African countries in 2004. Thailand is accelerating its internal processes to ratify the Treaty. It has had installed two CTBTO monitoring stations. The Philippines and Thailand expressed their support of the development of the CTBT verification regime. Cameroon, who still has not ratified the CTBT, affirmed that acceding to it was central.

The ASEAN states, and Mozambique and Nigeria called for the universal adherence to the CTBT. Croatia, the Philippines and Serbia-Montenegro mentioned the Ministerial meeting on the CTBT held in New York in September 2004, which called for universality. The Republic of Korea affirmed the imperative need to uphold the existing moratoria on nuclear testing, until the CTBT's EIF. Without underestimating the value of "welcome" national moratoria, Croatia expressed the need for a universal mechanism, which is the only way to "provide genuine protection from potential nuclear test caused devastation".

Uganda, Croatia, Myanmar, Tanzania, Thailand, Nigeria, Uzbekistan, Ghana and Laos called upon the concerned 11 Annex II states whose ratification is essential for the entry into force of the treaty to ratify it. Fiji called the parties responsible for the radioactive contamination caused by nuclear weapon tests in its region to help rehabilitate the area.

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General and Complete Disarmament

The General Assembly has a mandate to discuss and make recommendations on general and complete disarmament from the Charter of the United Nations, the Non-Proliferation Treaty (NPT) and international law. Article 26 of the UN Charter calls for "the least diversion for armaments of the world's human and economic resources," while Article 11 states that "the General Assembly may consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both."

Article VI of the NPT not only calls for disarmament of nuclear weapons, but also for "negotiations on a treaty on general and complete disarmament under strict and effective international control". This commitment is reiterated in the lengthy final document of the First Special Session on Disarmament (SSODI), which states, "Genuine and lasting peace can only be created through the effective implementation of the security system provided for in the Charter of the United Nations and the speedy and substantial reduction of arms and armed forces, by international agreement and mutual example, leading ultimately to general and complete disarmament under effective international control." The First SSOD developed a comprehensive Program of Action on disarmament, to be implemented systematically leading to general and complete disarmament. [For an updated comprehensive program of action for disarmament presented by civil society and based on similar principles, see the Global Action to Prevent War Program Statement: www.globalactionpw.org]

As with many disarmament measures, this lofty goal seems very far away. As Zambia said this week, "The catalogue of unaccomplished tasks in our efforts to achieve complete and general disarmament is very long." Malaysia revisited the work done on the final document of the first SSOD, which "underscores that general and complete disarmament under effective international control is the ultimate goal of multi-lateral disarmament efforts," but that "this goal is far from being achieved."

However, Member States dedicated to its realization are still talking about general and complete disarmament, and, like Zambia, underscoring the urgency of the work ahead. In its statement, Costa Rica quoted Article 26 of the Charter and noted the lack of progress towards general and complete disarmament over the last five

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Disarmament and Development

In the references to the relationship between disarmament and development during the second week of the First Committee, many states emphasized the need to reduce military expenditures and to promote human security by financing development, education, and reducing poverty. Some states also brought up the issue of a “peace dividend”, the hope that there was going to be one following the cold war and their disappointment in rise of military expenditures instead.

Tanzania noted the Group of Governmental Experts (GGE) report on the relationship between disarmament and development and asked the international community to seriously consider and implement the recommendations put forward by that group. Tanzania noted that the “much talked about peace dividend following the end of the cold war has not yet come to pass”. Pakistan also mentioned the short-lived hope for a peace dividend in their statement.

Botswana also noted the GGE report and specifically mentioned the need to invest less human and financial resources to military expenditure and more “to the ongoing effort to eradicate poverty and achieve the Millennium Development Goals.” Botswana described the nexus between security, disarmament and development, stating that “(s)ecurity is in fact... the third pillar of the disarmament—development relationship.” Ambassador Dube asserted that lack of security can be caused by “situations such as economic instability... and resource scarcity”. Colombia’s statement echoed this, while also giving some startling figures on the actual levels of military spending around the globe compared to spending for development.

Thailand brought up the issue of cooperation with international financial institutions, specifically the World Bank, in attempts to find the funding necessary to accomplish tasks set forth for mine action. Noting that the issue of “anti-personnel landmines is indeed not merely a humanitarian issue, but very much a development issue with tremendous socio-economic implications and negative consequences for affected countries and regions.”

Uganda discussed the importance of reducing military expenditures and the specific connection to development funding. Stating that global military expenditures has grown, growth, currently by more than 5 per cent annually” and that the “flow of official development assistance from developed countries to developing countries is falling steadily”, Uganda noted that this has exacerbated the conditions

of underdevelopment and poverty, in turn breeding insecurity and conflict. They urged a re-examination of the relationship between disarmament and development.

Fiji noted the importance of reducing military expenditures to meet the Millennium Development Goals (MDGs), stating, “disarmament and development must compliment one another and the international community must continue to retain the development agenda on top of its priority list.” Bangladesh also supported the reduction of military expenditures in order to meet the MDGs.

Myanmar, speaking on behalf of the ASEAN group, described the three pillars of the ASEAN Community: “political and security cooperation, economic cooperation and socio-cultural cooperation”. Recognizing that economic stability can and does lead to peaceful regions, the states which have signed the Declaration of ASEAN Concord II (or Bali Concord II), states have indicated their willingness to promote healthy economic practices hand in hand with the promotion of regional security.

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CTBT continued

Among the 11 states who must ratify the CTBT for it to come into force, most who spoke this week did not mention the CTBT. Israel and Pakistan did not mention the CTBT or express any intention to ratify it. However, Viet Nam and Colombia expressed their full awareness of the importance of the CTBT for non-proliferation and for nuclear disarmament. Viet Nam will ratify the treaty as soon as the process of completion of the necessary steps is over. Colombia affirmed its political will to ratify it but had constitutional and legal difficulties slowing this process.

Bangladesh, the first Annex II state of South Asia to have signed the Treaty, reminded the Nuclear Weapons States that the CTBT prevents the development of new types of nuclear weapons.

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Disarmament Machinery

As the general debate continued, more States expressed concern over the paralysis of international disarmament machinery, including Cameroon, El Salvador, Jordan, Ghana, Guinea, Libya, Nepal and Tunisia. To Ghana and the Dominican Republic, the growing threat of terrorism should give even more impetus to Member States to reach the political will necessary for progress.

Many, including Bangladesh and Malawi, attribute the stalemate to a simple lack of political will, reflecting what Pakistan deems an “artificial deadlock”. Israel, meanwhile, ascribed the impasse to the rules of procedure, what they view as “an unhealthy approach that has for logic ‘all or nothing.’”

Botswana discussed the ways in which the “CD (Conference on Disarmament) has adversely affected” the UN Disarmament Commission (UNDC), which also failed to reach agreement on agenda items this spring. Ghana perceived the UNDC “difficulties” as “indicative of growing uncertainties of the whole disarmament agenda of the post Cold War era.” Ghana continued, “Unless concrete efforts are taken to address the stalemate, the UNDC could be

General and Complete Disarmament Continued

decades, enumerating the exorbitant current global military expenditures. Jamaica declared that it “remains committed to the cause of general and complete disarmament.” And New Zealand stated that “disarmament—complete, verifiable, and irreversible—remains New Zealand’s goal,” while Ecuador opened its statement by calling these objectives of “primary importance.”

Member States vary in the methods they support for achieving the goal of general and complete disarmament. Uzbekistan recommended using the NPT as the basis for work on it, and Bangladesh put it in the context of the deadlock in the Conference on Disarmament. Tanzania urged that reform of the First Committee should address general and complete disarmament. Libya stressed that multilateralism is required for general and complete disarmament, and Togo stated that its support for general and complete disarmament “in all its forms” led it to ratify the CTBT on July 1, 2004.

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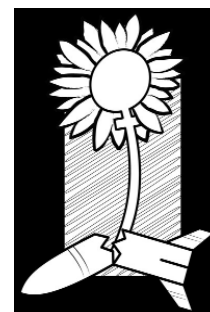
plunged into an irredeemable abyss.”

Yet some Member States expressed hope for these mechanisms, citing the small progress made over the past year. Even the Secretary-General, in his Report on the Work of the Organization (A/59/1) noted that, “(t)his year, the Conference on Disarmament benefited from focused high-level discussions during which foreign ministers voiced strong political support for the Conference.” Myanmar noted the February 12 decision on the “enhancement of the participation of civil society” in the work of the CD as a “significant development” in the world’s sole negotiating disarmament body.

Breaking the deadlock is, as Iran noted, of “great importance” to the vast majority of the international community. Colombia urged its colleagues to “move from confrontation to cooperation,” allowing the machinery to, as Mozambique urged, “resume its duty of negotiating new arms control and disarmament agreements, as well as the universalization of relevant disarmament international instruments.” Many, including the Philippines, Syria and Tunisia, ascertain that such progress would best be achieved through the convening of a fourth Special Session on Disarmament (SSOD IV). Viet Nam echoed this support, and called for a reconvening of the SSOD IV working group “as soon as possible.”

Or perhaps another critical tool in mobilizing the CD and the UNDC to action would be to capitalize on the few achievements that were eked out this year, including the draft decision on civil society participation, as noted by Myanmar. As Croatia observed, greater incorporation of the work of NGOs “may give additional impetus to initiatives to break the deadlock and finally move the multilateral disarmament agenda forward.”

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reaching for a critical mass of political will for
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