

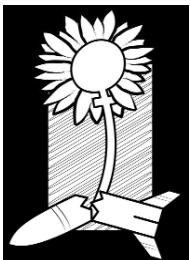
THE FIRST COMMITTEE MONITOR

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NGO Reporting on the

General Assembly First Committee on Disarmament and International Security



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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.reachingcriticalwill.org**;
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- * 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. 4

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Introduction

The third part of the work of the First Committee is always the most interesting. It seems that the entire staff of the DDA drops in to watch the excitement, filling up the observer seats and relegating some members of larger delegations to the gallery. Permanent Representatives, too, whose counselors have been ably handling the previous two sections (that of general and thematic debate, respectively), come to observe the voting portion of the Committee's work. Even past and future Chairmen of the nuclear Non-Proliferation Treaty conferences have been seen lurking near Conference Room 2, to check out if, and how, the votes cast this year will differ from years past, and to see how, and if, these votes will have implications for the NPT Review Conference.

Some of the NGOs like the voting portion of the Committee for other reasons as well. After spending three weeks listening to predictable statements covering a slew of important disarmament issues, the explanations of votes (EoVs) given before and after action is taken provide civil society with a range of opinions, positions and qualms to which we normally are not privy. We hear impassioned remarks that shed a bit of light on the closed door informal negotiations, and watch the glorious light shows splash up on the voting board before us, illuminating alliances, blocs, or, at times, breakages from old alliances on draft resolutions that matter much. (See New Agenda report.)

The Committee, or rather, the diplomats that comprise it, also display a bit of levity and human emotion not usually seen in the grand conference rooms of the United Nations. Delegates feel free to voice confusion over procedure, deliver extemporaneous jokes, or express sincere frustration—be it with a draft resolution, its co-sponsors, or the incessant chattering that takes place, even while colleagues deliver their much-deliberated EoVs.

This week's reports concentrate solely on the votes that were taken and, when able to, the statements that explain the votes cast by various States. We once again implore all delegations to provide us with the texts of their EoVs, which not only enhance the caliber of our reports, but also demonstrates a commitment to the transparency, and enhanced working methods, of the Committee and the United Nations as a whole.

The challenges facing our international security regime are complex and interrelated in their nature, and States often find it difficult to break out of their old modes of thinking and operating in order to make substantive progress on these new threats and challenges. The NGOs contributing to the Monitor, too, are at times equally confined by age-worn

compartmentalized ways of thinking.

Thus, some of the resolutions voted upon this week do not fit neatly into the topics that we etched out for this publication. Resolutions such as L.2/Rev.1, which addresses "Developments in the field of information and telecommunications in the context of international security," are not discussed in the Monitor, despite their pertinence and importance to global security. Draft resolution L.2, sponsored by the Russian Federation, was adopted this week without a vote.

Likewise, draft resolution L.10 on the "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control" is not discussed in any of the topics below. Malaysia's draft text was overwhelmingly adopted by a 165-1 vote, with 3 States abstaining. The United States, in explanation of its solitary vote against the draft, noted that it remains "unconvinced (that) this resolution is relevant to the First Committee." US Ambassador Jackie Sanders also noted that "concern for the environment should not overburden" already complex arms control and disarmament agreements. Furthermore, the US continued, such complex agreements should not always be an issue for the United Nations, and should be left, rather, to the relevant States.

Another orphaned draft resolution, L.11, on "Promotion of multilateralism in the area of disarmament and nonproliferation" was also adopted this week, with 109 votes cast in favor, 9 opposed, and 49 abstentions. The EU, reiterating their position last year, remained dissatisfied with the failure of L.11 to "give sufficient credit" to unilateral and bilateral actions. Canada, speaking on behalf Australia and New Zealand, voiced "problems with the tone of parts of the resolution," and asserted that, "(m)ultilateralism is indeed a core principle in our work. It is not, though, the core principle, in the language of OP 1, implying that it is the only fundamental means."

Lastly, draft resolution L.32 on the "role of science and technology in the context of international security and disarmament", was adopted this week, with 101 votes in favor, 49 opposed, and 17 abstentions.

Other topics, while usually finding a home in the Monitor, will not be featured in this week's edition, such as First Committee Reform, Chemical and Biological Weapons and Conventional Weapons, as the votes on the relevant resolutions have not yet been taken.

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Proliferation

This week, the First Committee took action on two different draft resolutions which aim to further curb the proliferation of weapons of mass destruction: L.5, on “National legislation on transfer of arms, military equipment and dual use good and technology” and L.31, “Measures to prevent terrorists from acquiring weapons of mass destruction.”

Draft resolution L.5, sponsored by the Netherlands on behalf of the EU, was adopted for its third consecutive year without a vote. The text of this year's resolution was modified to include mention of Security Council resolution 1540 and to urge states to implement its directives. The sponsors also chose not to include this topic on the provisional agenda for next year, citing their flexibility on the possible biennialization or triennialization of this resolution.

Draft resolution L.31, sponsored by Afghanistan, Bhutan, Colombia, Fiji, France, India, Mauritius, Myanmar, Nepal and Sri Lanka, was also adopted without a vote.

Two States took the floor in explanation of the vote on L.31. Pakistan expressed support for the objectives of the resolution, but maintained that the language could have been improved to reflect a more objective view of reality. Pakistan also urged, as it did last year, for the need to address the underlying causes of terrorism, namely “suppression, injustice and deprivation.”

Brazil, speaking after the vote on L.31, noted the preambular reference to Security Council Resolution 1540, which recognizes that resolution's focus on non-proliferation of weapons of mass destruction (WMD). Brazil drew attention to the fact that resolution 1540 specifically addresses the threat of WMD falling into the hands of terrorists and other non-State actors, and does not reflect, as Brazil had proposed in its statement during the Security Council open debate on April 22, 2003, “the delicate balance existing in international instruments in this field, regarding obligations for all States Parties on nonproliferation, disarmament and international cooperation for peaceful purposes.”

Throughout both the General Debate of the General Assembly as well as throughout the First Committee session, many States maintained the position that the total elimination of nuclear, chemical and biological weapons will

always be the only real guarantee against the threat of possible use of these weapons, including potential use by terrorists. In this regard, in comments after the vote, Pakistan called attention to the important work of the Organization for the Prevention of Chemical Weapons and expressed concern over the slow pace of destruction of chemical weapons by possessor States, and the dangers that such huge stockpiles pose for falling into terrorist hands.

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Introduction Continued

Governments are often criticized- both by civil society as well as by elements within the government- for lingering too long in a modus operandi that ceased to be relevant long ago. NGOs, which ourselves should try harder at new and improved ways of thinking and working, should be consistently advocating for a different approach to international relations, especially when the current system is as deadlocked and unproductive as it is. As a first step, perhaps all of us should be employing, on a daily basis, the kind of humanity- with all of its jokes, frustrations and human emotions- that we saw this week at the Committee.

After all, as Albert Einstein, the father of nuclear fundamentals once said, “The splitting of the atom has changed everything save our mode of thinking and thus we drift toward unparalleled catastrophe... We cannot solve our problems with the same thinking we used when we created them.”

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A New Agenda

The First Committee took action Thursday on the New Agenda Coalition's resolution (L.22) "Accelerating the implementation of disarmament commitments." The resolution as a whole was adopted with 135 votes in favor, five votes against (France, Israel, Latvia, U.K., U.S.) and 25 abstentions, mainly coming from NATO and former Soviet States.

Recognizing the efforts of the New Agenda States to adopt a consensual tone, seven NATO Member States, Belgium, Germany, Luxembourg, the Netherlands, Lichtenstein Norway and Turkey broke ranks with their alliance partners and joined Canada in voting for this year's resolution.

In addition, five other States which abstained or voted no last year, Bhutan, Pakistan, the Republic of Korea, Moldova, and Switzerland voted in favor of the resolution. India shifted its no vote to an abstention. Japan, the lead sponsor of the other resolution focused on the implementation of the 2000 NPT commitments, voted for the New Agenda resolution for the first time in recent years, mentioning that the resolution "offers effective approaches toward nuclear disarmament."

Operative Paragraph 2, calling for States to spare no efforts in achieving universal adherence on the NPT and the early entry into force of the CTBT, was adopted separately with 153 votes in favor. France, India, Israel, and the U.S. voted against the inclusion of this paragraph. Bhutan, Mauritius, Monaco, Pakistan, and Uzbekistan abstained.

The drastically revised text of the resolution, utilizing consensus language from the 2000 NPT Review Conference, enabled the NATO States in particular to overcome pressure from the U.S. to continue abstaining. Several States commended the authors on their new approach and on their effort to achieve a positive atmosphere for consensus heading into the 2005 NPT Review Conference.

Several States felt the text was too brief and failed to address particular issues related to disarmament. China, which voted in favor, expressed its reservations regarding the resolution's failure to call for the "non-first use of nuclear weapons", its failure to note the prevention of an arms race in outer space (PAROS) as conducive to nuclear disarmament and that "nuclear transparency is related to an international environment of peace, stability and trust." Russia also stated that the shortened text compromised an emphasis on the close link between strategic weapons and PAROS.

Prevention of an Arms Race in Outer Space

The First Committee adopted draft resolution L.36 on the "Prevention of Arms Race in Outer Space" with a vote of 167 to zero, with 2 abstentions from the United States and Israel. This result nearly mirrors last year's vote of 161 to zero, with 3 abstentions. (Micronesia, the third abstention in 2003, did not participate in the 2004 vote.)

While there were no explanations of votes (EoV) given for draft resolution L.36, several States did refer to the need to prevent the militarization of outer space in their EoVs on draft resolution L.50, "Hague Code of Conduct against Ballistic Missile Proliferation." (See Missiles report, page 6.) As Egyptian representative Alaa Isaa stated, "there exist lacunae in the draft Code which, regrettably, have not been addressed in the final document of which we are taking note... relat(ing) to areas of peaceful uses". Brazil and Cuba also noted the HCOC's lack of attention to peaceful uses of outer space as a major reason for opposition to or lack of support for the Code and the draft resolution now adopted by the Committee.

In their explanations of vote on the New Agenda Coalition's resolution, L.22, China and Russia expressed concern over that resolution's failure to emphasize the link between disarmament and the prevention of an arms race in outer space. (See A New Agenda report, page 4.)

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France, speaking on behalf of the U.S. and the U.K, noted the pragmatic approach taken by the coalition in this year's text, but faulted the resolution for not mentioning progress made in strategic arms reduction and for not taking all NPT commitments into account. Russia also cited the failure to note recent accomplishments as another reason for its abstention.

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Disarmament and Development

On Monday, October 25, Ambassador Rivas reported to the First Committee on the work of the Group of Governmental Experts on the Relationship between Disarmament and Development (GGE). In the off-record discussion that followed, one State suggested imposing a tax on arms in order to meet the Millennium Development Goals; another State suggested consulting the world's Ministers of Finance on matters relating to disarmament and development. Another noted that a better examination of the costs of armament and disarmament needs to be done, suggesting that while disarmament requires a greater initial investment, the long-run savings are potentially tremendous. There was a question as to whether disarmament leads to development directly; some noted that while money diverted from weapons may not necessarily be funneled toward development, disarmament enhances security, which in turn facilitates development.

The Committee adopted draft resolution A/C.1/59/L.28 on the "Relationship between disarmament and development", sponsored by Malaysia on behalf of the Non Aligned Movement, with a result of 165 States voting in favor. The United States was the only State to vote against the draft resolution; France and Israel abstained. The resolution welcomes the report of the Group of Governmental Experts on the relationship between disarmament and development, and requests the Secretary General to strengthen the high-level Steering Group on Disarmament and Development. This Steering Group was initially created in May 1999 to revisit disarmament and development in light of the various changes that have taken place in the international situation since the 1987 International Conference on the Relationship between Disarmament and Development.

The representative from the United Kingdom offered an explanation of the UK's affirmative vote, stating that, "(w)e welcome the mainstreaming of disarmament issues in development policy, particularly in the field of conventional weapons, small arms and light weapons (SALW) and disarmament, demobilisation and reintegration (DDR)." While the UK generally supports the report of the GGE, they disagree with the finding that there is little progress being made on nuclear disarmament. They stated further that "the report does not give sufficient credit to unilateral, bilateral, and multilateral actions in disarmament and non-proliferation".

The draft resolution encourages the international community "to achieve the Millennium Development Goals and to make reference to the contribution that disarmament could provide in meeting them when it reviews its progress

towards this purpose in 2005, as well as to make greater efforts to integrate disarmament, humanitarian and development activities." The draft resolution also asks the Secretary General to report on implementation at the 60th session of the General Assembly, which will include disarmament and development on its agenda.

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Comprehensive Test Ban Treaty

On the last day of the thematic debate on Monday, Ambassador Rivas of Colombia, speaking on behalf of the Governmental Group of Experts on Disarmament and Development, noted with regret that the Comprehensive nuclear Test Ban Treaty (CTBT) has not yet entered into force (EIF), a setback in the field of disarmament. (See Disarmament and Development report, page 5.)

The draft resolution entitled "Comprehensive Nuclear Test Ban Treaty" (L.25) will be considered next week. However, some resolutions on nuclear disarmament with either preambular or operative references to the CTBT were adopted this week. Explanations of votes (EoVs) on these draft resolutions also related frequently to the CTBT.

Draft resolution L. 8 on "Nuclear-weapon-free zone in the region of the Middle East" was adopted unanimously. (See Regional Issues report, page 8.) In its explanation of vote, Israel did not object to the need to eliminate nuclear tests in the Middle East, as contained in operative paragraph 6.

The issue of the CTBT was mostly controversial in draft resolution L. 23- "A path to the total elimination of nuclear weapons". Contrary to previous years of voting in favor of the resolution, Iran abstained this year partly because, they said, the CTBT verification regime was not yet technically understandable and could not be further developed without the entry into force of the CTBT. The representative of United States affirmed that his country does not support the Treaty and will not become party to it. Finally, Colombia reaffirmed its wish to ratify the CTBT at the earliest stage possible, despite the legal and constitutional difficulties it is still facing.

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Missiles

Both draft resolutions on missiles were adopted on Tuesday, though the debate surrounding their vote was the most contentious of the week, revealing the tensions between two different and often opposing frameworks for arms control and disarmament. One framework operates on the rule consensus, within the United Nations and with a balance between disarmament and non-proliferation. The second, increasingly popular framework involves bi- and plurilateral negotiations with selected parties, often outside the United Nations and often with a greater degree of focus on non-proliferation. Proponents of the latter framework view it as a tool to implement a series of incremental steps toward disarmament, and as complementary to the multilateral approach. Others, however, view this approach as discriminatory.

Iran introduced three amendments to draft resolution L.50 on the Hague Code of Conduct against Ballistic Missile Proliferation (HCOC) on behalf of Egypt, Indonesia, Malaysia and Pakistan. These amendments attempted to address criticisms of the draft resolution and of the HCOC itself. The first amendment would broaden the scope of preambular paragraph 7 by adding the words “development and” before the word “proliferation” and the phrase “in a comprehensive manner,” making the paragraph read: “Mindful of the need to combat the development and proliferation of weapons of mass destruction and their means of delivery in a comprehensive manner.” The amendment was rejected with 21 in favor, 103 against and 8 abstentions.

The second amendment proposed to add the word “first” before the word “practical” in the second line of the first operative paragraph, to encourage further disarmament measures to come. This amendment, which would recognize the HCOC as “a first, practical step against the proliferation of weapons of mass destruction and their means of delivery;” was also voted down, with 17 in favor, 104 against, and 10 abstentions.

The third amendment proposed to replace the phrase “(e)ncourages the exploration of” with the phrase “(e)ncourages the United Nations to explore” in the fourth operative paragraph, in an effort to bring missile control and disarmament measures into the multilateral United Nations. This amendment, too, was voted down, although it did obtain the most positive votes: 23 in favor, 103 against, and 6 abstentions.

Chile, the lead sponsor of the original draft resolution,

argued that the delicate conceptual balance contained in draft resolution L.50 would be upset by the amendments, and asked the 104 co-sponsors to act accordingly. Iran rebutted, noting that the language of the second amendment was taken directly from the HCOC itself, and that L.50 was originally formulated with the language contained in the third amendment, but that the “United Nations” was taken out of the resolution during the negotiation process.

L.50, in its original form was adopted with 137 voting in favor, 2 against, and 16 abstentions. Iran and Egypt voted against, with most of the Member States that voted for the amendments abstaining. China was one of the few who voted for the last amendment as well as the resolution as a whole, explaining that, “China agrees with the non-proliferation objective of the HCOC [and although they are not a member] will continue the exchange of views with all sides...In this process, the role of the United Nations should be fully utilized.”

Mexico, which cast one of the 16 abstention votes, argued that commitments should be the product of a genuine negotiating process. Other abstentions came from Algeria, which expressed concern with the lack of attention to cruise missiles, and from Indonesia, which remains concerned with the development of ballistic missiles. India, in its explanation of vote, said its abstention derived from its belief “in arms control and disarmament measures that are transparent, equitable and non-discriminatory” as opposed to “exclusivist, ad-hoc and club-based approaches”.

Brazil said their abstention was a result of the HCOC’s failure to “address Brazilian expectations regarding development of technology toward the peaceful use of space, particularly regarding programs of satellite launch vehicles”. They also expressed the concern of many abstainers that the negotiations were conducted without sufficient debate.

Egypt explained that its “no” vote derived from its deeply held belief that the UN is the correct forum in which to address missiles. Like others opposing the resolution, it also noted the lack of attention to the issue of cruise missiles in the HCOC and in the resolution.

Draft resolution L.6/Rev.1 was adopted with 98 in favor, 2 against and 60 abstentions, after the Committee Secretary read aloud the Programme Budget Implication (PBI) of the draft resolution. The US and Israel voted against the resolution.

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Disarmament Machinery

As expected, the First Committee unanimously adopted the draft resolutions on the reports of the UN Disarmament Commission (UNDC) and the Conference on Disarmament (CD) this week. Both draft resolutions L.42 and L.27/Rev.1, respectively, were adopted without vote, yet not without comment.

OP 5 of L.42, the operative paragraph which recommends two items for discussion by the UNDC, remains blank, a distressing reflection of the stalemate that gripped the 2004 UNDC session. "We simply cannot go on adopting these half-low resolutions," implored Canada's Ambassador Meyer, "without an effort to come to grips with the underlying problems." He therefore suggested that, over the course of the next year, the Commission should "devote its session to an examination and discussion of how it can play a more effective role and make the kind of contribution all would like to see." Failing to do so, he warned, "many countries will lose interest in attending its meetings and its role and relevance will diminish."

In an echo of Canada's statement, the European Union suggested that the Commission's stalemate "shows the relevance of discussing efforts" at reforming "the work and working methods of the UNDC," a suggestion also voiced by the United States during the general debate. (See Disarmament Machinery report, week 1).

Cuba, however, asserted that it "reject(s) the approach of certain delegations" which advocate focusing on reforming the Commission's working methods. The real problem, Cuba maintained, is the "lack of political will."

Egypt, like the EU, "believes in the important role played by UNDC," but they "regret" the lack of "positive" responses to the proposals from Non-Aligned, which sought to break the procedural quagmire and delve into substantive issues this 2004 session.

The United States drew attention to their purposeful lack of participation in the vote on L.42.

Draft resolution L.14, which will re-establish an open-ended working group to discuss the possibilities of a fourth special session of the General Assembly devoted to disarmament, was also adopted without a vote.

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Negative Security Assurances

Draft resolution L.44 on "effective" security assurances "against the use or threat of use of nuclear weapons", was brought up for vote on October 27. 109 voted in favor, none against, and there were 61 abstentions. (Last year's text garnered 98 votes in favor with 59 abstentions.)

Explaining its abstention, the Republic of Korea reaffirmed its support for the extension of negative security assurances to those Non-Nuclear Weapon States that are in full compliance with all their international obligations, particularly those of the NPT. The Republic of Korea abstained from this Pakistan-sponsored resolution because it would offer negative security assurances to all non-nuclear weapon states regardless of their adherence to international treaties.

Draft resolution L.26/Rev.1, the only other draft resolution which deals with security assurances, has not yet come to a vote. China, however, delivered an "omnibus" explanation of vote pertaining to all nuclear weapons-related resolutions. In this EoV, China listed security assurances as "indispensable" to the prohibition and destruction of all nuclear weapons.

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Missiles Continued

The Netherlands, on behalf of the EU, explained that it abstained on this resolution again this year because, although they are very committed to the issue of missiles, "a panel of experts would only be meaningful based on an agreed specific mandate which ensured that added value could be offered".

Cuba explained that it voted yes for L.6/Rev1 because the UN is the appropriate forum for dealing with missiles, noting that the Panel of Governmental Experts will pay attention to high-precision cruise missiles and warheads, issues not addressed by the HCOC.

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Regional Issues

Many of the draft resolutions dealing with matters of regional security were adopted without a vote this week, including Uzbekistan's draft decision L.7 on a Central Asian Nuclear Weapon Free Zone (NWFZ), L.19/Rev.1 on "Mongolia's international security and nuclear-weapon-free status" and L.47 on "Regional Disarmament".

Draft resolution L.35, on "Strengthening... security and cooperation" in the Mediterranean region was also adopted without a vote. The European Union, all of whose Member States co-sponsored the draft, delivered an explanation of vote (EoV) before the vote was taken. The EU noted the Barcelona Process, a.k.a. the "Euromed" process, launched in 1995, as "a major contribution to the establishment and development of a global partnership between the European Union, its member countries and the Mediterranean partners". The Euromed process, noted the EU, addresses issues of "nonproliferation of weapons of mass destruction, disarmament, nuclear weapon-free zones, verification, conventional weapons and confidence building measures."

Draft resolution L.46 on "Conventional arms control at the regional and subregional levels" was passed overwhelmingly through a recorded vote of 165 to 1, with 1 abstention. India, which cast the lone negative vote on the draft resolution, viewed the "narrowly defined" text as unnecessary, noting that the Disarmament Commission had already adopted norms on the topic. India also rejected the call for the Conference on Disarmament to discuss a framework for regional initiatives.

Draft resolution L.8 on the "establishment of a nuclear-weapon-free zone in the region of the Middle East" was also adopted without a vote. Israel, which has joined the consensus on this resolution for over twenty years, nonetheless expressed "substantive and important reservations regarding certain elements in the resolution" in its EoV. Israel maintained its belief that "the nuclear issue as well as all regional security issues, conventional and non-conventional, should be dealt within the context of the peace process" and "that the political realities in the Middle East mandate a practical step-by-step approach," including "modest CBMs followed by the establishment of peaceful relations and reaching reconciliation, and possibly, complemented by con-

ventional and non-conventional arms control measures." Only then, Israel asserted, could States work toward "more ambitious goals, such as establishing a Nuclear Weapon Free Zone."

Israel, however, did not support draft resolution L.37 on "The risk of nuclear proliferation in the Middle East", and was joined by the United States, Micronesia and the Marshall Islands in opposing the draft.

Israel criticized the draft resolution as "biased", noting that it ignores "the fact that the real risk of nuclear proliferation in the Middle East emanates from countries that, despite being parties to international treaties do not comply with their relevant international obligations" and rather "focuses entirely on one country that has never threatened its neighbors, nor abrogated its obligations under any disarmament treaty."

A separate vote was taken on preambular paragraph 6, which recognizes that the Final Document of the 2000 Review Conference of the NPT "undertook to make determined efforts" toward the universalization of the treaty. 154 States voted in favor of PP6; 3 voted against, and four abstained.

The draft resolution, as a whole, was passed with 157 votes in favor, 4 against and 8 abstentions.

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Landmines

While many States recognize the inhumane nature of landmines, universalization of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction (the Ottawa Convention) continues to be a subject of concern among a significant number of States. As the Austrian Ambassador, Gerhard Pfanzelter, emphasized in the thematic debate, “(u)niversalization remains a challenge. There are still large stockpiles of anti-personnel mines around the globe and very large mined areas that need to be cleared.”

Kenya, the host of the First Review Conference (Nov 29 - Dec. 1, 2004), expressed their hope that the Summit will conclude an assessment of the suffering caused by landmines since the establishment of the Convention, as well an effective action-plan which would mobilize “the necessary resources to help badly affected countries to clear mined areas as well as assist landmine survivors.” Kenya also expects Africa to demonstrate leadership in resolving the landmine problem.

Reflecting Kenya's remarks, the representatives of South Africa and Nigeria highlighted the adoption of the Common African Position on Anti-Personnel Landmines in New York on September 23, 2004. Both countries are State Parties to the Convention and view the First Review Conference as not only an opportunity to evaluate the progress in the implementation of the Articles of the Convention, but also as a chance to “chart the course for complete eradication of the weapon by the Second Review Conference in 2009,” as stated by Nigeria.

Speaking on behalf of the European Union, Ambassador Chris Sanders noted the challenges in ensuring sufficient financial resources to meet the guidelines of the Convention and of achieving “universal adherence.” The representative did, however, acknowledge the achievements made since the 1997 Ottawa Convention, such as destruction of 37 Mio stockpiled mines, the discontinuation of the official trade in landmines, and a significant decrease in the number of States using landmines.

Ambassador Andreas D. Mavroyiannis (Cyprus) discussed the multiple de-mining initiatives undertaken by his Government “as a matter of principle and priority”, and in compliance with the Ottawa Convention. Cyprus is cooperating with the UN Peacekeeping Force in Cyprus (UNFICYP) and the European Union in its project on clearing minefields within the Buffer Zone, which so far it has been pursuing unilaterally. As a part of the process, the “Mine Action Centre” has been established to provide technical

assistance in de-mining. The representative also mentioned the destruction of 4,000 stockpiled anti-personnel mines in December of 2003.

The representative of Belarus, Aleh Shloma, appealed to Member States, international agencies and NGOs for “all kinds of technical, technological and financial assistance” necessary to eliminate more than 4 million anti-personnel mines on its territory. Belarus expressed its strong willingness to cooperate with the United Nations in its effort to destroy mines, and views the Ottawa Convention as a “powerful tool that gives us an opportunity to achieve full elimination and full prohibition of anti-personnel mines that have caused enormous human sufferings on all continents.”

While sharing the humanitarian concerns raised by the use of landmines, India and Israel remain reluctant to agree to the total and complete ban on landmines, citing security reasons. The representative of India, Honourable Mr. Ravi Prakash Verma, emphasized that “(l)andmines continue to play an important role in the defence of States that have long land borders with difficult and inhospitable terrains.” It is only with the availability of alternative “militarily effective, non-lethal and cost effective” technologies that India would support complete elimination of landmines.

Congo, the United States, Brazil (on behalf of the Southern Common Market), Canada, Romania and Australia shared their efforts to comply with the Ottawa Convention. Norway reiterated the challenges that need to be addressed at the Nairobi Summit: universalization of the Convention, destruction of stockpiles, clearing of the mines, and assistance to victims.

Ambassador Laxanajanthorn (Thailand), on behalf of 127 countries, introduced draft resolution L.40/Rev.1 entitled “Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction.” L.40/Rev. 1 makes a few changes and additions to the GA resolution 58/53 of 8 December 2003, which was passed with 153 votes in favor. The changes to the resolution include the merger of preambular paragraphs 6-10 of the resolution 58/53 into a single paragraph. The new resolution also highlights the upcoming First Review Conference in Nairobi. The updated version provides the latest number, 143, of States Parties to the Convention.

The new resolution also emphasizes the “need to integrate mine action into international and national development programmes and strategies.” *continued on page 10*

Nuclear Disarmament

Japan's resolution, "A path to the total elimination of nuclear weapons" (L.23) was adopted again this year without significant change to its levels of support. 151 States voted in favor, with 2 votes against and 16 abstentions. The two negative votes came again from the United States and India.

In its explanation of vote, the U.S. reiterated its opposition to the CTBT, noting again that "it will not become a party to it." (See CTBT report, page 5.) The US further explained its negative vote by reiterating its position that a fissile material cut-off treaty cannot be effectively verified.

Stating in its explanation of vote (EoV) that, "even though India very much agrees with basic" point of resolution, India's opposition stemmed from the "flawed means to pursue this objective" of global disarmament, namely, the "discriminatory" NPT. The reference contained within operative paragraph 1, which calls on India to join the NPT as Non-Nuclear Weapon State (NNWS), is, India maintained, "unrealistic and unacceptable."

Abstaining again this year, Pakistan, in its EoV, cited the resolution's inordinate emphasis on non-proliferation at the expense of disarmament, as well as its heavy reliance on the NPT. Pakistan reiterated its preference for addressing proliferation within the context of disarmament and outside the auspices of NPT, to which they are not party.

The Member States of the New Agenda Coalition also abstained again. Sweden, speaking on behalf of the group, said the group "believes it is essential that the commitments made at the 1995 and 2000 NPT Review Conferences are upheld in their entirety and as they were originally agreed." However, Sweden acknowledged that the coalition knows and appreciates its shared disarmament goals and objectives with Japan- a possible foreshadowing of NNWS unity as they work towards the Review Conference. While Germany voted in favor of the resolution, it similarly warned against selective quoting, which detracts from resolution's overall purpose.

India's resolution "Reducing nuclear danger" (L.30) was also adopted this week with 106 votes in favor, 46 votes against, and 16 abstentions. Repeating patterns from previous years, opposition on this resolution came primarily from NATO countries, with the Eastern European bloc representing the bulk of abstentions. Among the resolution's provisions is a request for "the five nuclear-weapon States" to take urgent steps to reduce the risks of unintentional and accidental use of nuclear weapons. For a widely-supported civil society proposal, including a draft resolution, that would apply to all nuclear-possessing States, see "Appeal on the Operational Status of Nuclear Weapons" at

<http://lcnp.org/disarmament/policypractice/index.htm>.

"Follow-up to the advisory opinion of the International Court of Justice on the Legality or Use of Nuclear Weapons" (L.39), tabled by Malaysia also came to a vote this week. Operative paragraph 1 (OP1) underlines the unanimous conclusion of the ICJ "that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control." It was adopted in a separate vote with 156 States in favor. Three States, Israel, Russia, and the U.S. voted against. Three former Soviet States, Belarus, Latvia and Uzbekistan, along with Nuclear Weapon States France and the U.K., abstained. The resolution as a whole passed with 118 votes in favor, 28 against, and with 18 abstentions.

A vote has been delayed on the US-Russia sponsored draft resolution L.56 on "Bilateral strategic nuclear arms reductions and the new strategic framework". The draft resolution frequently highlights Russian and US arms reduction accomplishments, without taking into consideration the oft-voiced perception that Nuclear Weapon States are not fulfilling their disarmament commitments, in particular with respect to verification and irreversibility.

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Landmines Continued

Preambular paragraph 9 notes the "possible partnership between the mine action community and the World Bank", and welcomes the meeting between the President of the Fifth Meeting of the States Parties and the President of the World Bank, held on September 20. Operative paragraph 7 encourages all the States, relevant NGOs, international organizations, etc. to attend and participate in the First Review Conference in Nairobi.

The First Committee will vote on L.40/Rev. 1 on Monday, November 1.

In addition, the DPI/NGO briefing on November 11, 2004 will be dedicated to the Ottawa Convention: Review Conference Preparation.

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