

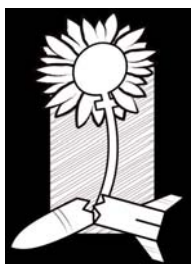
# THE FIRST COMMITTEE MONITOR

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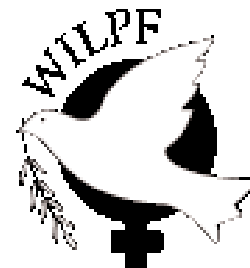
*Second Edition: October 10-14, 2005*



*NGO Reporting on the  
General Assembly First Committee on Disarmament and International Security*



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# THE FIRST COMMITTEE MONITOR

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**Contributing groups to THE FIRST COMMITTEE MONITOR include:**

**Global Action to Prevent War;  
Lawyers' Committee on Nuclear Policy;  
NGO Committee on Disarmament, Peace and Security;  
The Undiplomatic Times  
United Methodist United Nations Office;  
Unitarian Universalist UN Office;  
Women's International League for Peace and Freedom;  
World Council of Churches;  
and others.**



*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 information online at **[www.reachingcriticalwill.org](http://www.reachingcriticalwill.org)**;
- \* Coordinating an array of briefings, workshops and panels designed to educate diplomats and activists on issues of disarmament, peace and security;
- \* Serving as an information resource by email or phone;
- \* Providing a link between the First Committee and NGOs who are not in New York.

*The First Committee Monitor is made possible through the generous support of the Canadian Government and other Reaching Critical Will donors.*

## Introduction

Although the past week has had its share of disappointments, we have been engaged in valuable discussions about First Committee revitalization. NGOs have not had an opportunity to engage in the formal debates, but have participated in side events and individual interactions with governments. The results of these interactions between NGOs and governments have been consistently positive, from informal discussions to the public panel events incorporating governments and civil society, like this week's panel on Space Security or last week's panel on the Working methods of the First Committee. These interactions demonstrate that collaborations between NGOs and governments can be mutually beneficial and complementary relationships, particularly when each actor plays an informed, specific and coordinated role.

The second week of the First Committee consisted of a series of thematic debates on nuclear weapons, other weapons of mass destruction, the prevention of an arms race in outer space, and conventional weapons. Each day's session was divided into three segments: the first segment included a guest speaker with time for brief question and answer with the delegates, the second segment was allocated for Member State interventions on the topic at hand, and the third segment was reserved for Member States to introduce resolutions, which were sometimes on theme, sometimes off. This structure continued the initiative of last year's First Committee Chair, Ambassador De Alba (Mexico), who responded to the interest in First Committee 'revitalization' by increasing its interactivity, shortening the General Debate, focusing on specific themes, and inviting experts to brief the delegations.

As Ambassador De Alba pointed out at a lunchtime panel hosted by The Netherlands on October 6, "the fundamental issue is not to economize time, but to obtain our objectives. More important than the efficiency is the interactivity." (See the Disarmament Machinery report.) In that vein, although this year's chair, Ambassador Choi Young-jin of the Republic of Korea, has encouraged Member States to engage in question and answer with the guest speakers and in interactive discussions with each other, delegations still struggle to break the habit of delivering one speech after the other, reading from statements prepared ahead of time with little discussion or actual debate. This may be related to, as Japan acknowledged in the one interactive exchange among delegates this week (See the Small Arms and Light Weapons Report), some delegations' need to check back with capitals before speaking, or not being prepared with formal expertise on technical issues. However, as the First Committee, with its universal membership, is the international democratic deliberative body on disarmament, it is crucial for delegates to substantively engage with one another and the issues, par-

ticularly since nearly all other disarmament machinery is blocked.

This is why it was particularly disappointing that the new initiative for the First Committee to use its voting powers to create four Open-Ended Ad Hoc Working Groups consistent with the broadly-supported Five Ambassadors' Proposal for a Conference on Disarmament (CD) program of work was not tabled this week. The co-sponsors decided to give the proposal "time to mature", and give the CD one more year to adopt a program of work. (See Disarmament Machinery Report.)

However, Member States and Civil Society continue to think about First Committee revitalization, now with an inspiring spark of creativity. The Cardoso Report on UN-Civil Society Relations (A/58/817) recommended increased governmental interaction with NGOs as key international actors, with the UN acting as a convenor. However, the current implementation of this recommendation continues to depend on ad hoc relationships rather than systematic inclusion. The First Committee, as a trend-setter engaged in revitalization and increasing interactivity, should consider incorporating NGO expertise in its formal agenda. NGOs have long made valuable contributions to disarmament; we have acted as experts, consultants, and advocates. We can investigate arms traders, mobilize public opinion, engage in track two diplomacy and exert pressure from below. We are your link to the people. As Secretary General Kofi Annan has said, the "United Nations once dealt only with Governments. By now we know that peace and prosperity cannot be achieved without partnerships involving Governments... and civil society. In today's world, we depend on each other." By playing our parts together and in rhythm, consulting openly to complement our work and stay on beat, we will move towards our shared goal-disarmament-with aptitude and authority.

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## Prevention of an Arms Race in Outer Space (PAROS)

This week, Sri Lanka introduced a draft resolution entitled 'Prevention of an Arms Race in Outer Space', a text almost identical to that of resolution 59/65 of last year. Russia introduced a new draft resolution entitled 'Measures to Ensure Transparency and Confidence Building in the Uses of Outer Space' with the aim of securing the peaceful use of outer space technology.

Member States that discussed the Prevention of an Arms Race in Outer Space (PAROS) during the thematic debate on "All other Weapons of Mass Destruction, including PAROS" held on Wednesday, October 12, all reminded the First Committee of humanity's increasing reliance on space programs for commerce, welfare and development. Because we rely on the peaceful use of outer space for telecommunications, meteorology, navigation and early warning systems for natural disasters, among others, preserving it for those uses is pressing. "Many would be shocked to discover the extent of the impact upon our daily lives if there were ever a large scale interruption in satellite services," said Canada, in a lengthy discussion of the peaceful uses of outer space. Phillip Coyle, of the Centre for Defense Information and the former United States Assistant Secretary of Defense, told NGOs and Member States that the United States has the most to lose from a war in space, because it has the most outer space investments. Coyle was a panelist at a side event 'Space Security: Core Issues and Questions', co-hosted by the Global Security Institute and Spacesecurity.org.

Despite the need to protect assets and prevent a new arms race, the weaponization of space is more imminent than ever, a reality lamented by several countries. "Currently, certain warfare concepts and theories such as 'control over space and occupation of space' are being codified," warned China. "The R&D [research and development] on space weapons is also being carried out." Russia agreed that the danger of weapons in space was imminent, but noted that "hopes to dominate space with the use of force are illusory." Although Russia reaffirmed its continued support for a moratorium on anti-satellite weapons, Russia made it clear that it was not advocating a ban on the militarization of outer space, as that has already happened and "can play a stabilizing role" in global security.

Confidence building and transparency remained an important element of the PAROS debate, with several statements noting that a weaponization ban is not the only means of addressing space security. Canada described proposals for no first deployment pledges, codes of conduct for space activity and expanded commitments of non-interference with space-based national technical means as significant confident building measures, stating that "(p)roposals of this kind can

also serve to foster a politico-diplomatic environment of mutual confidence, one conducive to the negotiation of a multilateral agreement on PAROS..."

In addition to making political commitments to prevent the weaponization of space, several tools for transparency verification currently exist. Canada noted the Hague Code of Conduct's utility as a transparency and confidence building measure. Sri Lanka and Canada offered the 1967 Outer Space Treaty as another confidence building step available to states, which they hoped would become universalized by its 40th Anniversary in 2007. Dr. Detlev Wolter, First Committee Vice-Chair and Political Counselor for the German Mission, speaking in his personal capacity at the 'Space Security' event, recognized the treaty's 40th anniversary as an opportunity to create an additional protocol addressing space weapons. Lucy Stojak of the Institute of Air and Space Law, McGill University, explained that the Committee on the Peaceful Uses of Outer Space (COPUOS) has a registration convention by which states register their space objects during the 'Space Security' event. Although states should update their registry information more regularly, it can serve as a useful existing transparency mechanism.

States again reiterated the need for the re-establishment of a subsidiary body of the Conference on Disarmament (CD) to deal with PAROS. China and Russia both restated their view that the CD is the best venue for creating a legal instrument on the prevention of an arms race in outer space. They implored the CD to use their thematic non-papers, as well as the working paper tabled in the CD in 2002 entitled 'Possible Elements for a Future International Legal Agreement on the Prevention of the Deployment of Weapons in Outer Space and the Threat or Use of Force Against Outer Space Objects' as a basis for negotiating a new outer space legal instrument. Dr. Wolter recommended negotiating a multilateral Treaty on Common Security in Outer Space (CSO Treaty).

Enhanced cooperation between UN bodies could also facilitate substantive work on PAROS, according to discussions this week. Canada mentioned the importance of a continued dialogue between the First and Fourth Committees on their space-related work, and of exchanges between the Committee on the Peaceful Uses of Outer Space (COPUOS) and the Conference on Disarmament, stating that "working more closely together would highlight a commonality of interests and the need for practical steps to prevent the weaponization of outer space." Lucy Stojak suggested that COPUOS could contribute to the CD on legal matters such as the definition and delimitation of outer space and the definition of space objects.

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## A New Agenda

Despite strains among its members that emerged at last spring's NPT Review Conference, this week the New Agenda Coalition (Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa, and Sweden) released a revised version of their annual resolution (A/C.1/60/L.4), "Towards a nuclear-weapons-free world: accelerating the implementation of nuclear disarmament commitments." With the withdrawal of the initiative sponsored by Brazil, Canada, Kenya, Mexico, New Zealand and Sweden to utilize the First Committee to establish ad hoc committees, and the decision of the Seven Nation Initiative not to table a resolution, this seems the most important effort reaching across the North-South divide on the agenda of the First Committee.

Last year's resolution (A/RES/59/75) focused on specific measures whose near-term implementation seemed within the realm of possibility, notably commencement of negotiations on a fissile materials treaty. The aims were to achieve the widest possible support leading into the 2005 NPT Review Conference and to induce movement by the Nuclear Weapon States prior to the Conference. It was successful in the first regard, garnering support from eight NATO states including Germany and The Netherlands. However, the United States and other Nuclear Weapon States took no steps to encourage a good outcome of the Conference.

This year's text does not address specific measures. It is structured around a general call for implementation of the practical disarmament steps set forth in the Final Document of the 2000 NPT Review Conference, commitments that the New Agenda group played a crucial role in obtaining. Operative paragraphs reaffirm the 2000 "framework for systematic and progressive efforts towards nuclear disarmament" and call for "accelerated implementation" of the practical steps. A call is also made for all states "to comply fully with commitments made regarding nuclear disarmament and nuclear non-proliferation."

Speaking on behalf of the coalition on October 10, as reported by the UN news service, Amb. Claudine Mtshali of South Africa said the text sought to send a message about the importance of implementing existing nuclear disarmament commitments. It also, she said, emphasized compliance with both nuclear disarmament and non-proliferation commitments, as these are mutually reinforcing processes. She added that the partners of the New Agenda Coalition had consulted widely regarding the draft, and the text was drafted in a manner that all States should be able to support. It would appear that the New Agenda Coalition, in the wake of the breakdown of the 2005 NPT Review Conference, is concerned above all with emphasizing the continued normative force of the 2000 commitments while avoiding controversy

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## Negative Security Assurances

Negative Security Assurances (NSAs) and Positive Security Assurances (PSAs) are statements made by Nuclear Weapon States (NWSs) in an effort to assure Non-Nuclear Weapon States (NNWSs) that they will not be victims of a nuclear weapons attack. An NSA is a pledge made by a NWS promising not to use nuclear weapons on a NNWS. In contrast, a PSA is a declaration by a NWS that it will come to the aid of a NNWS if it is the victim of a nuclear weapons attack. While there is not a formal treaty on NSAs and they are not legally binding, all NWSs have issued unilateral NSA declarations. In addition, in April 1995, the five permanent Security Council Members (P-5) and original Nuclear Weapon States consolidated their PSAs in UN Security Council Resolution 984.

Although the P-5 plus 3 other NWSs have said little in regards to NSAs, throughout the first two weeks of First Committee meetings, many NNWS have expressed the critical nature of legally binding, unconditional NSAs in order to prevent arms races and further proliferation of nuclear weapons. The Non-Aligned Movement (NAM) and its member states have been calling for legally binding NSAs for an extended period of time, and Indonesia's Ambassador Rezlan Ishar Jenie cut straight to the point last Monday, October 3, in his opening statement on behalf of the NAM during the First Committee general debate. "NAM also reaffirms that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons," he stated. "Therefore, pending the total elimination of such weapons, efforts for the conclusion of a universal, unconditional and legally-binding instrument on security assurances to non-nuclear-weapons-states should be pursued as a matter of priority." While many members of NAM were outspoken on the issue of NSAs, as the current chair of the NAM disarmament working group, Indonesia has been the most vocal member.

While most NWSs remain steadfast in their commitment to possession of nuclear weapons and unwillingness to commit to legally binding NSAs, China stands alone in its pledge to fully commit to NSAs. Ambassador Zhang Yan, Director General of the Department of Arms Control and Disarmament of the Ministry of Foreign Affairs of the PRC, noted on Monday that "before the goal of complete prohibition and thorough destruction of nuclear weapons is achieved, nuclear weapon states should commit themselves to no first use of nuclear weapons and undertake unconditionally not to use or threaten to use nuclear weapons against NNWS or Nuclear Weapons Free Zones (NWFZ)." In addition to committing to NSAs, China expressed concerns over the lack of effort to create international relationships based on mutual trust and respect. Ambassador Zhang stated:

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## Nuclear Disarmament

Against the backdrop of the recent failures of states to achieve consensus on disarmament and non-proliferation issues, largely due to the lack of progress in disarmament efforts, and amidst the ongoing crisis over the nature of Iran's nuclear program, antagonists Iran and the United States introduced resolutions with competing visions of compliance.

The U.S.-sponsored periodic resolution (A/C.1/60/L.1), "Compliance with non-proliferation, arms limitations and disarmament agreements," was substantially altered for the first time since 1989, making it considerably tougher in tone. Previous iterations of this resolution (the last one was in 2002, A/RES/57/86) have been adopted without a vote. The revised operative language calls upon states to take "concerted action" to ensure compliance and to "hold those not in compliance ... accountable." Previous resolutions called upon states to "support efforts aimed at the resolution of compliance questions by means consistent with such agreements and international law." While the draft formally refers to both non-proliferation and disarmament obligations, its thrust is prevention of proliferation: Operative Paragraph (OP) 5 welcomes Libya's dismantling of its WMD programs and recommends this approach to other states. However, the United States should pay heed to OP 4 urging those states "not currently in compliance with their obligations to make the strategic decision to come back into compliance!"

Iran's new draft resolution (A/C.1/60/L.) is entitled "Follow-up to nuclear disarmament obligations agreed in the 1995 and 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons." It broaches the subject of compliance indirectly but plainly by deciding (OP 4) to establish an ad-hoc committee in 2006 to review the implementation of disarmament obligations under the Non-Proliferation Treaty (NPT) as agreed to in 1995 and 2000 as well as to report on mechanisms and strategies for complete nuclear disarmament. It also (OP 2) calls for the Nuclear Weapon States (NWS) to implement the commitments made in step nine of the 13 practical steps agreed in 2000. Iran did not explain why they were selected from all those made in 1995 and 2000. Those commitments are further unilateral reductions by the Nuclear Weapon States, increased transparency, further reductions of non-strategic weapons, a reduction of the operational status of nuclear weapon systems, a diminishing role for nuclear weapons in security policies, and the engagement of Nuclear Weapon States in a process leading to the total elimination of their nuclear arsenals. As NGOs have explained in depth, the Nuclear Weapon States have not complied with those and other NPT commitments, for example, the important endorsement of the principle of irreversibility (see NGO presentation on Article VI

compliance to the 2005 NPT Review Conference.)

Although the text of Iran's draft strictly adheres to consensus language adopted during past reviews of the NPT, the timing of its introduction, amidst elevated scrutiny of the intentions of Iran's nuclear program, may cast a shadow over the initiative. Additionally, the resolution largely duplicates what is already offered annually through resolutions introduced by Japan and the New Agenda Coalition (see New Agenda Report). The draft also lacks what those initiatives have been keen to seek: a tone that will enable the widest support possible.

Other available drafts include Malaysia's annual resolution, "Follow-up to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons." Aside from a reference to the failure of the 2005 NPT Review Conference, the text is wholly unchanged. It underlines the unanimous conclusion of the International Court of Justice regarding the obligation to bring to a conclusion negotiations on nuclear disarmament, and calls for commencement of negotiations leading to early conclusion of a nuclear weapons convention. It was adopted last year in the General Assembly with 132 votes in favor, 29 votes against, primarily NATO states, and 24 abstentions. Myanmar is putting forward, on behalf of members of the Non-Aligned Movement, its annual resolution on "Nuclear Disarmament." This comprehensive compendium of nuclear disarmament measures is slightly updated but otherwise unchanged. The breakdown of the vote last year in the General Assembly was similar to the Malaysia resolution, with NATO states largely voting against it.

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### *A New Agenda, Continued*

by not referring to already identified or new specific measures.

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## Proliferation

In its "thematic discussion" of issues, the First Committee heard a repetition of many of the views expressed during the opening debate (and before that, in the opening debate of the General Assembly). Many speakers stressed the importance of the multilateral approach to non-proliferation, underlining the need to bring the Comprehensive Test Ban Treaty into force and negotiate a Fissile Materials Cut-off Treaty (FMCT) at the Conference on Disarmament. Others also urged support for action through the Nuclear Suppliers Group, the Zangger Committee, Security Council Resolution 1540 and the Proliferation Security Initiative. Several states again expressed concern over Iran's nuclear program, and welcomed the results of the 6-Party talks on the Democratic People's Republic of Korea's (DPRK) nuclear program. The importance of dealing with the threat of terrorist use of nuclear weapons and materials was underlined by a number of speakers.

States stressed the link between disarmament and non-proliferation and the importance of the Non-Proliferation Treaty (NPT). Concern for the integrity of the NPT focused on the non-compliance by Nuclear Weapon States (NWS) of their disarmament obligations, and the effort (by the United States) to reject the consensus outcomes of the 1995 and 2000 Review Conferences. MERCOSUR explained that "without a multilateral process towards a transparent, verifiable, irreversible and complete nuclear disarmament, it will not be possible to avoid the dangers posed by nuclear proliferation."

Several speakers feared that efforts by the Nuclear Weapon States (NWS) to improve the quality of their arsenals could launch a new arms race. Bangladesh elaborated on the possibility of vertical proliferation inspiring horizontal proliferation: "The destruction of some of the old nuclear warheads has been overshadowed by the provision of more precision in targeting to the remaining ones. There are efforts as well to develop new types of nuclear weaponry. These developments will buttress war-fighting capabilities, and also enhance the propensity for use. This will be extremely destabilizing. Also if possession of nuclear weapons appears to strengthen the sense of security, their acquisition will become attractive. If some have them and appear to benefit, others will want them also."

China once again called for an integrated approach to proliferation that addressed both "symptoms and root causes," generating an atmosphere of mutual trust, mutual benefit and equality at the international and regional levels with the UN and other international agencies. The Republic of Korea agreed that "[t]he pursuit of non-proliferation will work best when the causes of proliferation are adequately addressed."

Pakistan said that if a new security consensus was to emerge, it would have to be through an inclusive, non-coercive and non-discriminatory process that took into account the interests of all States, and addressed the conditions that motivated proliferation as well as existing and new threats.

States also stressed the importance of the NPT and the need for its universality, and expressed fears that those who remained outside the treaty were benefiting from doing so. Japan cautioned that "[t]he states remaining outside the NPT which are developing or suspected of developing nuclear weapons risk sending out erroneous messages to NPT States Parties, suggesting there are benefits to remaining outside the Treaty." Speaking for the European Union, the United Kingdom noted that although the 2005 NPT Review Conference had failed to adopt a final document, the program of work adopted in 2000 constituted a reference for the future, and proposed that the first prep-com for the next Review Conference meet in Vienna in 2007.

Most speakers also noted the importance of IAEA safeguards and Additional Protocol, and roundly applauded the award of the Nobel Peace Prize to the agency and its Director-General. The EU proposed that negotiations begin on the February 2005 report of the IAEA expert group on multilateral approaches to the nuclear fuel cycle. The EU also urged Iran to demonstrate "beyond any doubt that it is not seeking a nuclear weapons capability." As noted in the Nuclear Disarmament report, the U.S.-sponsored resolution (A/C.1/60/L.1), "Compliance with non-proliferation, arms limitations and disarmament agreements," was significantly altered this year to include operative language that calls upon states to take "concerted action" to ensure compliance and to "hold those not in compliance ... accountable."

In welcoming the joint declaration of the 6-Party talks on the nuclear weapons program of the DPRK, the EU noted the need to address the implications of States that withdrew from the NPT with the intention of developing nuclear weapons. Canada urged "all parties to follow through on their commitments without delay and to build upon this agreement at the next round of talks in order to ensure a Korean peninsula free of nuclear weapons once and for all."

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## Disarmament Machinery

On Wednesday, October 12, Brazil, Canada, Kenya, Mexico, New Zealand and Sweden announced that they had decided not to table their resolution on creating four open-ended ad-hoc committees under the General Assembly. These Committees would have been consistent with the Five Ambassadors' (A5) proposal for a Conference on Disarmament (CD) programme of work. According to their joint statement, this innovative proposal that captured the imaginations of many governments and members of civil society, "would benefit from the opportunity to mature and for all delegations to gain a fuller understanding of what they entail." There was a little less than one week from when the group formally introduced the draft resolution on Thursday, October 6, and the deadline for its submission to the First Committee Secretariat on Wednesday, October 12.

However, pressure from the United States and other opponents of the initiative was also a major factor. The United States circulated a memo to Member States' capitals calling the proposal to initiate work on the near-consensus A5 program of work a "divisive proposal" that would "likely spell the end of the CD." However, the United States has not offered any alternative possibility for agreeing on a program of work in the CD, and remains the main hold-out state blocking consensus on a CD program of work. In its statement on the decision not to introduce the proposal, Kenya called this a "de facto veto" and a "consensus veto" that it abhorred, because "It is our democratic right to demand discussion of ways of energizing a process, which if left to die, will undermine international peace and security."

Although it was not introduced, the initiative did have several positive impacts. First, it put the CD on notice that if it cannot agree on a program of work the First Committee is willing to step in and initiate discussions following the broadly supported program of work developed by the Five Ambassadors for the CD. Second, it reignited discussions on the relationship between and among different pieces of international disarmament machinery. How could the CD and the First Committee interact with each other most effectively? What about other international disarmament fora? Third, it got Member States and civil society thinking creatively about how to work together to address the current impasse in the disarmament and non-proliferation regime. First Committee and UN reform have been hot topics for the past several years and many groups have put forward important ideas on how to improve the workings of international disarmament machinery, but this bold initiative has greased the wheels with creativity and optimism. As the group said in its joint statement, "This use of the First Committee as a political forum to discuss the key real-world challenges in front of us, rather than as a mere resolution-generating machine, is

also in keeping with our support for continued UNGA and First Committee reform."

Last year and during this year's general and thematic debate, members of the Non-Aligned Movement have been vocally supportive of convening a Fourth Special Session of the General Assembly devoted to disarmament (SSOD IV). A resolution establishing an Open-Ended Working Group "to consider the objectives and agenda, including the possible establishment of the preparatory committee" was adopted without a vote last year. This working group is supposed to submit a report on its work before the end of this session of the General Assembly. A draft decision on the "Convening of the fourth special session of the General Assembly devoted to disarmament" has been tabled this year.

The Netherlands held a side event during the first week of the First Committee on "Improving the effectiveness of the methods of work of the First Committee", where they presented a non-paper on the subject with "a focus on preparation and follow-up". This paper suggested holding two-day open-ended informal meetings in New York and Geneva to prepare for the First Committee, regularly evaluating the First Committee's methods of work, and improving communications between New York and Geneva, among other things. Member States and NGOs in attendance contributed their own ideas to the discussion, and Ambassador De Alba (Mexico) reminded the group that First Committee reform is as much about effectiveness as it is about efficiency; "the fundamental issue is not to economize time, but to obtain our objectives. More important than the efficiency is the interactivity."

Germany suggested the First Committee "look at having civil society participate more often in thematic debates. Why do we have to have all these side events; why can civil society not make a presentation here?" Indeed, civil society has increasingly participated in international disarmament processes. NGO presentations are given to the Non-Proliferation Treaty Preparatory Committees and Review Conferences and the Small Arms and Light Weapons Program of Action Review Conferences, NGOs helped initiate the Ottawa Convention, and participated in the precedent-setting General Assembly Hearings on the World Summit. The First Committee is the appropriate body to pick up this trend and take advantage of the crucial role of civil society as experts, advocates, links to the public and implementing partners, roles many Member States have acknowledged in their statements these past two weeks. As New Zealand stated about collaborating with civil society on the Ad Hoc Committee initiative, "NGOs have played a major part in getting this initiative moving. You will have a continuing

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## Missiles

A draft decision (A/C.I/60/L.5), submitted by Egypt, Indonesia, and Iran, "decides to include in the provisional agenda of its sixty-first session the item entitled 'Missiles.'" The same countries sponsored last year's resolution (A/RES/59/67) that requested the Secretary-General first, to submit a report in 2006 identifying areas where consensus can be reached, and second, with the assistance of a third Panel of Governmental Experts to be convened in 2007, to prepare an additional report on missiles to be submitted in 2008. The second panel of experts failed to reach consensus on a report. A draft resolution (A/C.I/60/L.22), not yet issued, also will address the Hague Code of Conduct against Ballistic Missile Proliferation, likely tracking last year's resolution (A/RES/59/91).

A few countries addressed missiles in their general statements during week one of the First Committee. Kazakhstan noted that it has subscribed to the Hague Code of Conduct (HCOG) and is also applying for membership in the Missile Technology Control Regime. Norway urged more countries to sign up to the HCOG. On behalf of the ASEAN member states, Myanmar urged "multilaterally negotiated, comprehensive and non-discriminatory agreements" on missiles, which was verbatim from its comments in 2004. During the thematic debate in week two, China mentioned that it was "willing to join the Missile Technology Control Regime."

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## NSAs, Continued

"Firstly, efforts should be devoted to creating a favorable international and regional security environment conducive to non-proliferation. Countries should respect each other's security interests and strive for a relationship based on mutual trust, mutual benefits, equality and cooperation so as to realize mutual security, thus eradicating the motivations behind proliferation." Let us hope that in the coming weeks the First Committee will make substantial strides toward these goals as expressed by Ambassador Zhang.

-Jenna Crouch, Reaching Critical Will  
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## Disarmament Machinery, Continued

major role in keeping this issue to the forefront of governments' attention. Your help will be vital in reinforcing the message that the status quo is simply not acceptable."

Even if we are disappointed that the new initiative was not tabled this year, much has been done and there is much to do in revitalizing our disarmament machinery. And, as Kenya said, we "anticipate its re-introduction in a more potent form next time if the Conference on Disarmament does not awaken."

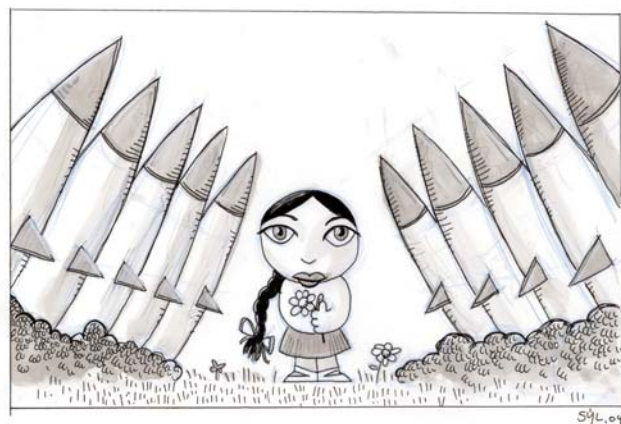
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## PAROS, Continued

The 'Space Security: Core Issues and Questions' side event, offered a useful forum for Member States and NGOs to discuss space security issues in more depth than at the general debate. Canadian Ambassador Meyer said, "This is the kind of quality discussion we should be having every day in the CD." All panel members at the event highlighted the need for a pragmatic change in the way that states think about global security, emphasizing the need for space security to focus on common security, rather than national security.

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

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## Biological and Chemical Weapons

Member States discussed Biological and Chemical Weapons in much greater depth during the thematic debate of the second week of First Committee. Although Monday's session was scheduled for thematic debate on nuclear weapons, a good portion of the session was spent discussing Chemical Weapons in a statement made by Ambassador Rogelio Pfirter, Director General of the Organization for the Prohibition of Chemical Weapons (OPCW) and a follow up response by Iraq thanking the OPCW for financial and technical support in Iraq and for its hard work in ensuring continued progress in the chemical disarmament sphere. Ambassador Pfirter echoed many statements made by delegations in the First Committee's General Debate, noting that "the OPCW has registered significant progress on a number of fronts, and considerable momentum is being generated in the implementation of the Convention." However, he went on to state that "significant challenges remain before us to achieve universal adherence to the Convention, to meet the timelines for destruction envisaged by the Convention, to translate its operative provisions into an effective web of national laws and implementing authorities and arrangements, and to achieve thereby the highest level of assurance to which the convention aspires." Although Ambassador Pfirter noted that the CWC is the fastest growing disarmament treaty in history, he encouraged governments to "stay the course" and sustain the momentum already created.

(For detailed information on the current status of chemical disarmament and non-proliferation please see Ambassador Pfirter's statement to the First Committee <http://www.reachingcriticalwill.org/political/1com/1com05/statements/opcw10oct.pdf> along with the supplemental note <http://www.reachingcriticalwill.org/political/1com/1com05/statements/opcwsupp10oct.pdf>)

During Wednesday's thematic debate on Other Weapons of Mass Destruction (WMD) and Prevention of an Arms Race in Outer Space (PAROS), numerous delegations focused their statements on the critical importance of universal implementation of and adherence to both the Biological Weapons Convention (BCW) and the Chemical Weapons Convention (CWC). Speaking on behalf of the European Union, Ambassador John Freeman from the United Kingdom stressed the importance of these two treaties as the basis for progress in other areas of disarmament and non-proliferation. He stated: "These Treaties have an essential role in countering the threat of chemical and biological weapons, and together with other key multilateral agreements provide a basis for the international community's disarmament and non-proliferation efforts, which contribute to international confidence, stability, and peace, including the fight against terrorism." Ambassador Freeman went on to note that while progress on destruction of biological and chemical weapons

is moving forward, States Parties must urgently encourage non States Parties to accede to both the BWC and CWC.

In addition to the emphasis placed on non States Parties acceding to the BWC and CWC and staying on schedule in the destruction of BCW stockpiles, governments stressed the importance of not allowing Biological and Chemical Weapons to fall into the hands of non-state actors. Ambassador Massod Kahn of Pakistan noted that the only way to prevent possible access to and use of these weapons by non-state actors or terrorists is to expedite their complete destruction. With the review conference for the BWC approaching in early 2006, Italy expressed the desire to strengthen the review process in order to achieve a verification mechanism for the BWC, further noting that follow up and verification mechanisms for all disarmament and non-proliferation treaties are necessary to ensure WMDs do not fall into the hands of non-state actors or terrorists.

States addressing BCWs in their statements to the First Committee discussed the rapid change in new, emerging technology as well as achieving equilibrium between scientific progress and the abuse of technology for purposes of war and destruction. Pakistan was particularly concerned about this balance. Ambassador Kahn stated: "Implementation of the CWC should be carried out in a way that chemical and technological activities and capabilities not prohibited by the Convention, are adversely affected." He went on to caution that "in order to use the full potential of bio-sciences, we must act responsibly, while preserving the space necessary for research and industrial applications."

The Russian Federation, with one of the two largest stockpiles of chemical weapons, expressed concern over continued financial support for carrying out destruction of its chemical weapons on the CWC timeline. Cuba echoed Russian concerns by encouraging development of specific mechanisms for providing assistance to developing countries in carrying out the terms of the CWC and BWC, along with promoting socio-economic growth in developing countries.

In continuing to emphasize the importance of implementation on a national level, Poland introduced a draft resolution on the implementation of the CWC (A/C.1/60/L.31). As Ambassador Krzysztof Paturej pointed out, Poland's draft "reflects real progress achieved in the CWC implementation and the work of the OPCW." The draft, however, also stresses the importance of maintaining the Action Plan on the Implementation of Article VII (national implementation measures) and the importance of the Convention's implementation in the global fight against terrorism. Emphasizing the crucial role of consensus in providing unequivocal sup-

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## Comprehensive Test Ban Treaty

Expressions of support for the entry into force of the CTBT continued this week, with Japan, Bangladesh, Canada, Morocco, Italy, the EU, and MERCOSUR adding their voices to those from last week. Many delegations, including Japan, Bangladesh, Republic of Korea, the Russian Federation, Norway, the EU, and MERCOSUR, continued to encourage those states that have not yet done so to sign and/or ratify the Treaty. Others gave their support for the continuation of the moratorium on nuclear testing. Japan, Bangladesh, Canada, and MERCOSUR all mentioned the Final Declaration of the Fourth Conference on Facilitating the Entry into Force of the CTBT. Canada was particularly enthusiastic about the Declaration's inclusion of the Canadian proposal to recognize regional security dynamics as a strong impediment to ratification of the CTBT for some countries. The proposal "calls on states in a given region to consider ratifying the CTBT in a coordinated manner." Canada believes that "by agreeing to ratify simultaneously, both Annex 2 and non Annex 2 States in a given region can help build security and confidence in regions that suffer all too often from insecurity and uncertainty."

Drawing attention to the progress made during previous discussions about the CTBT gives the Treaty further exposure and illuminates its many beneficial aspects. Mr. Tibor Toth, Executive Secretary of the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) Preparatory Commission spoke this week, adding an optimistic and progressive dimension to the discussion about the CTBT's future. He pointed out that the high number of signatures and ratifications, as well as "the large number of delegations and the high level of participation [at the Fourth Conference] was proof of the undiminished relevance of a legally binding, universal, verifiable, and total ban on nuclear test explosions for the security interests of the overwhelming majority of nations."

Most of the statements that mentioned the CTBT this week in the First Committee drew attention to the civil, scientific, and humanitarian benefits of its verification system, while acknowledging that verification is its foremost purpose. Mr. Toth reported that two-thirds of the verification system have been built, and "incoming data are collected, processed, analyzed, and transmitted to States for final analysis. Over three million data segments and products have been distributed to authorized users since 2000." In Mr. Toth's view, the humanitarian benefits of the collection and analysis of this data not only "empowers each Signatory State [regardless of size and wealth] to make their own judgment about events based on the data and products provided by the [CTBTO]," but could also contribute to the effectiveness of tsunami warning centers. The EU even went so far as saying the CTBTO and its

member states have a "moral responsibility" to use these data for humanitarian ends.

Other states see the verification regime as an impetus for the Treaty's entry into force. Japan stated its continued support for "the steady reinforcement of the CTBT verification regime in order to maintain momentum for the Treaty's entry-into-force." The EU believes "that exploiting the important additional scientific knowledge offered by the verification system will encourage states to access these further benefits by signing and ratifying the Treaty."

However, MERCOSUR (Southern Common Market) considers the implementation of the IMS without the entry into force of the CTBT to be a paradox. MERCOSUR argued that the "IMS cannot function if the legal obligations which are supposed to be monitored are not in force. The functioning of the IMS must not be accelerated on the basis of simple technical considerations, not taking into account the universal and non discriminatory character of the Treaty which created it."

In addition this week, many countries emphasized the connection between banning nuclear testing and complete disarmament and non-proliferation. The EU, Japan, Bangladesh, Indonesia, and MERCOSUR made statements to the effect that entry into force of the CTBT is an essential step towards nuclear disarmament and non-proliferation. MERCOSUR's statement was the most explicit and optimistic: "the entry into force of the CTBT would free the world from nuclear tests, thus contributing to the systematic and progressive reduction in nuclear weapons and its elimination, as well as to the prevention and fight against nuclear proliferation."

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### *BCWs, Continued*

port for the UN, Ambassador Paturej asked for approval of the resolution without a vote.

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## Nuclear Weapon Free Zones

This week in the first committee several draft resolutions and decisions were presented addressing Nuclear Weapon Free Zones (NWFZ). In addition, there was also some discussion of the nuclear situations in the Korean Peninsula and South Asia.

Egypt introduced a draft resolution (A/C.1/60/L.3) for a NWFZ in the Middle East. It marked the 31st time the resolution, which has historically been adopted without a vote, has been presented. The more contentious draft resolution, A/C.1/60/L.6, entitled "The Risk of Nuclear Proliferation in the Middle East" has also been tabled again this year.

For its part, Africa has continued to make progress in its NWFZ, which represents the entire continent. Nigeria presented the draft resolution in regards to the African NWFZ treaty (or the Treaty of Pelindaba) as item A/C.1/60/L.8. The treaty was first created in 1996, and since then has steadily gained momentum. A large part of the delay which prevents its entry into force is due to the time required for national legislatures to approve the treaty.

The NWFZ in Central Asia has also moved forward. All parties in the region, Turkmenistan, Tajikistan, Uzbekistan, Kazakhstan, and Kyrgyzstan strongly support the concept, and together co-sponsored the draft decision. The NWFZ in Central Asia has received mixed support from the Nuclear Weapon States, with some resistance from France and the U.S. countering the firm support from China and Russia. Nevertheless, solidarity of purpose from the five states of the region is apparent.

The first NWFZ was formed at the Treaty of Tlatelolco, and has come to include all of Latin America and the Caribbean. The treaty has been in effect longer than any other NWFZ treaty, and has a large number of nations and land area included.

South Asia, of course, is not a NWFZ, although many nations call for the removal of nuclear weapons from Pakistan and India. Few nations, however, have more at stake in this arena than Bangladesh, simply due to geography. The delegation of Bangladesh said during the thematic debate on nuclear weapons, "Bangladesh has consciously and unconditionally opted to remain non-nuclear... We believe that regional disarmament arrangements can play a significant role in global nuclear disarmament. We welcome all existing NWFZs and call for the establishment of similar zones in South Asia..."

Pakistan spoke on Monday's thematic discussion on nuclear weapons: "There is need to reconcile nuclear reality within the global non-proliferation regime i.e. the existence of 8, not

5, nuclear weapon States." Pakistan also presented a draft resolution entitled 'Confidence-building measures in the regional and subregional context.'

New Zealand reintroduced the more contentious "Nuclear Weapon Free Southern Hemisphere" Resolution this year, with a message aimed at the concerns of those who have opposed the resolution in years past. "We understand that those states in opposition... are concerned that their freedom of navigation on the high seas would be undermined... let me... reiterate that the resolution specifically recognizes the relevant rights... under the U.N. Convention on the Law of the Sea."

In a similar vein, Indonesia entered draft resolution A/C.1/60/L.19 entitled 'Implementation of the Declaration of the Indian Ocean as a Zone of Peace.' Although the Indian Ocean was first declared a Zone of Peace in 1971, the concept of regional confidence building and cooperation remains important. In support of working towards regional solutions, several nations presented item A/C.1/60/L.23, entitled Regional Disarmament, which "tak[es] note of the recent proposals for disarmament at the regional and subregional levels," and "recogniz[es] the importance of confidence-building measures for regional and international peace and security."

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## Small Arms and Light Weapons

SALW was the one issue on which delegations engaged in an interactive debate during the First Committee's thematic debate on Conventional Weapons. The issues surrounding the upcoming five year Review Conference of the UN Programme of Action (PoA) on Small Arms and Light Weapons in 2006, and the mandate for the Group of Governmental Experts on Brokering were discussed in statements and interactive debate, and a number of draft resolutions were introduced. Again, the extreme damage and impact the illicit trade, circulation, and use of SALW has on the lives and livelihoods of millions around the world was highlighted as a reason for urgent progress on the issue. "It is the circulation of Small Arms and Light Weapons that is the real threat to global security," said the Ambassador from the Democratic Republic of Congo. "They are the real weapons of mass destruction." The Indian Ambassador reflected the views of many when he described how such weapons "disrupt political stability and social harmony, derail pluralism and democracy and hamper growth and development. They also fuel international terrorism and internal conflicts."

Many states highlighted priority areas for upcoming work, including illegal brokering, end-user certificates, and transfer controls. Norway and Mexico reminded the First Committee of the importance of understanding the gendered consequences of SALW. Several states urged the establishment of a Group of Governmental Experts (GGE) to look at the issue of illicit brokering, with disagreements between states regarding whether the group should be mandated to explore the feasibility of a legally binding international agreement.

Two key areas of contention were evident in the statements and the interactive debate. First, in the statements, some Member States wanted more advance preparation for the PoA Review Conference, such as early identification of the chair for both the Preparatory Committee and Review Conference (EU and aligned states), while others preferred waiting for the Review Conference to finalize agendas (China, Japan and Russia). Second, Member States disagreed over the language for the mandate of the Group of Governmental Experts on brokering in the omnibus resolution on SALW, submitted annually by Japan, Colombia and South Africa, "The Illicit Trade in Small Arms and Light Weapons in all its Aspects".

This disagreement became clearer in the only interactive debate of the week, which took place after the EU raised several points during the thematic debate and Japan asked others to respond. The views between states wanting to push an ambitious agenda on SALW (like the EU Member States) diverged from states who expressed the importance of achieving a consensus document (South Africa, Norway,

Egypt, Japan, Colombia and Russia). The EU raised, and other EU Member States and Australia seconded, the following suggestions for the resolution: 1) discussions on transfer controls before the 2006 PoA Review Conference would not prejudice the topics and outcomes of the conference; 2) focusing and preparing for the Review Conference as soon as possible would be beneficial; and 3) the GGE should be mandated by states to look at the feasibility of a legally binding international instrument on brokering. While states like South Africa preferred moving forward with what was feasible after wide consultation, France raised the frustrations some states felt at what they perceived to be a limited space for debate and forward movement "if on the very first day we are presented with an unambitious text which we are told is the maximum we are able to achieve." After disagreements about the process of consultation were expressed, it was agreed that the co-sponsors would conduct further consultations, as, according to Japan, the only response to their first consultations had been from the EU.

In keeping with UN reform measures, The Netherlands introduced a "one-time" resolution entitled "Addressing the Humanitarian Development Impact of the Illicit Trade in Small Arms and Light Weapons." Some are concerned that linking disarmament and international security issues with issues of human rights and development combines the scope of multiple committees into a resolution for a committee charged only with issues of disarmament and international security. However, the resolution merely distills from the UN World Summit Outcome Document the recognition and consensus by Heads of State of the impact of the illicit small arms and light weapons trade on development, peace and security, and human rights. "It is our duty to take into account this new consensus," The Netherlands said. This resolution already resonates with many states, including Mexico, EU, Sierra Leone, Congo, and Canada, among others, that referenced the linkages between the illicit trade in SALW and human rights and social development issues in their statements. In answer to some delegations' concerns that the draft could pre-empt the 2006 PoA Review Conference, The Netherlands is taking these comments into account and will be refining the draft resolution in the coming week. It is also possible that this resolution will go to a vote.

China stated, "Since many countries have yet to make serious studies in certain new ideas and suggestions proposed by other countries or groups of countries, the First Committee meetings for this year need not to draw any conclusion on these proposals, or in any way prejudice the outcome of the 2006 Review Conference, let alone put those immature ideas to vote. Otherwise, the voting result might very much likely

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## Landmines

The growing norm against anti-personnel landmines is a disarmament success story in which governments and civil society worked together. This feeling was echoed by the UK's Ambassador Freeman speaking on behalf of the European Union: "The EU considers the First Review Conference which took place in Nairobi last year as a landmark success." Last November, the Treaty's first review conference was held in Nairobi, and the next one will be held next month in Zagreb, where States Parties will review the Nairobi Action Plan.

The EU also welcomed progress on the three outstanding areas of work towards a mine free world, "universalizing the Anti-Personnel Mine Ban Treaty, destroying stockpiled anti-personnel mines and clearing mined areas, and assisting the victims."

Japan stated that they were looking forward to the Zagreb meeting, and emphasized the need to universalize the Ottawa Convention, urging non-States Parties to join. The EU "believe[s] it is important to measure the progress achieved so far in pursuing the Nairobi Action Plan 2005 to 2009 and therefore welcome the initiative to elaborate a Zagreb Progress Report."

China and the Russian Federation, neither of whom have signed the Treaty, both reported on their de-mining and mine destruction efforts, another example that this treaty is establishing an international norm that affects states not party to the Treaty. Russia informed the Committee that they had eliminated 6 millions landmines. This September, China started a de-mining assistance program in Thailand, providing technical training and donating de-mining equipment and materials. However, China "maintains that while addressing humanitarian concerns, due consideration should be given to the legitimate military and security needs of sovereign states as well as economic and technological capacities of all countries."

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## *Small Arms & Light Weapons, Cont.*

to have negative impact to the review process next year."

Many states again welcomed the work of the Open Ended Working Group on Marking and Tracing that concluded on June 17 this year. As during last week, a large number of states expressed their regret that the instrument was not legally binding. "Why has there been such a reluctance on our part to come up with a legally-binding international instrument to enable States to identify and trace, in a timely manner, illicit small arms and light weapons?" asked Sierra Leone. "How do we reconcile such reluctance with the preamble of the 2001 Programme of Action?" Other states also stated their preference for a legally binding agreement on marking and tracing, including India, UK and the EU, Austria, Uruguay and MERCOSUR, Mexico, Mali, Sierra Leone, Finland, Canada, Pacific Islands, Nigeria and Albania.

Other proposals (many introduced by not yet issued) included a draft resolution on 'conventional arms control at regional and sub regional levels,' 'information on confidence-building measures in the field of conventional arms,' one looking at 'problems arising from the accumulation of conventional ammunition stockpiles in surplus' (France), 'assistance to States for curbing the illicit traffic in small arms and collecting them' (Mali), 'Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or Have Indiscriminate Effects' (Sweden), and another draft resolutions proposed by the Netherlands, 'national legislation on transfer of arms, military equipment and dual-use goods and technology.'

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## Terrorism

Like last week, terrorism was peppered throughout the issues addressed in the thematic debate. Again, many Member States expressed concern about Weapons of Mass Destruction (WMD) falling into the hands of terrorists. This concern was expressed in the debate on biological and chemical weapons (see the Biological and Chemical Weapons Report) and nuclear weapons. For instance, Morocco stated, "the risks of proliferation of WMD, linked in particular with the acquisition of these weapons by terrorist groups, weigh heavily on international security."

Ambassador Rogelio Pfrter, Director-General of OPCW (Organization for the Prohibition of Chemical Weapons), advised the Committee, "While the OPCW is not an anti-terrorist agency, full implementation of the Convention [Chemical Weapons Convention] is recognized as constituting one effective means of addressing the menace of terrorism, in the chemical weapons field. The OPCW continues to be an active partner in this struggle." Ambassador Pfrter addressed the First Committee as an expert speaker during the thematic debate on nuclear weapons.

Focusing on nuclear weapons, Uganda stated, "We call for the complete prohibition and destruction of nuclear weapons which today pose the biggest threat to international peace and security. This is more so if the weapons should fall in the hands of terrorists."

Again this week, there was not unanimous agreement on the best method to prevent terrorist acquisition of WMD. For some, the total elimination of WMD was the only way to prevent terrorists from acquiring them. MERCOSUR in the statement made by Uruguay advanced that "the total prohibition and elimination of nuclear weapons is the only guarantee to keep such weapons from falling into the hands of terrorists."

Others focused on preventing proliferation. Again this week, many of the interventions mentioned the U.S.-led Proliferation Security Initiative (Krakow Initiative) and Security Council Resolution 1540. Romania's Ambassador Costea stated, "In efficiently responding to our century's challenges, we are of the view that, while designing new and modern mechanisms, the existing ones must also be reinforced. We think that these are complementary and not competing. As such, Romania attaches particular importance to the Proliferation Security Initiative and Security Council Resolution 1540."

Member States were also concerned about terrorist acquisition and use of conventional weapons, in particular small arms and light weapons (SALW) which are easier to acquire

and to conceal, and Man Portable Air Defense Systems (MANPADS). The UK's Ambassador John Freeman speaking on behalf of the European Union stated: "The EU believes that easy access to small arms and light weapons exacerbates conflicts, facilitates violent crime and terrorism, impedes post conflict reconstruction and undermines long term sustainable development."

Several states emphasized the particular threat posed by "the use of Man Portable Air Defense Systems (MANPADS) by terrorists and non-state actors as a tool for threatening civil aviation (and also aviation involved in peacekeeping operations)," which, according to the EU, "warrants worldwide attention and immediate action." The Russian Federation echoed this concern and mentioned the draft resolution on the transfer of MANPADS tabled this week, but not yet released. The EU was also encouraged by the expansion of the scope of the UN Register of Conventional Arms to include MANPADS.

Uganda pointed out a particular threat: "Uganda deplors the dumping of hazardous waste off the coast of Somalia, and calls upon the culprits to clean up their mess. The nuclear and toxic dump can very easily constitute an arsenal for the terrorists in their quest for weapons of mass destruction."

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***Read Reaching Critical Will's  
Disarmament Index and Summit  
Disarmament Index for a comprehensive  
listing of all governmental references to  
disarmament and security in the High  
Level General Debate and World Summit:  
<http://www.reachingcriticalwill.org/political/1com/1com05/disarminindex/disarminindex05.htm> and  
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