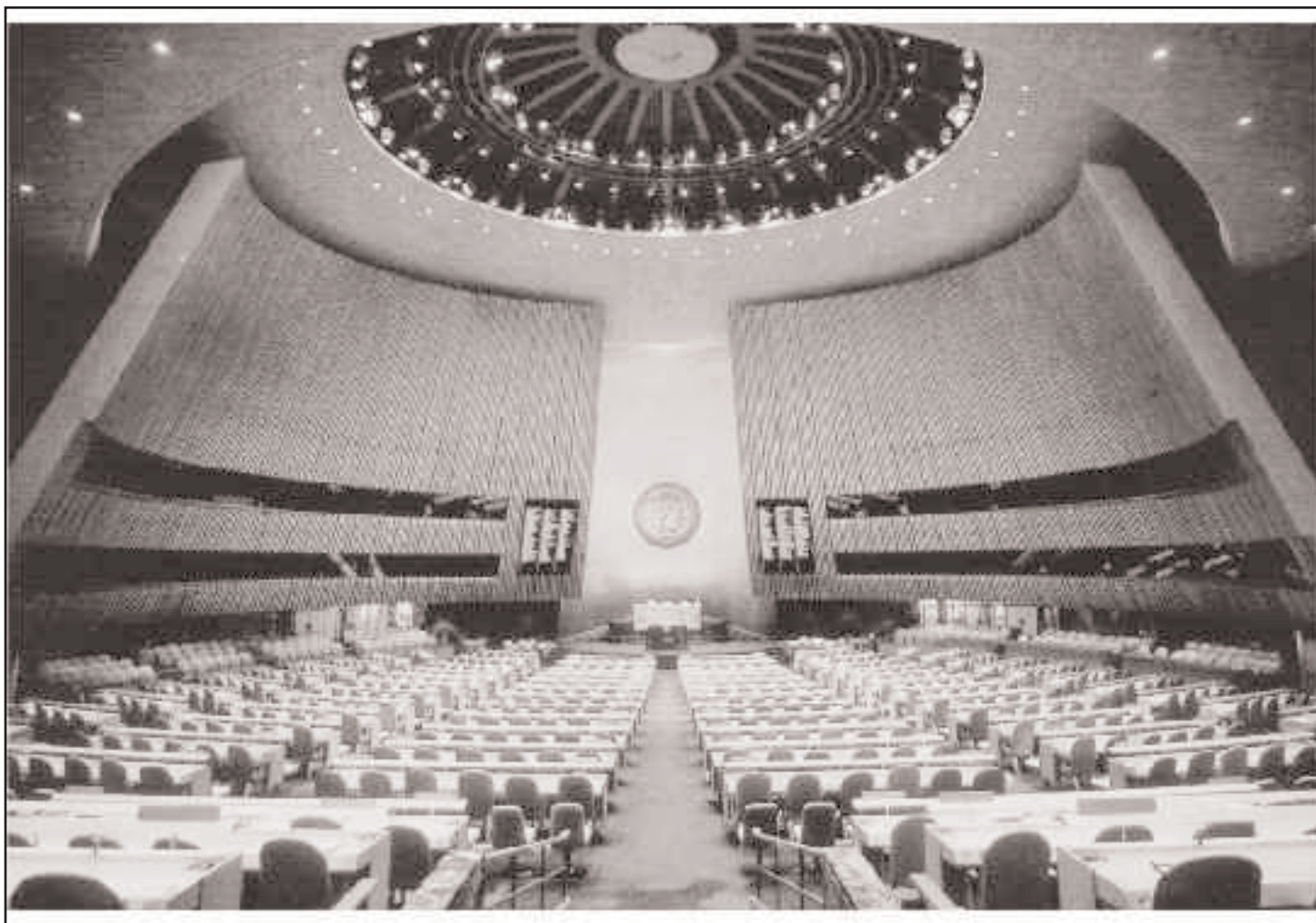
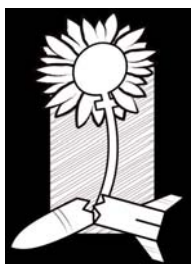


THE FIRST COMMITTEE MONITOR

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



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THE 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
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* Serving as an information resource by email or phone;

* Providing a link between the First Committee and NGOs who are not in New York.

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Introduction

The First Committee took action on 52 draft resolutions this week, with just 10 left for its final days. Of these, roughly half, 25, were adopted by consensus, 26 were adopted with one or more delegations voting against or abstaining, and one was rejected. The vast majority of the resolutions are reiterations of resolutions from years prior, with a few notable new additions and substantive updates. Even as reform discussions on merging duplicitous resolutions and bi- and tri-annualizing repetitive resolutions take place, "the support for these texts has remained indefatigable", in the words of John Burroughs and Michael Spies, and this "is an annual testament to the will of the international community, despite the appearance of hopeless deadlock." (See Nuclear Disarmament Report)

The First Committee this year has witnessed attempts to break out of this deadlock and to make progress on disarmament in all its issue areas. The Committee adopted a new resolution on the humanitarian and development impact of small arms and light weapons (SALW), and a new international instrument on marking and tracing (See SALW Report). The Committee also adopted a new resolution on radiological terrorism (See Terrorism Report). With more votes than ever, the Committee adopted the substantially updated nuclear disarmament resolutions (See Renewed Determination and a New Agenda Report).

Moreover, some delegations challenged the Committee to use its voting process to show where the international community stands on these issues. In the area of small arms and light weapons, two delegations, Jamaica and Mexico, abstained from a vote because the resolution was not progressive enough. (See SALW Report) Usually, consensus is broken from objections to progress, resulting in a slew of lowest common denominator resolutions. This is a challenge to the First Committee to use its voting process to give direction on disarmament, and pressure for progress, to the international community.

Votes can serve as snapshots of where the international community stands on the issues, while consensus adoptions indicate areas of agreement. Looking at the 27 voted resolutions can illuminate the divisions on issues and in alliances. The European Union and NATO voted against five draft resolutions dealing with nuclear weapons (L.5, L.36, L.52, L.54 and L.53) and abstained from those on nuclear weapons and their mobility, negative security assurances, and multilateralism (L.11, L.45, L.19 and L.14). India and Pakistan voted against references to the Non-Proliferation Treaty and resolutions urging them to join it as Non-Nuclear Weapon States. France, Israel, the UK and the US voted together on many nuclear weapon issues, sometimes joined by Russia, but

rarely by China. MERCOSUR and CARICOM, with several other Latin American countries, abstained from the draft decision on the international instrument on marking and tracing small arms and light weapons because it was not legally binding.

However, one Member State voted against far more draft resolutions than any other Member State or block, with France, Israel and the United Kingdom trailing behind. The United States cast 24 no votes out of 61 possible votes and 36 votes taken, was the only no vote on eight draft resolutions and one of only a handful of no votes on eight more. Of the eight for which the US was the sole no vote, three were on nuclear weapons issues (PAROS and the CTBT) the US has made clear it is nearly alone in actively opposing, and three dealt with the way arms and disarmament interact with other issues areas (development, human rights and the environment) that the US does not believe should be connected with the First Committee, despite the mandate given by Heads of State at the World Summit that these issues are fundamentally interconnected.

Regardless of each individual reason for voting no, the sheer quantity of the US's no votes in comparison to the rest of the General Assembly, even in comparison to the rest of the Nuclear Weapon States, is unsettling. Much like its behavior at the World Summit, when two weeks before negotiations were scheduled to conclude the US made 750 edits to the draft Outcome Document, the US is exhibiting unilateral and inflexible behavior in the First Committee. The UN is based on the sovereign right of every state to look after its national security interests, but does that give a single state, or a small group of states, the right to hold the human security interests of the world, including those states' own people, hostage? Total global nuclear disarmament is the democratic will of the majority of the world's people and governments. The votes in the First Committee give a snapshot of who is standing in the way of the realization of that goal, and its connections to the well being of the world.

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Nuclear Disarmament

Blitzing through its agenda, the First Committee took action on most nuclear disarmament focused resolutions this week. In the first General Assembly session following the failures of the NPT Review Conference and World Summit to advance the disarmament/non-proliferation agenda, the positions of states have changed little on critical nuclear disarmament issues. These time-hardened positions have given rise to a number of static annual resolutions. That the support for these texts has remained indefatigable is an annual testament to the will of the international community, despite the appearance of hopeless deadlock. However, some initiatives have sought to break through the deadlock, exhibiting flexibility and achieving moderate successes in achieving a new consensus. (See "Renewed Determination" and New Agenda report.)

Draft resolution A/C.1/60/L.46, on the "International Court of Justice Advisory Opinion," passed with 103 votes in favor, 29 against, with 21 abstentions. The no votes and abstentions were split amongst the EU and NATO states. Last year the vote was 118 in favor, 28 against, and 18 abstentions. An explanation of vote by one of the abstaining states, Japan, probably reflects a widespread view, namely that OP 2 of the resolution is premature in calling for early conclusion of a nuclear weapons convention. A separate vote was taken on OP1, which underlines "the unanimous conclusion of the International Court of Justice 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." This paragraph was accepted by 142 states and rejected by Israel, Russia, and the United States, with five states abstaining. Among the states voting yes were India and Pakistan. Since the obligation as stated by the ICJ applies to all states, as noted by Malaysia in introducing the resolution, it appears that the two South Asian states accept that they are bound by it.

The omnibus resolution A/C.1/60/L.36, "Nuclear Disarmament," was approved by a divided vote, 94 in favor, 42 against, with 17 abstentions. Similar to previous years, no votes came mostly from EU and NATO aligned states, with abstentions mostly from former Eastern-bloc states. However, New Zealand crossed boundaries to vote yes. In explaining its abstention, India cited the resolution's reference to the NPT while reassuring the Committee that it shares the objective of achieving a nuclear weapons-free world.

The vote on "Reducing Nuclear Danger" (A/C.1/60/L.52) followed the same pattern as L.36, with 94 votes in favor, 45 against, primarily EU and NATO, and 14 abstentions, primarily from former Eastern-bloc states. The resolution, sponsored

by India, calls for urgent steps, especially by the five NPT nuclear weapon states, to reduce the risk of accidental or unauthorized use of nuclear weapons. This vote is virtually unchanged from last year which saw 106 votes in favor, 46 votes against, and 16 abstentions. The vote on A/C.1/60/L.54, "Convention on the Prohibition of the Use of Nuclear Weapons," was nearly identical, with 97 in favor, 46 against, and 11 abstentions, again with little change in the level of support from previous years.

The Committee deferred action on two problematic resolutions discussed in week two of the Monitor, "Compliance with non-proliferation, arms limitation and disarmament agreements" (A/C.1/60/L.1) introduced by the United States, and "Follow-up to nuclear disarmament obligations agreed in the 1995 and 2000 Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons" (A/C.1/60/L.38/Rev.2), introduced by Iran. Iran revised its resolution to drop the establishment of an ad hoc committee on compliance, making the resolution somewhat superfluous in view of the affirmation of the 2000 outcome contained in the New Agenda and other resolutions. Perhaps reflecting the widespread revulsion to the incendiary October 26 call of Iran's president, Mahmoud Ahmade-Nejad, for Israel to be "wiped off the map," Zambia announced its withdrawal as a sponsor of L.38.

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Renewed Determination & A New Agenda

Striving to reach even wider support after a year of setbacks for disarmament and non-proliferation, Japan and the New Agenda Coalition displayed flexibility in offering revised versions of their annual resolutions and engaged in broad consultations. The result is manifest in the many votes picked up, despite reservations of some states on the contents of the drafts. Notably, the New Agenda Coalition voted en bloc in favor of Japan's resolution, A/C.1/60/L.28**, "Renewed Determination towards the Total Elimination of Nuclear Weapons." A number of NATO states also shifted to support the New Agenda resolution, A/C.1/60/L.4, "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments."

By a vote of 166 to two, with seven abstentions, the First Committee overwhelmingly approved the "Renewed Determination" draft resolution sponsored by Japan and eight other states (Australia, Bangladesh, Chile, Italy, Nepal, Nicaragua, Spain, Switzerland, and Ukraine). Nearly all governments in the world, including close allies of the nuclear weapon states, are therefore on record as favoring application of the principles of transparency, irreversibility, and verification "in the process of working towards the elimination of nuclear weapons" (OP 3). While those principles are embedded in the 2000 NPT Review Conference outcome, the resolution is praiseworthy for the clear and unambiguous way it declares that the principles, together, are inherent in effective reduction and elimination. The resolution also acutely singles out two other general commitments from 2000 whose fulfillment would greatly facilitate progress towards abolition and make for a safer world now: "the necessity of a diminishing role for nuclear weapons in security policies" (OP 7); and reduction of "the operational status of nuclear weapons systems" (OP 8). In addition to reiterating these and other commitments (e.g. re the CTBT and a fissile materials treaty) made in 2000, the resolution acknowledges the changes in U.S.-Russian relations since 2000, omitting references to START and the ABM Treaty and instead calling for full implementation of the 2002 Moscow Treaty and for further reductions (OP 4). In addition, in a provision applicable to all nuclear-armed states, it calls for "deeper reductions in all types of nuclear weapons" (OP 3). The resolution also "stresses" the important of non-proliferation efforts including universalization of the Additional Protocol (OP 11).

While the resolution "recalls" rather than reaffirms the 2000 outcome and does not mention the 2000 unequivocal undertaking to eliminate nuclear arsenals, it captures most of the key 2000 elements. Two significant differences are that it does not make commencement of negotiations on a fissile materials treaty contingent upon agreement on a program of

work in the Conference on Disarmament, nor does it call for the establishment of a CD subsidiary body to deal with nuclear disarmament as part of such a program. Whatever one's evaluation of the wisdom or practicality of separating negotiations on a fissile materials treaty from other elements - PAROS, security assurances, nuclear disarmament - of a CD program, it does comport with the commitment on fissile materials made at the 1995 NPT Review and Extension Conference. A statement from China illustrated its continuing insistence on the linkage opposed by the United States. One of the "basic principles of nuclear disarmament," China said, is that "preventing the weaponization of and an arms race in outer space would be conducive to promoting the process of nuclear disarmament."

South Africa's representative addressed why the New Agenda states would support the resolution, instead of abstaining as in the past, notwithstanding their preferences that it should contain strong references to the practical steps and unequivocal undertaking agreed in 2000. The First Committee, he said, must send a strong message in light of the failure of the NPT Review Conference and the World Summit and in this 60th anniversary year of the bombings of Hiroshima and Nagasaki. Another New Agenda member, Egypt, expressed reservations about focusing the international community on strengthening non-proliferation measures, and noted that Egypt is not prepared to enter into the Additional Protocol while a single state in the Middle East insisted on staying outside the NPT. Stressing the need for building consensus, Japan said that it "highly appreciates" the positive votes from New Agenda countries.

The United States and India cast the only negative votes. The abstentions, down to seven from last year's 16, came from Bhutan, China, Cuba, DPRK, Israel, Myanmar, and Pakistan. While generally supporting the thrust of the "Renewed Determination" resolution as well as the New Agenda draft and L.36, "Nuclear Disarmament," China said it would abstain on the first of the three because "a few measures it advocates are premature."

The First Committee's approval of the New Agenda resolution, by a vote of 144 to 5, with 19 abstentions, is a resounding affirmation of the outcome of the 2000 NPT Review Conference as "the framework for systematic and progressive efforts towards nuclear disarmament" (OP 1). It implicitly repudiates the U.S. position that practical disarmament steps specified in 2000 are mere "political" commitments to be discarded at will based on unilateral determinations that circumstances have changed. Like the "Renewed Determination" resolution, it supports an understanding of the core principles, measures and undertakings of the 2000

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Disarmament Machinery

Three disarmament machinery resolutions were adopted without a vote this week, and a fourth draft decision, "United Nations conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament", was adopted with a vote of 108-5-39. Mexico, the lead sponsor of this draft decision, called the conference "even more necessary" than when it was first proposed in the Secretary-General's Millennium Report because "the dangers from nuclear weapons have intensified and have been compounded by the paralysis" of the institutions tasked with addressing them. Mexico intends to "step up consultations to give tangible expression to this aspiration." The votes mirror last year's results, with primarily EU and NATO-aligned states voting against the decision.

On the other hand, "Convening of the fourth special session of the General Assembly devoted to disarmament" (A/C.1/60/L.17), introduced by Indonesia on behalf of the Non-Aligned Movement, was adopted without a vote and without discussion.

Despite the controversy surrounding the Conference on Disarmament's impasse and efforts to solve it (See Disarmament Machinery Report Weeks 1 and 2), the "Report of the Conference on Disarmament" (A/C.1/60/L.20) was also adopted without a vote and without discussion. The report itself recognizes the efforts of successive CD Presidents to overcome the deadlock in the CD, recalls the participation of various Foreign Ministers in the debate, and notes the thematic debates conducted under the Norwegian Presidency. (See Reaching Critical Will's CD Report)

The UNIDIR draft resolution introduced by France, "Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session: United Nations Institute for Disarmament Research" was adopted without a vote, which India explained would "reaffirm the value of this institution." The US used the UNIDIR resolution as illustrative of the utility of having any statements containing information on budget implications in advance of the vote. Japan, first noting its appreciation for the work of UNIDIR, also noted that the budgetary implications of resolutions should "be considered very carefully."

Despite the lack of fanfare and the minimal discussion on the resolutions, First Committee reform generated some excitement when the US surprisingly requested the vote on the already contentious small arms omnibus resolution be postponed to give delegations the opportunity to review its budgetary implications (See SALW Report). This request followed a US request in the prior session to have statements regarding budget implications of resolutions in advance and in writing. There was vocal resistance to postponing the vote from several delegations, and a legal expert determined that the voting process had already begun and could not be postponed.

Although this first request was not granted, the same request was granted the following day on less contentious resolutions when the US made the request before the vote began. By Friday, the request to have the statements on budgetary implications in advance in writing was granted, and the US expressed its appreciation for the Secretariat's response as it "will make a profound difference" in the work of the First Committee.

According to the US statements, the request for statements on budgetary implications in writing in advance of voting is in the interest of "the transparent management and funding of First Committee initiatives." Some delegations, like Japan, share the US's prioritization of funding, but other delegations have asserted that this is the territory of the Fifth Committee, and the First Committee should focus on and prioritize the substance of disarmament. Although the US does want budgetary concerns dealt with in the First Committee, it voted against three resolutions in the First Committee this week purportedly because the First Committee should focus on disarmament, peace and security without making "irrelevant" connections to other issues.

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Renewed Determ. & New Agenda, Cont.

outcome as providing authoritative criteria for interpreting and applying the NPT Article VI disarmament obligation. (See Lawyers' Committee on Nuclear Policy, "Thirteen Practical Steps: Legal or Political?", May 2005, <http://lcnp.org/disarmament/npt/13stepspaper.htm>.)

Significantly, 14 NATO members voted for the resolution, with six (Bulgaria, Czech Republic, Denmark, Iceland, Italy, and Slovakia) joining those which voted for last year's resolution (Belgium, Canada, Germany, Lithuania, Luxembourg, Netherlands, Norway, and Turkey). For a second consecutive year, Japan voted yes, although it "does not necessarily agree to all the points contained in the resolution." Referring to the failures of the NPT Review Conference and World Summit, Japan said that "it is essential that all Member States solidify their efforts to promote nuclear disarmament and non-proliferation." Disappointingly, another close U.S. ally, Australia, again abstained. Other abstentions came from a grab-bag of states including Russia, Pakistan, Poland, Greece, and Spain. Voting no were France, India, Israel, Britain, and the United States.

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Proliferation

As noted in earlier issues of the Monitor, a number of First Committee resolutions deal with proliferation, and readers are invited to also look at the Nuclear Disarmament Report, the Nuclear Weapons Free Zones Report and the Missiles Report. Action on the resolutions noted in this section last week went as follows:

The resolution introduced annually by Egypt on behalf of a number of Arab States on "Risk of nuclear proliferation in the Middle East" (A/C.1/60/L.6) was adopted by a vote of 149 to 2 against, (Israel, United States), with 4 abstentions (Cameroon, Ethiopia, India, Australia). Canada, which abstained last year, voted for the resolution but did not address the reason for this change in its explanation of vote. Marshall Islands and Micronesia, which voted no in 2004, were absent this year. Other 2004 abstainers absent this time were Nauru, Papua New Guinea and Trinidad and Tobago.

Explaining its opposition to the resolution, Israel said the text was one-sided in singling it out in a way not done in any text by any other UN body. The resolution also ignored evidence that other States in the region were not in compliance with international agreements.

The United Kingdom noted the support of the States members of the European Union for the resolution but expressed concern that it did not contain any reference to relevant developments in the region, namely, Iran's non-compliance with its Safeguards obligations and activities incompatible with the international non-proliferation regime. Australia and Switzerland advanced the same concern in explaining their abstentions.

As in previous years, action on the resolution as a whole was preceded by a separate vote on a preambular paragraph that recalled the Final Document of the 2000 NPT Review Conference, which included, inter alia, a call for the universality of the NPT. The paragraph was retained by a vote of 145 in favor to 2 against (India, Israel), with 5 abstentions (Bhutan, Cameroon, Mauritius, Pakistan, United States). (See also the NWFZ Report)

A resolution on the "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons," (A/C.1/60/L.10) calling on the Conference on Disarmament to keep the matter under review and make recommendations as necessary to the General Assembly, was adopted by a vote of 150 to 1 against (United States), with 1 abstention (Israel). The United States explained its opposition by saying there was no need to deflect the attention of the international community from real to hypothetical threats.

Resolutions on "Measures to prevent terrorists from acquir-

Terrorism

Three resolutions related to terrorism were voted on this week. "Measures to prevent terrorists from acquiring weapons of mass destruction" (A/C.1/60/L.51) urges states to cooperate to avoid terrorists acquiring WMD. It was adopted without a vote.

In the only explanation of vote, Pakistan commented that the text could have been improved to better reflect reality and address the causes of terrorism. It stated that the best guarantee to avoid having WMD falling in terrorist hands was their total elimination, criticizing the slow pace of chemical weapons destruction.

The new French draft resolution "Preventing the risk of radiological terrorism" (A/C.1/60/L.39/Rev.1) aims at better control over radiological materials and their means of production, to prevent terrorists from using radiological materials to make a "dirty bomb." Because of last minute revisions of the resolution to ensure consensus, France read a handful of "stylistic" oral amendments to the text on Friday October 28, to reflect previously consensus adopted texts verbatim.

In an unusual turn of events, the Chair indicated that a recorded vote had been requested, but upon taking the vote, 162 countries voted in favor of the resolution with none opposed or abstained. Of the 29 states that did not participate in the vote, four, the Democratic Peoples' Republic of Korea, Lao Peoples' Democratic Republic, the Solomon Islands, and Turkmenistan, participated in the vote taken five minutes before but were not recorded as voting on this resolution.

Draft resolution "Prevention of the illicit transfer and unauthorized access to and use of man-portable air defense systems" (A/C.1/60/L.49) focuses on control over man-portable devices and was adopted without a vote. (See Conventional Weapons Report)

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Proliferation, Continued

ing weapons of mass destruction" and on the "Prevention of the illicit transfer and unauthorized access to and use of man-portable air defence systems (MANPADS)" were approved without a vote. (See also the Conventional Weapons Report and the Terrorism Report)

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Comprehensive Test Ban Treaty

Draft resolution "Comprehensive Nuclear-Test-Ban Treaty" (A/C.1/60/L.26/Rev.1) was the eighth item up for vote on Monday, 24 October 2005. In addition to the original sponsors (Andorra, Australia, Czech Republic, Finland, Mexico, New Zealand, South Africa), over 40 new co-sponsors signed on before the vote.

The only revision made to the original text of L.26 was the addition of preambular paragraph four: "reaffirming the importance of the Treaty for the continued systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and of general and complete disarmament under strict and effective international control." This paragraph seeks to emphasize once more the CTBT's important role in the disarmament process. (See CTBT Report Week 3)

L.26/Rev.1 was adopted with 149 in favor, the United States against, and four, Colombia, India, Mauritius, and the Syrian Arab Republic, abstained. These results identically mirror those from the vote on last year's CTBT resolution, A/RES/59/109. None of the five states who did not support the draft resolution has ratified the CTBT, and Colombia, India, and the US are Annex II states.

Of those who abstained this year, Colombia and Syrian Arab Republic offered an explanation of their votes. While affirming "unquestionable support for the spirit and letter of the [CTBT]," Colombia once again cited constitutional difficulties preventing the legislative or executive branch of government from ratifying the Treaty, an issue it also brought up when voting for other resolutions that mentioned the CTBT. Although the Colombian delegate reiterated his desire for Colombia to "reach a prompt solution concerning the constitutional impediments that hinder Colombia's ratification of the CTBT nowadays," Colombia has been engaged in consultation with participating states and the CTBTO Preparatory Commission regarding both ratification and financial contributions for several years.

According to its explanation of vote, the Syrian Arab Republic abstained out of concern for several "substantial loopholes" in both the CTBT and the text of L.26/Rev.1. The Syrian delegate insisted that the CTBT ignores interests of Non-Nuclear Weapon States (NNWS) who have not received Negative Security Assurances (NSA) from Nuclear Weapon States (NWS), because L.26/Rev.1 does not refer to the non-use of nuclear weapons, nor to the need to universalize the NPT. NWS have demonstrated they are not committed to disarmament, and the CTBT only prohibits tests of nuclear weapons, not the development of new types of weapons. Syria is also concerned that the verification system of the Treaty could allow for abuse of International Monitoring System (IMS) data for political purposes.

The United States did not offer an explanation of its rejection of L.26/Rev.1, though two years ago when the U.S. voted no against CTBT resolution A/RES/58/71, the delegation explained that "the United States does not support the Comprehensive Nuclear Test-Ban Treaty and will not become a party to that Treaty."

The European Union, Pakistan, and Israel offered explanations of their votes in favor of L.26/Rev.1. The EU reiterated its full support for the CTBT and L.26/Rev.1 and countered some of Syria's concerns, arguing "global adherence to the [CTBT] will contribute to the prevention of the proliferation of nuclear weapons and to the process of nuclear disarmament and therefore to the enhancement of international peace and security also taking into account that the ultimate objective of the disarmament process is general and complete disarmament under strict and effective international control." The EU also called for all Annex II states to sign and/or ratify the Treaty as soon as possible, and requested that pending the entry into force of the CTBT, all states abide by the moratorium on nuclear testing and "refrain from any actions which are contrary to the obligations and provisions of the CTBT."

In an explanation similar to last year's, Israel, an Annex II state that has not yet ratified the Treaty, outlined its commitment to and participation in the development and implementation process of the CTBT. While expressing reservations regarding the wording of operative paragraph one, which "stresses the importance and urgency of signature and ratification, without delay and without conditions, to achieve the earliest entry into force of the CTBT", Israel voted in favor of the resolution because it agrees with the objectives of the CTBT. The delegation emphasized the importance of the development of the verification regime as a robust and effective system to determine non-compliance but not to violate State Signatories' national security interests. Israel also called for sustained commitment not to conduct any test explosions, the provision of sufficient funds for the completion of the verification regime, the operation, maintenance, and testing of IMS stations and the International Data Centre "as appropriate to gain experience in order to provide detection capabilities prior to entry into force (EIF), as well as a smoothly-operating monitoring system by EIF," the expansion of seismic cooperation among Member States, and the construction of on-site inspection elements of the verification regime.

Finally, Pakistan, another Annex II state and that has not yet signed or ratified the Treaty, explained that its vote in favor of L.26/Rev.1 is "in standing with Pakistan's position on the CTBT." Pakistan also called for signatures and ratifications of the Treaty and professed that the goals and objectives of

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PAROS

This week the Russian Federation introduced a revised version of draft resolution A/C.1/60/L.30, "Measures to Promote Transparency and Confidence-Building in Outer Space" which included small amendments to operative paragraph 1 in order to "reduce ambiguity", clarifying that this resolution was not intended to limit the use of space for peaceful purposes. The language used in the revised resolution is also less forceful than in the original. For example, it "invites" member states to inform the Secretary General of their views on transparency and confidence building measures instead of requesting them to do so, and is "conscious that further measures should be examined" in searching for agreements on PAROS, instead of "recognizing the need to study further measures when drawing up an agreement on PAROS".

The First Committee adopted A/C.1/60/L.30Rev1 with a vote of 158 in favor, one against (United States), and one abstention (Israel). China gave the only explanation of vote, stating that transparency and confidence building measures should focus on negotiating and concluding a legally binding agreement, as this is the fundamental way to prevent an arms race in space. However, it also acknowledged that resolutions like this one can help prevent its weaponization.

The First Committee also adopted draft resolution A/C.1/60/L.27 on the "Prevention of an Arms Race in Outer Space" with 160 votes in favor, 1 vote against and 1 abstention. The United States changed their position from an abstention last year to a vote against the resolution this year. Israel abstained, as they have for the past 2 years. Last year the resolution was adopted with a vote of 167 to 0, with the two abstentions noted above.

The United States explained their vote on L.27, which it said was equally applicable to L.30. The US proclaimed that "as there is no arms race in space, there is no arms race to address". In the US view, to date there has only been "unprecedented cooperation" in the peaceful uses of outer space, which also includes "appropriate defense activities". The United States concluded by reaffirming that because the multilateral arms control regime already adequately deals with the weaponization of outer space, there was no need to pass a resolution relating to a non-existent threat.

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Negative Security Assurances

On Monday, the First Committee voted on the draft resolution "Conclusion of effective international arrangements to assure Non-Nuclear Weapon States against the use or threat of use of nuclear weapons" (A/C.1/60/L.45). This year's resolution was adopted with 98 in favor, zero opposed, and 55 abstained. Last year, the same resolution was adopted in the First Committee 109-0-61, and in the General Assembly 118-0-63. While seven out of eight states known to have nuclear weapons abstained from voting, China voted in favor of this year's resolution, consistent with its vote last year and its support for legally binding NSAs. Also similar to last year, the Republic of Korea offered the only explanation of vote, continuing to maintain its belief that non-nuclear weapon states both party to and in full compliance with the NPT should be guaranteed assurances against the use or threat of use of nuclear weapons, but "that such negative security assurances are [not] of the nature to be provided to all States Parties to the NPT regardless of their behavior in fulfilling their obligations under the regime."

In light of the stalemate in the field of nuclear disarmament and non-proliferation, the Republic of Korea also used its explanation of vote to encourage governments to think more creatively about disarmament and non-proliferation before turning to discussion of legally binding NSAs. Echoing the sentiments of Albert Einstein who said: "We cannot solve our problems with the same thinking we used when we created them," the ROK went on to state: "We are of the view that more creative and innovative confidence building measures in the field of nuclear disarmament and non-proliferation should precede the genuine discussion for providing the legally binding negative security assurances." With the CD at an impasse in adopting a program of work, and the sponsors of the NSA resolution offering an identical resolution to last year's, the ROK's call for innovation, creativity, and confidence building is quite timely.

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CTBT, Continued

the CTBT will be facilitated once support for its entry into force is restored.

Since neither Pakistan nor Israel have signed or ratified the Treaty and their ratification is required for its entry into force, their vocal support for the Treaty is undermined by their lack of legal commitment to it.

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Missiles

The area of missiles continues to be plagued with diverging views regarding venue (be it the UN, the Missile Technology Control Regime or the Hague Code Of Conduct) and scope. As Pakistan said in its Explanation of Vote on A/C.1/60/L.22, proposals continue to lack consensus, and often the sponsors seem more interested in getting resolutions adopted than in furthering their goals. All resolutions this session were put to a vote, and received "no" votes as well as abstentions.

The draft decision on "Missiles" (A/C.1/60/L.5) submitted by Egypt, Indonesia and Iran resulted in a vote of 101 in favor, 2 against (United States and Israel), and 50 abstentions. These results were close to Egypt, Indonesia and Iran's resolution A/RES/59/67 from last year (see Missiles, week two), which passed with 98 in favor, 2 against, and 60 abstentions.

"The Hague Code of Conduct against Ballistic Missile Proliferation" (A/C.1/60/L.22), introduced by the Philippines and sponsored by 108 Member States, encountered similar resistance this year as last. Egypt, Indonesia, Iran, and Malaysia submitted resolution A/C.1/60/L.62* with the same three amendments to L.22 submitted and rejected last year. The voting results of L.22 were 151 in favor, 1 opposed (Iran) and 11 abstentions, winning slightly more support than last year (A/C.1/59/L.50 received 137 in favor, 2 opposed (Iran and Egypt), and 16 abstentions). All three amendments in L.62* were rejected as follows:

Amendment 1, in the eighth preambular paragraph, "[a]dd the words 'development and' before the word 'proliferation'" with oral amendment of adding "in a comprehensive manner" at the end of the paragraph, was rejected by 26 in favor, 105 against, and 7 abstentions;

Amendment 2, in operative paragraph 1, "[add] the word 'first' before the word 'practical'" was rejected by 19 in favor, 108 against, and 10 abstentions; and

Amendment 3, in operative paragraph 3, "[r]eplace the words 'Encourages the exploration of' with the words 'Encourages the United Nations to explore'" was rejected by 24 in favor, 106 no, and 7 abstentions.

In its explanation before the vote on L.22, Egypt supported active involvement and engagement within the UN on missiles, and asserted that the UN is the proper forum for discussing this aspect of peace and security. Since receiving the first draft of the HCOC in 2000, it has seen serious shortcomings in addressing peaceful uses, cooperation, and assistance to states. The resolution also lacks comprehensiveness because it only addresses the proliferation of missiles and not their development, and focuses on ballistic missiles only.

The Philippines, on behalf of the co-sponsors of L.22, requested a recorded vote on L.62*. They noted that the three amendments delivered orally last year were all rejected, and that dialogue on these differences is needed. As chair of the HCOC, the Philippines hopes that the amendments will be brought to the next HCOC plenary to be discussed, but that they can't be considered now. For these reasons, the Philippines stated its intention to vote against L.62*, and invited co-sponsors of L.22 to do the same.

Chile supported the statements of the Philippines as chairman of the HCOC, and regretted that the amendments were not submitted to the HCOC meeting in June. Chile was against politicizing the Code because its purpose is to create transparency and confidence in the area of missiles. Although it voted against proposal L.62* it is prepared to discuss and analyze possible changes [at the next HCOC meeting] in Vienna.

Algeria and Cuba explained after the vote that they abstained on L.22 because attention was not paid to the vertical proliferation of missiles, including design, development, testing and deployment. Cuba also noted the lack of transparency, as the HCOC was developed outside of the UN. Additionally, the HCOC should address peaceful uses of missile technology as the promotion of economic development should be the other half of the work on nonproliferation.

Again, China voted in favor of the HCOC resolution because it believes in the nonproliferation objective, though it is not a member of the HCOC.

Iran, the only State to vote against L.22, said in its EoV that it was forced to vote against it because the sponsors were not willing to develop or change the text to give room to non-subscribing HCOC states. Because the HCOC was developed outside of the UN, engagement of all states is now necessary and asking States to agree on the text on a take it or leave it basis is unfair.

India and Indonesia stated that the best approach to eliminating missiles and weapons of mass destruction is to make an instrument that is multilaterally negotiated and legally binding. They both abstained on L.22.

Syria echoed the sentiments raised earlier regarding the selective and discriminatory inclusion of only ballistic missiles, and that proliferation is discussed without the reasons for proliferation. Syria would like to see the committee adopt a resolution on missiles that is inclusive and within the UN, rather than imposing an instrument created outside of it.

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Disarmament and Development

As voting progressed during the fourth week of the First Committee, the discussion of development moved from the calls of developing nations to reduce arms expenditures to delegations' opinions on the connection between disarmament and development and its implementation. These discussions manifest in Draft Resolutions A/C.1/60/L.16, "Relationship between Disarmament and Development" and A/C.1/60/L.34 "Addressing the Humanitarian and Development impact of the illicit trade in small arms and light weapons".

The Non-Aligned Movement's Draft Resolution L.16 was adopted on October 28th with a 164-1-2 vote, with the US against and France and Israel abstaining. The United States voted against and France and Israel abstained on the same resolution last year.

In its explanation of vote, the United Kingdom supported mainstreaming development policy, but asserted that there was no automatic link between disarmament and development. Rather, they exist in a complex relationship that the resolution does not explain. The United States, according to its explanation of vote, claims disarmament and development are distinct issues that are not linked, despite the World Summit declaration from heads of state, including the US President, that they are fundamentally linked.

On October 12th 2005 the Netherlands introduced Draft Resolution L.34. Jordan commented on October 28th 2005, that determining the influence of small arms and light weapons, especially in post conflict areas, is of extreme importance for the security, development and cooperation of those areas. The draft resolution says that "the illicit manufacture, transfer and circulation of small arms and light weapons and their excessive accumulation have a wide range of humanitarian and socio-economic consequences and pose a serious threat to peace, reconciliation, safety, security, stability and sustainable development". L.34 was adopted on October 28th, 2006 in an almost unanimous vote of 160-1. In its explanation of vote, Egypt supported addressing small arms from a "humanitarian development perspective". The United States, as the only vote against, did not wish to link SALW with their humanitarian and socio-economic consequences.

The adoption of these resolutions shows a commitment to the connection between development and security. While security can be defined and measured on many broad levels, it is important to note that the security of the individual is inextricably linked not only to disarmament in general, but among other things, to the effects of illicit small arms trade and the need for economic and social development.

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Landmines

Draft resolution "General and complete disarmament implementation of the Convention on the Prohibition of Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction" (A/C.1/60/L.56) passed this week with 147 votes in favor, none opposed and 15 abstained. All 15 abstentions, Cuba, Egypt, India, Iran, Israel, Kazakhstan, Kyrgyzstan, Libyan Arab Jamahiriya, Myanmar, Pakistan, the Republic of Korea, the Russian Federation, Syrian Arab Republic, the United States and Viet Nam, are not States Parties to the Treaty. To date, 154 countries have signed the Treaty and 147 have ratified it.

China cast their first vote in favor of this resolution although they are not party to the Convention. They emphasized however that they are involved in demining activities, including helping Thailand with mine removal.

In their explanations of vote, Cuba, India, Kazakhstan, Myanmar, Pakistan, and Republic of Korea stated that they supported the humanitarian aspect of the Convention but claimed the right of self-defense in defense of their continued use of landmines. Russia indicated that it intends to eventually join the Convention after it completes a review of its military options. Azerbaijan, Singapore, and Morocco, who are also not States Parties to the Treaty, voted in favor of the resolution but also claimed the right of self-defense for the continued use of landmines.

Mine clearance and victim assistance, one of the major outstanding issues of the Mine Ban Treaty, is also being addressed in the Fourth Committee on Special Political and Decolonization issues. There, the UK, speaking on behalf of the European Union, stated "mine action remains an important political priority for the EU, with Euro 384 million allocated for such activities since 2003". Forty-eight States Parties have officially declared no stockpile of landmines and 62 States have completed the destruction of their stockpile, while work is underway for most other States party to the Convention.

In the face of the lack of progress on nuclear disarmament, the progress on landmines demonstrates the importance of NGOs in the disarmament process. Strong NGO anti-landmine campaigns throughout the world resulted in the progress on landmines, and gives hope for civil society to lead the way on other disarmament issues.

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Nuclear Weapon Free Zones

Seven resolutions or decisions focused on NWFZs (Nuclear Weapon Free Zones). On Wednesday, the Iranian President Mahmoud Ahmadinejad advocated "wiping Israel off the map", grabbing international headlines and underscoring the difficulty of disarmament in the Middle East. Secretary-General Kofi Annan condemned the statement. "The Secretary-General has read with dismay the remarks attributed to Mahmoud Ahmadinejad, President of Iran," declared Annan's spokesperson. "He reminds all Member States that Israel is a long-standing Member of the United Nations with the same rights and obligations as every other member." Palestinian and Egyptian representatives also strongly denounced the comment.

The draft resolutions and decisions on NWFZs as an instrument for disarmament included A/C.1/60/L.3 (Middle East NWFZ), A/C.1/60/L.6 (Risk of Nuclear Proliferation in the Middle East), A/C.1/60/L.7 (NWFZ in Central Asia), A/C.1/60/L.8 (NWFZ in Africa), A/C.1/60/L.12 (NWF Southern Hemisphere), and A/C.1/60/L.25 (Consolidation of NWFZ in Latin America). Of these decisions, L.3, L.7, L.8, and L.25 were adopted without a vote. On behalf of the EU, Ambassador John Freeman of the U.K. endorsed the NWFZ in Africa (L.8): "Nuclear-Weapon-Free-Zones enhance regional and global peace and security and are a means to promote nuclear disarmament, stability and confidence." He went on, however, to address a concern of the geographic definition of the treaty. "Every nuclear-weapon-free-zone must be a well defined geographic entity. The EU shares Spain's legitimate concern...[and] calls upon all parties concerned to...find a solution acceptable to all."

L.3, which calls for the creation of a NWFZ in the Middle East, was adopted without a vote. Israel has supported this resolution alongside its neighbors for many years, and supports the eventual adoption of an NWFZ in the region, but differs with its neighbors on means to create such a zone. This schism is magnified in the more aggressive L.6, which was adopted with two no votes and four abstentions from the U.S. and Israel, and India, Cameroon, Ethiopia, and Australia, respectively. Israel described L.6 in a manner similar to last year, claiming the resolution to be biased and undiplomatic, focusing on one non-aggressive party and ignoring more dangerous ones.

The EU explained before the vote on L.6 that although it "will vote in favor of this draft resolution...The EU shares the concerns of the international community over Iran's nuclear programme." Canada also supported L.6 but voiced disappointment in the omission of the IAEA's Board of Governors (Gov/2005/77) call for Iranian compliance. However, Canada believes Israeli adherence to NPT would

be an important step in the peace process. India abstained from L.6 because "The call for those States remaining outside the NPT to accede to it and to accept IAEA safeguards on all their nuclear activities is at variance with this principle [freely exercised sovereign choice]. Our long-standing position on the NPT is well known."

The resolution on a Nuclear Weapon Free Southern Hemisphere was adopted with three votes against and six abstentions. France, the UK, and the US voted against the resolution and India, Israel, Pakistan, Russia, Bhutan, and Spain abstained. France, on behalf of the UK and US, questioned the purpose of creating a new NWFZ for the Southern Hemisphere, and expressed concern over the impact such a resolution would have on the high seas. It should be mentioned that, in the presentation of the resolution, New Zealand attempted to assuage such fears, emphasizing that the governing of the high seas follows U.N. Convention on the Law of the Sea.

Several other resolutions are related to the regional confidence building and disarmament like the NWFZs. "Implementation of the Declaration of the Indian Ocean as a Zone of Peace" (A/C.1/60/L.19), was adopted this week. France, the UK and the US were again the only votes against, with 44 were abstentions, primarily from EU and NATO members. India, Pakistan and China all voted yes. L.24, on regional confidence building, and L.23, on regional disarmament, were both adopted without a vote.

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Regional Centres

One of the four resolutions concerning Regional Centres was decided on this week. "United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific" (A/C.1/60/L.32) reaffirms support for the center, appeals for contributions from Member States and asks the Secretary General to provide the necessary assistance to the Center and to ensure its operation from Kathmandu. This resolution was adopted without a vote.

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Small Arms and Light Weapons

The First Committee took action on Wednesday on omnibus draft resolution "Illicit trade in small arms and lights weapons in all its aspects," (A/C.1/60/L57*) with lead sponsors Japan, South Africa and Colombia. As previewed during earlier discussions on the EU amendments and some States' unhappiness with the slow movement forward (see SALW report Weeks 2 and 3), Mexico called for a vote to be taken on L.57* though it is usually adopted by consensus.

After a procedural disagreement between Japan, the lead sponsor of the resolution, and Mexico, who called for the vote, the US used a point of order to voice its disappointment that a budgetary statement on L.57* had not been circulated (See Disarmament Machinery Report), and called for the vote to be postponed until the following day. Several delegations actively protested, and the Secretariat called a legal expert. After fifteen minutes of confusion, they decided that because the voting process had begun, it should continue to its conclusion and not be postponed. In response, the U.S. simply did not vote at all, a slightly more cooperative position than in 2003 when it was the sole vote against the resolution.

The vote on L.57 was split, and a separate vote was taken on operative paragraph 2 (OP2), with the rare occurrence of Member States voting on a paragraph of the resolution and then passing the resolution by consensus. Mexico and Jamaica abstained in the vote on OP2, citing their concern that the paragraph did not mention legally binding international agreements on marking and tracing, a key area of contention within the committee. The resolution as a whole was adopted by consensus. Thus, though consensus was not broken on the resolution as a whole, a point was made consensus should not be used to create lowest common denominator resolutions.

Another resolution that caused some contention was draft resolution A/C.1/60/L.55 on an "International instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons," which represented the outcome of the open-ended working group (OEWG) on Marking and Tracing. The resolution was adopted with a vote of 145 in favor, 0 against, and 25 abstentions, primarily from MERCOSUR and CARICOM. In their detailed explanation of vote, they expressed deep regret that the OEWG was unable to achieve consensus on a legally binding international agreement on marking and tracing, and failing to include ammunition. They felt that the final outcome was not significantly stronger than already existent national and regional legislation like the Interamerican Convention Against the Illicit Manufacture of and Trafficking in Firearms, Ammunition Explosives and Other

Related Materials adopted by the Organization of American States on this issue.

On Friday, the new "one time only" resolution on "Addressing the humanitarian and development impact of the illicit trade in small arms and light weapons" (A/C.1/60/L.34/Rev.1) was adopted. Having hoped for a consensus adoption, lead sponsor the Netherlands was much aggrieved that the US requested a registered vote in which it was the only vote against, while 160 member States voted in favor and there were no abstentions. During the General Statements before the vote, the Netherlands regretted that "one country has asked for a vote because it could not accept our approach."

In its Explanation of Vote, the US highlighted its concern that the resolution linked efforts to prevent the spread of trade in illicit SALW with the humanitarian and socio-economic effects of SALW, which it believed should not be raised in the First Committee, despite Heads of States' agreement at the World Summit that peace, security, development and human rights are fundamentally linked. It also felt that the resolution pre-empted planning for the Review Conference on the 2001 Programme of Action on SALW at the Preparatory Conference in January 2006, which the Netherlands said the resolution did not do.

Other states took the opportunity to raise concerns regarding similar areas and why they still voted in favor. For Egypt it was the resolution's reiteration of the need to abide by international law and recognition for the sovereignty of states and the rights of people to self-determination, as well as the good intentions and hard work of the co-sponsors in getting consensus, that overcame their concern about including aspects outside of the mandate of the First Committee. Some states like Venezuela and Pakistan were concerned about ambiguous references to 'excessive' stockpiles without a clarification as to how this would be measured.

Resolution A/C.1/60/L.37/Rev.1 "Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them" was adopted by consensus on Friday, as it was last year and before that in 2003.

Draft Resolution A/C.1/60/L.40* on "Problems arising from the accumulation of conventional ammunition stockpiles in surplus" will be voted on Monday, October 31.

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Conventional Weapons

The first committee voted this week on all five resolutions (L.35, L.44, L.48, L.49/Rev1, and L.58) pertaining to conventional weapons.

"National legislation on transfer of arms, military equipment and dual-use technology" (A/C.1/60/L.35), sponsored by the Netherlands, was adopted on Friday without a vote, as it was in 2003 (A/RES/58/42). This resolution, which focuses on both conventional weapons and terrorism, invites members, "without prejudice to the provisions contained in Security Council resolution 1540...to enact or improve national legislation, regulations and procedures" to exercise control over the transfer of certain goods and technology, and to voluntarily report to the Secretary-General on these changes. In its Explanation of Vote (EoV), Cuba stressed again this year that systems of export controls based on discriminatory criteria will discriminate against states' import and export for peaceful purposes.

"Conventional arms control at the regional and sub-regional levels" (A/C.1/60/L.44) received 147 votes in favor, 1 against (India), and 1 abstention (Bhutan). India and Bhutan were also the only votes against and abstentions last year. Belarus, Italy and Spain joined Bangladesh, Germany, Liberia, Nepal, Pakistan, Peru and the Ukraine as co-sponsors this year. India, understanding that the resolution is historically concerned with the dispute between India and Pakistan, explained again in its EoV that the Conference on Disarmament (CD) should not be concerned with regional agreements on arms control because its purpose is legal instruments of global application. Further, due to the current global characteristics of security, "the idea of preservation of a balance in defence capabilities in a regional or sub-regional context is both unrealistic and unacceptable."

The "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons, Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects" (A/C.1/60/L.48) was adopted again without a vote, as it has been for the past few years. The resolution calls upon states to become party to the aforementioned Convention.

A/C.1/60/L.49/Rev1 on the "Prevention of the illicit transfer and unauthorized access to and use of man-portable air defence systems" was adopted without a vote on Friday, October 28. The resolution is very similar to last year's with some updates, including the acknowledgment of the role of unauthorized transfer of relevant materials and information, such as training and instruction materials, in assisting the illicit manufacture and transfer of MANPADS, and the exercise of control over "brokering" as well as access and transfer of MANPADS. It decided to "remain seized of the matter," and no further plans were put forth.

Resolution A/C.1/60/L.58 entitled "Information on confidence-building measures in the field of conventional arms" was adopted without a vote. With 71 co-sponsors, the resolution enjoyed a few more co-sponsors than last year with about one third of sponsors from last year replaced with new Member States. The resolution text is verbatim from last year's except for encouraging members to continue the dialogue on confidence-building measures rather than engage in it.

Thus, all resolutions adopted on conventional weapons this year had the same outcome as last year. There were no new resolutions and no states voted differently. Perhaps it is time for more ingenuity and risk on behalf of member states to introduce resolutions that progress worldwide aspirations in the area of conventional weapons.

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Biological and Chemical Weapons

On Monday, the First Committee adopted Poland's draft resolution "The Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction" (A/C.1/60/L.31) without a vote. Biological and Chemical weapons is one area without contentious votes and explanations thereof, and on Friday the First Committee again adopted without a vote Hungary's draft resolution on the implementation of the Biological Weapons Convention (A/C.1/60/L.33).

Although there is still much work to be done, the substantive progress already achieved and ability to reach consensus in the field of Biological and Chemical Weapons has been a bright spot in the otherwise bleak disarmament and nonproliferation picture this year. However, as these resolutions have conveniently left out any contentious issues (like that of verifying the BWC regime) the brightness of this particular spot is debatable.

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