

# FIRST COMMITTEE MONITOR

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Resolution passed, resolve pending...

The *First Committee Monitor* is a collaborative NGO effort undertaken to make the work of the First Committee more transparent and accessible. The *Monitor* is compiled, edited, and coordinated by **Reaching Critical Will** of the Women's International League for Peace and Freedom.



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**Editorial: In pursuit of consensus**

Ray Acheson | Reaching Critical Will

In his closing remarks, First Committee Chair Ambassador José Luis Cancela explained that his main aspiration for this year's session was the greatest possible consensus between all delegations. He called for consensus not as minimal points in agreement to create formulations more or less repeated every year and not as an imposition of the powerful over the weak, but as a cornerstone for building genuine efforts to push forward in this unprecedented moment for disarmament and non-proliferation.

Most delegations took this call seriously. Sponsors of several draft resolutions engaged in intensive consultations to garner consensus on their texts, which sometimes resulted in substantial modifications to the drafts in order to accommodate concerns of other delegations. Some of these resolutions included those on a fissile materials treaty, the Convention on Cluster Munitions, transparency and confidence-building measures in outer space, the International Day against Nuclear Testing, and perhaps most notably, the arms trade treaty. Not all of these efforts were successful; the final example had to be adopted by a recorded vote.

Regardless of their success, these efforts demonstrate that consensus is not just an outcome but also a process. Consensus as a process is intended to be cooperative rather than competitive, to facilitate compromise rather than zero-sum approaches, and to ensure that the "tyranny of the majority" cannot silence the concerns of a minority.

Consensus as an outcome offers an aura of unity. It suggests that the final product is satisfactory to all participants, which will make its implementation easier, because everyone involved agrees with it. Yet with some resolutions, it is not at all clear that consensus demonstrates unity. Delegations frequently issued explanations of vote on resolutions adopted by consensus to register remaining concerns they feel were inadequately addressed in the modifications, or even to withdraw their participation from the consensus adoption altogether.

Some draft resolutions were so compromised in an effort to reach consensus that their original supporters had to issue explanations of vote. At least ten delegations that have been traditionally strong supporters of developing a robust and legally-binding arms trade treaty expressed concern with operative paragraph five (OP5) of the resolution, which mandates the treaty negotiating conference to be undertaken "on the basis of consensus". Even with this concession that so alarmed some treaty supporters, the draft resolution was not adopted by consensus.

Why would governments that want a universal arms trade treaty be concerned about a negotiating conference undertaken on the basis of consensus? Do they not want a treaty that all governments will ratify and implement?

On the contrary, in their explanations of vote these ten

delegations worried: that consensus would mean delays or prevention of negotiation or adoption of the treaty; that it could reduce the quality of the outcome by leading to the adoption of the "lowest common denominator"—or to no outcome at all; and that it will undermine the credibility of the negotiating process and the treaty by giving all states a "veto". Their anxiety over OP5 reflects a much broader concern with the way consensus is currently treated in multilateral disarmament diplomacy.

At the Conference on Disarmament (CD), where no substantive work has occurred since 1998, the rules of procedure stipulate that the Conference "shall conduct its work and adopt its decisions by consensus." This has led to a stalemate perpetuated by one delegation or another using the consensus rule as a veto to block the commencement of work. In effect, consensus as currently practiced in the CD avoids the tyranny of the majority by empowering a tyranny of the minority.

Many delegations have grown frustrated with this situation. They suggest modifications to the CD's rules of procedure. Others argue that the problem is not with the rules but with political will—or with the loss of the art of compromise. Some argue that the rule of consensus is necessary to protect national security interests.

This gets to the real heart of problem, at least in the context of disarmament negotiating fora. The "national security interest" is put above all else, but without discussion on what—or whose—interests these are. The "national interest," as it is typically invoked in this sense, does not refer to the well-being of the general population but of those managing the military-industrial complex. Their interests generally dominate discussions at disarmament fora and block the commencement of work or the adoption of treaties or outcome documents.

Most of the treaties or issues currently on the disarmament and arms control table are measures that would—if pursued in *good faith through cooperation and compromise*—actually serve to enhance *true* national security: the security of population and sovereignty, security against weapons and war.

Ambassador Cancela called for consensus as a cornerstone for building genuine efforts to push forth in this unprecedented moment for disarmament and non-proliferation. This effort will require, as Swiss Ambassador Streuli noted, "a fundamental revision" of thinking, "taking global security into account."

In the time leading up to the next CD session and to the arms trade treaty negotiating conference, governments should think seriously about what consensus really means, both as a process and an outcome. Does it mean compromise? Does it mean tyranny? Or does it afford the opportunity to promote cooperative approaches to enhancing global security? •



## Nuclear Disarmament

Jim Wurst | Middle Powers Initiative

The shift in US policy regarding steps toward nuclear disarmament was apparent in the voting in First Committee on nuclear disarmament resolutions. While undoubtedly a positive development, the voting patterns did throw into sharper relief the objections by other nuclear weapon possessors, notably those outside of the Non-Proliferation Treaty (NPT) regime.

Since the US joined as a co-sponsor of the Japanese-led “Renewed determination towards the total elimination of nuclear weapons,” (A/C.1/64/L.36), it was a foregone conclusion that the US would vote for the resolution after opposing it in previous years. With the US shifting from no to yes, that meant only two countries—India and the Democratic People’s Republic of Korea (DPRK)—voted no. On the other hand, France switched from voting yes to abstaining. The vote was 161 to 2, with 8 abstentions (France, China, Pakistan, Israel, Iran, Myanmar, Bhutan, and Cuba). The resolution has gotten as close to consensus as is possible for a nuclear disarmament resolution that endorses the NPT. The resolution is little changed from last year; mostly it now acknowledges the positive developments since last year and welcomes “the constructive role” played by civil society, especially the International Commission on Nuclear Non-Proliferation and Disarmament, an initiative Japan co-chairs with Australia.

In the explanation of vote, the French delegation said it shifted from yes to abstention because the draft did not offer a full list of disarmament accomplishments. France said the draft “would have gained from some improvements,” notably references to Security Council Resolution 1887 on nuclear non-proliferation and disarmament and acknowledgment of progress made by France and the United Kingdom in these regards.

The Indian delegation said it could not accept the call for India to join the NPT as a non-nuclear weapon state and noted that, in the context of negotiations over a fissile materials cut-off treaty, “the question of a moratorium on the production of fissile material for nuclear weapons does not arise.” The delegations of China and Pakistan said they supported the goal of the resolution but that some of the provisions in the draft were unrealistic. Neither was specific on which provisions. The delegate from the DPRK objected to the inclusion of references to Security Council resolutions criticizing the DPRK’s nuclear tests, saying the Council is “irresponsible and unfair.”

On the other hand, the draft by the New Agenda Coalition (NAC), “Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments,” (A/C.1/64/L.54) did not gain the support of the United States this year. The vote was 165 to 5 with 4 abstentions. Along with the United States,

the delegations of France, DPRK, India, and Israel also voted against the resolution. Pakistan, the other nuclear weapon possessor outside the NPT, abstained, as did the United Kingdom, Bhutan, and Micronesia. The US delegation said it had “engaged in intense consultations” with the NAC but that they were “unable to reach agreement on changes that would have made the resolution acceptable to the United States.” He did not elaborate on those problems. The draft calls on the nuclear weapon states to “accelerate the implementation” of the steps and on all states to ensure that the results of the 2010 Review Conference should “contribute significantly to the concrete implementations of the outcomes of both conferences.”

The same five states voted against the resolution in 2008 and 2007; however, more countries have switched from abstentions to positive votes. There were six abstentions in 2008 and 13 in 2007. Russia and Latvia switched from abstention to yes this year. The Russian delegation said it was able to support the NAC resolution this year, without explaining what caused the change. With Latvia’s switch, this means all of non-nuclear Europe is behind the resolution. The resolution links its agenda closely to the NPT and the decisions of its 1995 and 2000 Review Conferences, including the 13 Practical Steps of 2000.

The Non-Aligned Movement (NAM)’s “Nuclear Disarmament” (A/C.1/64/L.48) did not enjoy that level of support. Based as it is on NAM summit statements, it goes further than non-NAM countries can accept. The vote was 112 to 43, with 21 abstentions. (In 2008, the vote was 104-44-21.)

The Iranian draft, “Follow-up to nuclear disarmament obligations agreed to at the 1995 and 2000 Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,” (A/C.1/64/L.6) remains divisive. The vote was 105 to 56, with 12 abstentions. The no votes came from the bulk of the Northern Hemisphere (plus Australia and New Zealand), as well as Pakistan. China and India were among the abstainers. Although no one made an explanation of vote as to why they opposed or abstained on the draft, in past years delegates complained the draft focused too heavily on the disarmament obligations under the NPT at the expense of the other two pillars, non-proliferation and peaceful uses of nuclear energy.

The annual draft on “Follow-up to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons” (A/C.1/64/L.51) was adopted with essentially the same voting pattern as last year: 126-29-22 (in 2008, the vote was 118-30-22). Once again, the draft recalled the 1996 ICJ advisory opinion that there exists an obligation to negotiate

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***Nuclear Disarmament (cont.)***

nuclear disarmament and called on states to fulfill that obligation by “commencing multilateral negotiations leading to an early conclusion of a nuclear weapons convention.”

The Japanese delegation explained its abstention, noting that while it supports the ICJ opinion, it believes that the international community should make incremental steps toward nuclear disarmament before embarking on multilateral negotiations on a nuclear weapons convention (NWC), as called for in L.51. The Norwegian delegation explained that it voted against the resolution as it has in previous years, arguing that there will be a need for a NWC at “some point” but that right now the focus should be on securing a positive outcome at the 2010 NPT Review Conference and “creating conditions conducive to eliminating nuclear weapons.”

The most obvious conclusion to be drawn from this First Committee debate and voting session is that the United States is ready to reengage in multilateral disarmament deliberations. Absent US complaints about the nuclear test ban and fissile material negotiations, issues raised by the three nuclear weapon possessors outside the NPT and the DPRK were thrown into sharper relief.

In other sections of the Monitor, the Comprehensive Test Ban Treaty, the fissile materials cut-off treaty, and de-alerting are discussed. In the first two cases, the US position on these specific issues has changed dramatically. De-alerting is more integrated in the overall strategic planning of the United States, therefore the matter is still unsettled—though the US delegation gave the sponsors of the de-alerting resolution indications that the sponsors’ momentary restraint in advocacy on this issue will help facilitate the inclusion of disarmament-compatible provisions in the nuclear posture review process.

“Nuclear disarmament” is more than eliminating nuclear weapons: there are a range of interim steps—some more likely than others—that are affected by perceptions of how nuclear disarmament fits into the grand vision of general and complete disarmament; and what disarmament means to a country with tens of thousands of weapons as opposed to a country with tens of them. The most destructive weapons in human history are part of a huge machine of gears within gears. Some of the sand that has been thrown in those gears over the past decade has been cleaned out, but there are still a number of actors out there with buckets of sand. 2009 has been a good start. •

**Operational Status**

Lori Sims | Global Action to Prevent War

In an effort to facilitate positive steps toward reducing the operational readiness of nuclear weapon systems leading up to the 2010 nuclear Non-Proliferation Treaty (NPT) Review Conference, the sponsors of de-alerting resolutions from 2007 and 2008 decided not to table the resolution this year. The Chilean, New Zealand, and Swiss delegations acknowledged that the sponsors were aware that many states are currently undergoing nuclear review processes and explained that their decision to postpone the resolution by one year will further constructive engagement on the topic by those states. The Swiss delegation emphasised that the resolution’s co-sponsors would continue to engage the nuclear weapon states toward concrete progress on the objective of the resolution at the NPT Review Conference and that they intend to table the resolution again next year in First Committee.

The resolution, sponsored by Chile, New Zealand, Nigeria, Sweden, Switzerland and Malaysia, acknowledges and welcomes all steps that have been taken to reduce the alert status of nuclear weapon systems and calls on all nuclear weapon states to take further steps to decrease operational readiness. The General Assembly adopted resolution 62/36 (2007) and 63/41 (2008) by an overwhelming majority; only France, the United Kingdom, and the United States voted against both resolutions.

This year, however, the United States for the first time co-sponsored draft resolution A/C.1/64/L.36, entitled “Renewed determination towards the total elimination of nuclear weapons.” Among other things, L.36 “calls upon the nuclear-weapon States to take measures to reduce the risk of an accidental or unauthorized launch of nuclear weapons and to also consider further reducing the operational status of nuclear weapons systems in ways that promote international stability and security.”

During First Committee, the delegations from Switzerland and Chile also hosted side events on de-alerting. Speakers highlighted the importance of decreasing operational status by focusing on the dangers of accidental or unauthorized use of nuclear weapons at the Chilean-sponsored event on 14 October. Speakers also noted the catastrophic environmental impact of nuclear war and offered policy suggestions for decreasing operational readiness.

The Swiss delegation, along with the EastWest Institute, co-sponsored an event on 15 October highlighting Reframing Nuclear De-Alert, a report on topics discussed at a conference in Switzerland earlier this year. The report, supported by the Swiss and New Zealand governments and prepared by the EastWest Institute, explores the relationship between de-alerting and disarmament and addresses the current operational readiness of US and Russian arsenals. •

## Nuclear Proliferation

Ray Acheson | Reaching Critical Will

In the final First Committee before the parties to the Nuclear Non-Proliferation Treaty (NPT) review the implementation of the Treaty and its past conferences, the international community demonstrated increased divisions on a perennial issue at the core of contemporary proliferation concerns: freeing the Middle East of nuclear weapons. On 27 October, First Committee adopted draft resolution A/C.1/64/L.4, the annual resolution sponsored by the members of the League of Arab States entitled "The risk of proliferation in the Middle East," with a vote of 164-5-6. The United States and Israel, along with the US associated states of the Marshall Islands, Micronesia, and Palau, voted against the resolution, while Australia, Cameroon, Canada, Cote d'Ivoire, and India abstained.

A separate vote was taken on preambular paragraph six, which recognises that the Final Document of the 2000 NPT Review Conference called upon all non-parties to join the Treaty and accept International Atomic Energy Agency (IAEA) safeguards on all their nuclear activities. This paragraph was retained with a vote of 163-4-6, with the United States, Israel, India, and Palau voting against it and Bhutan, Cote d'Ivoire, Democratic People's Republic of Korea, Ethiopia, and Pakistan abstaining.

Before the vote, the European Union explained that it would vote in favour of the resolution but it does not support the references to resolution GC(53)/RES/17, entitled "Israeli nuclear capabilities," adopted by the IAEA General Conference in September, noting that all EU member states voted against it. However, the EU statement reiterated its commitment to the full implementation of the 1995 NPT resolution on the Middle East and urged for the establishment of a zone in the Middle East free of weapons of mass destruction and their means of delivery.

In its explanation of vote, the US delegation, as in recent years, argued that L.4 "fails to meet the fundamental tests of fairness and balance." Ambassador Larson said the resolution focuses on a single country, "omitting any reference to other issues related to nuclear proliferation in the region," an indirect reference to Iran. However, he did reiterate "the longstanding position of the United States in support of universal adherence to the NPT," which is a primary objective of L.4.

The Canadian delegation also criticised the resolution for singling out Israel without mentioning Iran, arguing the resolution should "not only call for all states in the region to accede and unequivocally adhere to the Treaty on Non-Proliferation of Nuclear Weapons, but it should also call for these states to comply fully with all of their obligations." Switzerland's delegation also argued that the resolution only mentions part of the risk of proliferation

in the Middle East, but voted in favour to show the importance it attaches to full implementation of all NPT obligations by all member states of the region. New Zealand's delegation voted in favour, but expressed hope that the resolution's "lack of balance will be able to be addressed in future years." Australia's delegation found the same fault with the text but abstained.

Israel's delegation went much further, arguing that the current situation in the Middle East "warrants the question of whether L.4 has any connection to reality." It argued that adopting this resolution does not serve the objective of curbing proliferation in the region and urged member states to vote against it. Syria's delegation retorted that Israel aims to "misguide" First Committee through unfounded claims, pointing out Israel's non-accession to the NPT and IAEA safeguards.

Aside from this specific resolution, where the proper balance of finger pointing at Israel and Iran dominated the explanations of vote, the tone of the nuclear proliferation debate in First Committee was somewhat different this year. Most states placed less focus on country-specific accusations of non-compliance with the NPT's non-proliferation obligations. This approach followed from that of the UN Security Council's Summit on nuclear non-proliferation and disarmament, which President Obama characterized as not directed at any specific country.

However, the European Union continued taking a hard line on non-proliferation in general and Iran in particular, pointedly expressing its commitment "to act with resolve, using all instruments and policies at its disposal, to prevent, deter, halt and if possible eliminate proliferation programs." Some of these include "resolute action in response to proliferation crises, in particular in Iran and the DPRK," "determination of the consequences of a State Party's non-compliance with NPT non-proliferation obligations," and "adoption of national criminal sanctions against acts of proliferation, including proliferation financing."

France in particular focused on nuclear proliferation in its statements, arguing that that non-proliferation must come before disarmament. During the thematic debate, French Ambassador Danon argued that the "crises of proliferation are now the greatest threat to international peace and security" and that their resolution is necessary to create a safe international context in order to pursue nuclear reductions. He called for the international community to be "united and resolute" and "rigorous with those who violate international [non-proliferation] norms."

However, a number of delegations argued that states wanting increased measures to ensure non-proliferation could not impose such measures without undertaking reciprocal, concrete steps to eliminate their own nuclear

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## Fissile Materials

Ray Acheson | Reaching Critical Will

For the first time since 2004, First Committee adopted a resolution specifically on a treaty banning the production of fissile material for use in nuclear weapons. On 29 October, the Committee adopted without a vote A/C.1/64/L.1/Rev.1, entitled “Treaty banning the production of fissile materials for nuclear weapons or other nuclear explosive devices.” Introducing the revised resolution, the Canadian delegation noted that “the international community will speak again today with one voice in support of the commencement of negotiations on this vital international security instrument which, as the draft resolution notes, would make a significant contribution to nuclear disarmament and non-proliferation.”

The revised version of the resolution contains several substantive changes. The preamble no longer recalls UN Security Council Resolution 1887 but instead notes “the support to the Conference on Disarmament of the Security Council summit”. It also welcomes the “consensus adoption” of the CD’s programme of work in 2009, adding the word “consensus”. It also describes the programme of work as being “without prejudice to any past, present or future position.” Furthermore, the preamble drops the paragraph welcoming the decisions of several states to establish moratoriums on producing fissile materials for weapons purposes. Operative paragraph one drops the call for negotiations to be conducted “with a view to reaching consensus on its text as soon as possible.”

Three delegations provided explanations of their positions after the vote.

Pakistan’s delegation emphasised that its support for the resolution is without prejudice to its belief that the Conference on Disarmament (CD) should adopt a holistic approach to its agenda rather than a piecemeal approach such as that laid out in CD/1864, the 2009 programme of work. The Pakistani delegate also reiterated the importance for a fissile materials treaty to be a genuine disarmament measure and not a limited non-proliferation instrument, announcing that his delegation is ready to work toward such a treaty that also takes into account its “legitimate security concerns”. The Iranian delegation likewise explained that it supports the “reactivation” of the CD on a balanced programme of work “responsive to the priorities of all member states” and that it will “never accept” a limited non-proliferation fissile materials treaty.

The delegation of Israel also joined consensus on L.1/Rev.1, albeit with caveats. It argued that a fissile materials cut-off treaty would not address the issue of the “poor track record of compliance” with international disarmament and non-proliferation treaties in the Middle East. It urged the international community to focus its efforts “first and foremost on ensuring compliance with existing

obligations” and on finding the “appropriate balance” on meeting the global demand for peaceful uses of nuclear energy and the need to prevent nuclear proliferation.

Overall, most delegations seem supportive of negotiations commencing on a fissile materials treaty next year in the CD. Unfortunately, not only was the CD unable to implement its programme before the end of the 2009 session, but that document will not carry over to the 2010 session—meaning the CD will have to negotiate a new programme of work starting in January.

Representatives from Austria, the current CD president, and Bangladesh, the first of six rotating presidents in 2010, announced that they will be engaged in inter-sessional consultations in the hopes of reaching agreement on a programme of work early next year. Some delegations’ statements, including Pakistan’s and Iran’s explanations of vote, indicate that they are looking for quite a different work programme than that formulated in CD/1864—specifically, one that includes balanced action on all four of the CD’s core issues. However, other delegations find this approach unacceptable, arguing that governments do not have the capacity or will to negotiate on all four issues at once.

The Indian and Pakistani delegations have both indicated concern over their national security interests being respected in the course of FMCT negotiations and in any

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### Nuclear Proliferation (cont.)

weapons. The New Agenda Coalition reminded the First Committee, “it is axiomatic that the only absolute guarantee against the proliferation and use of nuclear weapons is the complete and verifiable elimination of those weapons.” The delegations of Venezuela, Bolivia, Switzerland, and Morocco also highlighted the link between disarmament and non-proliferation.

The US delegation described them as “two sides of the same coin,” though US Under Secretary of State Tauscher also stressed the importance of all countries taking “ownership in an effort to reduce nuclear threats,” which the US government believes “does not end with a decision to forgo nuclear weapons and accept safeguards to demonstrate the sincerity of that decision,” but rather extends “*through the participation in collective efforts to impede others from crossing the nuclear threshold* [emphasis added].”

This approach of promoting an aggressive campaign for increased non-proliferation obligations for states that do not possess nuclear weapons while indefinitely postponing any concrete measures on disarmament is not in keeping with the recognition that disarmament and non-proliferation are “two sides of the same coin.” •



## Negative Security Assurances

Tal Elmatad | Global Security Institute

On 27 October, First Committee adopted the draft resolution titled “Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons” (A/C.1/64/L.24) with a vote of 119-0-58. While the resolution gained nine more votes in favour this year, it also earned three more abstentions. However, this year’s voting was different in one major respect. The US delegation, which has for the previous three years voted against the adoption of this resolution, opted to abstain this year. The US delegation issued an explanation of vote, noting that while “it has objections to certain provisions in this resolution” and does not believe that the resolution accurately reflects the situation in the Conference on Disarmament (CD), the US did support the CD’s programme of work this year, CD/1864, which included the establishment of a working group on negative security assurances (NSAs). In order to emphasize its support for CD/1864 while still registering its misgivings about the resolution, the US delegation abstained on L.24.

While the aforementioned resolution was the only one dedicated specifically to the topic of NSAs, the principles behind the draft resolution on a “Convention on the Prohibition of the Use of Nuclear Weapons” (A/C.1/64/L.20) are also important to the NSA discussion. The implementation of such a convention would amount to a universal and legally-binding NSA. However, the vote on L.20 was far less favourable than that on L.24, with 110 votes for the resolution, 50 against, and 11 abstentions. The resolution requests the CD to commence negotiations on such a convention.

The Australian delegation issued the only explanation of vote on L.20. It voted against the resolution, but argued that this does not diminish Australia’s commitment to the “long-term” goal of nuclear weapon free world.

While the voting results and statements during the thematic debate indicate wide support for NSAs in principle, there still remains much to be desired as far as substantive progress on this issue.

During this year’s First Committee, many delegations expressed the view that pending the complete elimination of nuclear weapons, NSAs represent the next best guarantee of security for the non-nuclear weapon states. Several delegations, including but not limited to the African Group, Brazil, China, Myanmar, and Qatar, articulated the importance establishing legally-binding NSAs. The delegations of Brazil and Kazakhstan, among others, highlighted nuclear weapon free zones as a means to encourage nuclear weapon states to commit to legally-binding NSAs.

Bangladesh’s representative argued that NSAs are a cornerstone of the nuclear Non-Proliferation Treaty (NPT) framework and that their advancement is neces-

sary for the success of a universal NPT regime. Similarly, Myanmar’s delegation argued that the failure to create and enforce viable NSAs diminished the value of the NPT to non-nuclear weapon states. Benin’s representative argued that the existence of NSAs would diminish the risk of proliferation between nations. The European Union agreed, noting that NSAs act as incentive for nations to forgo weapons of mass destruction. •

## *Fissile Materials (cont.)*

final product. According to the International Panel on Fissile Materials, only India, Israel, and Pakistan are believed to be currently producing fissile material for use in weapons. Both India and Pakistan are constructing new weapons-related fissile material production facilities.

Other delegations have questioned their concerns regarding a fissile materials treaty. Australian Ambassador Millar blamed this “calculation by a very few that stopping the production of fissile materials for nuclear weapons may not be in their security interests” for preventing the commencement of FMCT negotiations. She advocated for “engagement at political levels outside the CD to convince hold-out states that stopping the production of fissile materials for nuclear weapons enhances the security of all.”

On 28 October, representatives from the International Panel of Fissile Materials presented their new report, *Global Fissile Material Report 2009: A Path to Nuclear Disarmament*, to First Committee during a lunchtime side event. The panelists gave an overview of the current production and stockpiles of fissile materials for weapons purposes; outlined the importance of official declarations of such materials and the possibility of verifying these declarations; the process for verified dismantlement of nuclear weapons and recovery of their fissile materials; and the connections between a fissile materials treaty, nuclear power, and nuclear disarmament.

The Panel’s report makes it clear that a ban on fissile material production for weapons purposes is useful for building transparency and confidence, for facilitating nuclear arms reductions, for preventing nuclear proliferation, and for the complete elimination of nuclear weapons. As these are the stated objectives of the overwhelming majority of delegations at First Committee this year, it would seem that it would be in every government’s best interest to negotiate a strong and robust treaty that bans all future production for weapons and brings under safeguards all existing fissile material in civilian stockpiles as well as military stockpiles that have been declared as excess for weapon purposes. •





## Comprehensive Test Ban Treaty

Christian Ciobanu and Daniel Calder | NGO  
Committee on Disarmament, Peace and Security

On 30 October, First Committee adopted draft resolution A/C.1/64/L.47/Rev.1, “Comprehensive Nuclear Test-Ban Treaty” with 175 in favour, one opposed (Democratic People’s Republic of Korea) and 3 abstentions (India, Mauritius, and Syria). Out of the nine Annex II signatories, whose ratification is required for it to gain entry into force, all but the Democratic People’s Republic of Korea voted in favour of the treaty. In a sweeping change from last year, the US delegation voted in favour of the resolution and for the first time, all five permanent members of the UN Security Council (P5) joined as co-sponsors.

In a separate vote on operative paragraph 5 (OP5) of the draft resolution, 166 states voted in favour, one opposed it (DPRK), and five abstained (Cuba, Nicaragua, Venezuela, Syria, and Iran). The delegations of the DPRK, Israel, Syria, Pakistan, Iran, Cuba, Venezuela, and Australia and New Zealand provided explanations of their votes.

The DPRK delegation explained that it voted against the resolution because it does not recognize Security Council Resolutions 1718 and 1875, which are referenced in OP5. The Cuban and Venezuelan delegations argued that this paragraph draws away from the technical nature of this resolution. They further argued that the UN Security Council is known to be of limited composition, where major powers can undertake political maneuvers that lead to double-standards. The Iranian delegation said it abstained on OP5 because for the first time, the resolution’s co-sponsors did not undertake transparent consultations on changes to the text.

Prior to voting on L.47/Rev.1, the European Union and Morocco on behalf of the co-chairs of the sixth CTBT Article XIV Conference cited the renewed US commitment to seeking ratification of the CTBT as providing much-needed impetus for the Treaty’s entry into force. The Australian and New Zealand delegations together affirmed that the P5’s decisions to support the CTBT will send a powerful affirmation of the CTBT’s importance in the nuclear non-proliferation regime.

However, First Committee still heard reservations about the CTBT by a few delegations. The delegation of Israel argued that the Treaty’s verification system must be completed before the Treaty can enter into force. Egypt’s delegation stated that Israel’s refusal to join the nuclear Non-Proliferation Treaty prevents Egypt from ratifying the CTBT, because doing so “would only result in widening the steep gap in commitments undertaken by States member to the NPT and States outside the Treaty which enjoy unlimited freedom in the nuclear area.” •

## International Day Against Nuclear Testing

Ray Acheson | Reaching Critical Will

On 30 October, First Committee also adopted Kazakhstan’s resolution, “International Day against Nuclear Testing,” (A/C.1/64/L.14/Rev.1). The resolution was originally entitled “International Day for a World Free of Nuclear Weapons,” establishing this day on 29 August, though several civil organisations and governments argued that such a day would be better served in October, when schools, parliaments, the UN, and NGOs are in full swing. The revised text now establishes 29 August as a day “devoted to public awareness and education about the effects of nuclear tests and the need for their cessation.”

Right before First Committee took action on this draft resolution, the delegations of Kazakhstan, India, and Egypt made oral revisions. Kazakhstan changed “nuclear tests” to “nuclear test explosions and other all other nuclear explosions,” in keeping with established language. The Indian delegation, arguing that the resolution has less to do with nuclear disarmament than it originally did, suggested the addition of “as a means of achieving the goal of a nuclear weapon free world” to the end of operative paragraph one (OP1). The Egyptian delegation welcomed this amendment but suggested it be changed to “a step towards” rather than “a means to achieving,” arguing that there are more crucial steps to achieving a nuclear weapon free world.

After a brief back-and-forth between the two delegations, the Committee decided to go with “... effects of nuclear test explosions and other nuclear explosions, as one of the means of achieving a nuclear weapon free world.”

Before the vote, the European Union expressed its support for L.14/Rev.1 as orally amended, noting that while it is hesitant about creating another international day, it hopes that this day will increase attention given to CTBT and speed up its entry into force. After the vote, the Swiss delegation said it joined consensus though it is skeptical of the resolution’s usefulness and value given that it is limited only to nuclear tests and that there has been a “multiplication” of international days, reducing each one’s visibility. •

## Nuclear Weapon Free Zones

Christian Ciobanu | NGO Committee on Disarmament, Peace and Security  
Ashe Brooks-Cook | Global Security Institute

On 27 October, First Committee adopted draft resolution A/C.1/64/L.3 entitled “Establishment of a Nuclear Free Weapon Zone in the Region of the Middle East” without a vote. The resolution, also adopted without a vote last year as GA/63/38, emphasises the need for the international community to establish a nuclear weapon free zone (NWFZ) in the Middle East to enhance international peace and security. It also calls upon all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards.

Although First Committee adopted the resolution without the vote, it held a recorded vote on operative paragraph three of the resolution, which takes note of the IAEA General Conference resolution concerning the application of Agency safeguards in the Middle East. 166 states voted in favour and three (Israel, India, and Cote d’Ivoire) abstained. Israel argued that the development of NWFZs should emanate from parties in the region through direct negotiations and that this will not be achieved if states in the region fail to demonstrate corresponding political will. While it objected to the reference to the IAEA resolution, it did not wish to block consensus on the resolution because Israel subscribes to the “vision” of a NWFZ in the Middle East.

In introducing the resolution before the vote, the Egyptian delegation explained that in view of the positive atmosphere, Egypt is determined to move forward with addressing challenges in the Middle East region, especially those emanating from unsafeguarded nuclear facilities. It also noted that operative paragraph three simply includes a factual reference to the IAEA General Conference resolution on safeguards in the Middle East.

First Committee also adopted draft resolution A/C.1/64/L.23 entitled “Treaty on the South East Asia Nuclear Free Weapon Zones” with a vote of 172 in favour, 5 abstentions (France and the United States, along with Israel, Micronesia, and Marshall Islands) and 0 against. The US voted against the resolution the last time it was tabled in First Committee.

France, the Russian Federation, India, and the United Kingdom offered explanations of vote on this resolution. The French delegation said it is ready to continue on the path to ratifying the Bangkok Treaty’s protocols and is pleased to see that this year’s resolution reflects the readiness of the Treaty’s states parties to continue consultations with nuclear weapon states. While it abstained from the resolution, the Russian delegation, which gave a similar explanation of vote looking forward to renewed consultations with the Treaty’s states parties, voted in favour of the resolution. The UK delegation, which also voted

in favour of the resolution, welcomed L.23’s encouragement for the renewal of consultations but expressed regret that the ASEAN states parties “did not conduct consultations in accordance with the UNDC 1999 guidelines [on NWFZs] before signing this Treaty.” The UK delegation explained that the five nuclear weapon states are still awaiting a formal response to their non-paper issued to the ASEAN states on 4 September 2002.

First Committee also adopted draft resolution A/C.1/64/L.33 entitled “African Nuclear-Weapon-Free Zone Treaty” without a vote. Spain, India, France, and United Kingdom issued explanations of vote on L.33. The Indian delegation conveyed its unambiguous assurance that it will respect the status of the Treaty. France and the UK issued a joint statement indicating they have signed all of the Treaty’s relevant protocols. The Spanish delegation, however, noted that while it supports the Treaty it has decided not to join Protocol 3 because it does not contain anything on nuclear disarmament or non-proliferation that Spain has not already adopted and implemented and because Spain has been denuclearised since 1976.

168 delegations voted in favour of draft resolution A/C.1/64/L.31 entitled “Nuclear-weapon free southern hemisphere and adjacent areas.” Five states abstained and three—the United Kingdom, United States, and France—opposed the resolution. Prior to voting the entire resolution, 165 states voted in favour of operative paragraph seven, while two abstained, and six voted against the paragraph.

Expressing its support for NWFZs in general, the Russian delegation explained that it does not they can expand beyond beyond their legally-established borders into the global ocean. The UK, US, and French delegations delivered a joint explanation of vote, arguing that it is “contradictory to propose simultaneously the establishment of a nuclear-weapon-free zone that would be composed largely of the high seas and yet to say that it would be fully consistent with applicable principles and rules of international law relating to the freedom of the high seas and the right of passage through maritime space, including those of the United Nations Convention on the Law of the Sea.” The delegations explained that they therefore continue to question “whether the real goal of this draft resolution is in fact the establishment of a nuclear-weapon-free zone covering the high seas,” arguing that this ambiguity has not been sufficiently clarified.

On 2 November, First Committee adopted draft resolution A/C.1/64/L.46/Rev.1 entitled “Second Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia” with a vote of 159 in favour and 6 abstentions—the United States,

*continued on next page*



## Nuclear Fuel Cycle

Joel S. Van Wagenen | Reaching Critical Will

First Committee adopted the only draft resolution dealing with the nuclear fuel cycle by consensus. The African Group tabled draft resolution A/C.1/64/L.34, "Prohibition of the dumping of radioactive wastes," which urges states to remain cognisant of the movements of spent fuel and how it is disposed. The resolution also appeals to all UN member states to become party to the Joint Convention on the Safety of Spent Fuel and Management and the Safety of Radioactive Waste Management, which entered into force on 18 June 2001. The resolution further requests the Conference on Disarmament to take nuclear waste into account during negotiations for the prohibition against radiological weapons and include it in the scope of such a convention.

The nuclear fuel cycle received minimal attention during First Committee this year. The Russian delegation provided an update on its proposal for an International Uranium Enrichment Centre in Agarsk, indicating that Armenia has joined and that Ukraine is completing the accession procedure. This effort is intended to construct a mechanism of fuel supply assurances in the event of market disruptions.

The European Union indicated that it continues to support multilateral approaches to the nuclear fuel cycle and stated that it had pledged 25 million euro toward the establishment of a nuclear fuel bank under International Atomic Energy Agency (IAEA) auspices.

Establishment of international fuel supply guarantees constitutes what many consider to be a first step in multilateralising the nuclear fuel cycle, but the idea faced a setback in June amid continued concerns from developing states. The IAEA Board of Governors failed to find consensus on either of two proposals for establishment of an international fuel bank, including Russia's proposal.

During First Committee, developing states continued to voice their concerns. South Africa's delegation stressed, "what is required is a non-discriminatory approach that would assure a reliable supply of nuclear fuel, whilst fully respecting the choices of States and protecting their inalienable right to pursue peaceful nuclear activities, consistent with their non-proliferation obligations." Other states, including many of those of the Non-Aligned Movement, cautioned each country's fuel cycle and energy policies should be respected and should not face "undue restrictions".

During a panel discussion organised by the International Panel of Fissile Materials, Harold Feiveson, one of the lead authors of the Panel's latest report, *Global Fissile Material Report 2009: A Path to Nuclear Disarmament*, focused on the problems posed by civilian nuclear power in a disarmed world. He concluded that to prevent a "nuclear breakout" in a world free of nuclear weapons, the most stable situation is a world without

nuclear power and without any left over fissile materials, especially in depositories under national control. He argued that the most unstable situation would be a world where states have closed fuel cycles, which includes re-processing plants and enrichment plants under national control. •

### Nuclear Weapon Free Zones (cont.)

United Kingdom, France, Russia, Syria, and Israel. The US, UK, France, and Russia abstained because the preamble of the resolution makes references to documents that they did not participate in the negotiation of, such as the Final Document of the Non-Aligned Movement Summit in 2009.

The resolution, procedural in nature, decides to convene the Conference in New York on 30 April 2010 to consider ways and means to enhance consultations and cooperation among all participating and interested states and agencies to facilitate the implementation of the treaties and strengthen the nuclear disarmament and non-proliferation regime. The delegation of Belarus, which voted in favour of the resolution, said that it agreed with the arguments of those delegations that abstained and believes that if it is possible to take elements out of a draft resolution that make it impossible to adopt by consensus, especially when the resolution is procedural, then such elements should be deleted.

The Syrian delegation introduced amendments to the resolution in document A/C.1/64/L.55, which called for the deletion of the words "particularly in the Middle East, through agreements freely arrived at among the States of the region concerned, in accordance with the provisions of the Final Document of the First Special Session of the General Assembly devoted to disarmament and the principles adopted by the United Nations Disarmament Commission in 1999" in L.47/Rev.1's fourth preambular paragraph. When introducing these amendments, the Syrian delegation argued that this reference to the Middle East is ambiguous and would actually weaken other resolutions on the Middle East, impeding the creation of a NWFZ in the Middle East. Iran and the Democratic People's Republic of Korea voiced their support for this amendment, but the Egyptian delegation argued that in fact the construction in L.47/Rev.1 uses agreed upon language that is consistent with Egypt's approach to the issue and that has been used consistently in other fora.

Syria's amendments were rejected with a vote of four in favour (Syria, Iran, DPRK, and Algeria), 103 against, and 22 abstentions. •

## Biological and Chemical Weapons

Ann Lakhdhir | NGO Committee on Disarmament, Peace and Security

### *Biological and Toxin Weapons*

On 28 October, First Committee adopted without a vote A/C.1/64/L.15, the draft resolution on the “Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction” (BTWC). The resolution calls on states parties to the Convention to participate in the implementation of the decisions reached at the Sixth Review Conference in 2006. Each year there has been a meeting of experts, and another of States parties. This year the meeting of experts focused on responses to any outbreaks of disease whether occurring naturally or not. Several states indicated the value of these meetings. There will also be a meeting of States parties in Geneva in December 2009 and further meetings each year prior to the Seventh Review Conference in 2011.

Because in earlier statements both the European Union and the Non-Aligned Movement stressed the need for the BTWC to have a verification protocol, there is likely to be further discussion of how this might be achieved prior to the 2011 Review Conference and at the Conference.

Ambassador Marius Grinius of Canada, the Chair of the BTWC meetings in 2009, stressed the urgency of an action-based outcome at the meeting of states parties to the BTWC in December that in particular enhances the participation in confidence-building measures.

Much work on biological and chemical weapons since 1967 has been done by the Harvard-Sussex Program, directed by Mathew Meselson at Harvard and Julian Perry Robinson at Sussex. There is much on the Harvard Sussex web site, including an article by Meselson in the January 15, 2009 issue of *Nature* on “Your Inbox, Mr. President” on greater oversight of the US bio-defence program, estimated at about \$50 billion. It also advocates possible use of the procedures it employs to ensure compliance with the BTWC—to increase awareness of the need for improved oversight and to facilitate the development of international measures for enhanced exchange and transparency regarding implementation of the convention.

### *Chemical Weapons*

On 28 October, First Committee adopted without a vote, A/C.1/64/L.35, on “Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction” (CWC). It stresses the importance of implementing the Convention and the importance of the Organization for the Prohibition of Chemical Weapons (OPCW) in verifying compliance with the provisions. During the general debate, the European Union also emphasised the importance of the CWC, stating that it is

“unique among disarmament and non-proliferation treaties by completely banning in a verifiable way an entire class of weapons of mass destruction.”

First Committee also adopted without a vote A/C.1/64/L.19, “Measures to prevent terrorists from acquiring weapons of mass destruction,” which applies to chemical and biological weapons as well as to nuclear. It calls for early ratification of the International Convention for the Suppression of Acts of Nuclear Terrorism and for states to strengthen national measures to prevent terrorists from acquiring weapons of mass destruction.

In its explanation of vote on L.19, Pakistan’s delegate commented that his country supports the objective of the resolution but is concerned that the fear of non-state actors acquiring WMD might become an excuse for discrimination against selective countries. The delegation argued that implementation of the CWC, among other international agreements, can help prevent the treat of non-state actor acquisition of WMD.

However, as long as chemical weapons exist, the risk of their acquisition by non-state actors—and their use by anyone—also still exists. In explaining its support for L.35, the Iranian delegation reiterated its concern that a major possessor state has indicated it would not be able to destroy its stockpile within the extended deadline set by the CWC. In earlier discussion, the US delegation indicated its intention to destroy all its stocks by 2012 and the Russian Federation implied that it too would meet the goal.

During the thematic debate on other weapons of mass destruction, Ambassador Pfrter, Director-General of the OPCW, indicated that the Russian Federation and the United States had destroyed 40.1% and 65.5% of their chemical weapon stockpiles, respectively. The OPCW Executive Council is considering a proposal that requires the Chairman of the Council to “engage in informal consultations with all interested delegations on how, and when, to initiate formal deliberations of the Council about the feasibility of the revised deadlines of 2012 being met by possessor states and to report to the Council at its next session.” The government of Libya has asked for an extension of its deadline for the destruction of its Category 1 chemical weapons stockpile. Albania is the fourth possessor state that is yet to complete the destruction of its stocks.

However, Ambassador Pfrter described the CWC as a success story in multilateral disarmament and non-proliferation. Noting that membership is nearly universal, stockpile destruction is under way or completed in many countries, and that Israel and Egypt, two non-states parties, have engaged in dialogue with the OPCW. •





## WMD Terrorism

Rahma Hussein | Reaching Critical Will

At its 64th session, First Committee adopted one draft resolution and one draft decision related to the acquisition of weapons of mass destruction (WMD) by terrorists and non-state actors. As in previous years, First Committee adopted without a vote draft resolution A/C.1/64/L.19, "Measures to prevent terrorists from acquiring weapons of mass destruction." Pakistan's delegation issued the sole explanation of vote.

Expressing its support for the overall objective of the resolution, Pakistan's delegation contended that the professed threat of terrorist and non-state acquisition of such materials should not become a pretext for discrimination against selected countries. He urged for the implementation of existing treaty regimes, such as the Chemical Weapons Convention (CWC), as a preferred method of effectively addressing threats as they arise. However, during the thematic debate on WMD, the delegation of the Russian Federation argued that countering terrorist attempts to obtain chemical weapons requires a different and specific set of instruments apart from those established in the CWC, since terrorists and non-state actors are not bound by the same international and legal obligations that state actors are to adhere to.

First Committee also adopted without a vote the French draft decision A/C.1/64/L.17, "Preventing the acquisition by terrorists of radioactive material and its sources." The decision simply places the matter on next year's agenda. A 2007 resolution of the same name was intended to maintain support for the International Atomic Energy Agency as a central player in securing sources of radiological materials, to sustain the universalisation of existing international instruments, and to promote the expansion of bilateral and multilateral cooperation aimed at enforcing the security of radioactive sources.

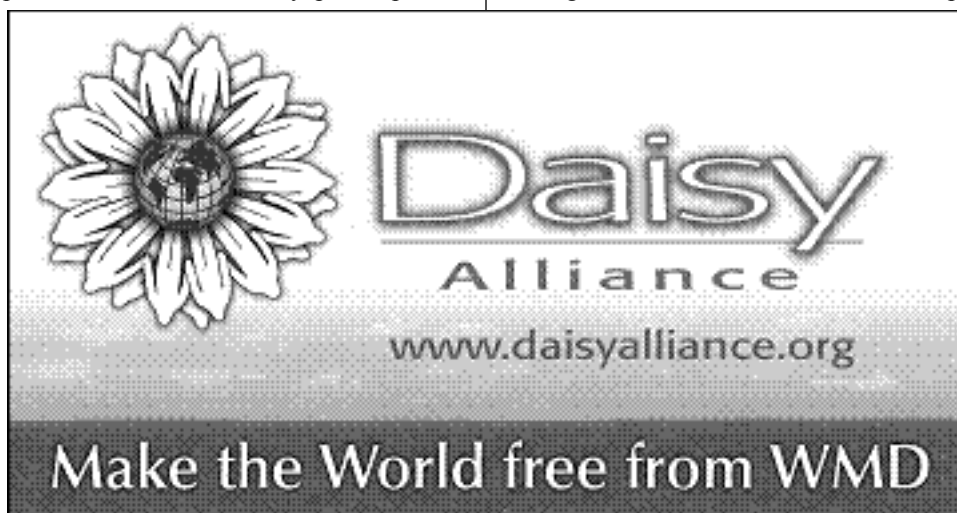
Through the course of this year's First Committee session, several delegations, including those of Japan, Israel, the Republic of Korea, and Turkey, placed partic-

ular importance on strengthening the safety and security of nuclear facilities and ensuring that safeguards are enforced to prevent the illicit trafficking of nuclear materials. Representatives of Australia, Morocco, the Republic of Korea, Cameroon, and the European Union urged the Committee that possible means of ensuring the protection of nuclear sites should further be explored.

As a result, many countries commended US President Obama's plan to host a Global Nuclear Security Summit in April 2010. The Summit—which aims to develop collaborative steps to secure vulnerable materials, combat smuggling, as well as to deter, detect, and prevent attempts of acquisition by terrorists—may alleviate the concerns of some delegations. Ambassador Im of the Republic of Korea said his delegation hopes that the Nuclear Security Summit "will be an occasion to mobilize the will of global leaders to tackle the threat of nuclear terrorism and proliferation of nuclear materials." On behalf of Thailand, Mrs. Chaimongkol expressed her country's hope that the "Summit will lead to concrete outcomes on measures to secure vulnerable stockpiles of nuclear materials from theft and boost global cooperation to combat the trafficking of atomic materials and technologies."

Many delegations referenced the implementation of United Nations Security Council Resolution 1540, which calls on states to "adopt and enforce effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery," as sufficient means to prevent terrorists and non-state actors from acquiring nuclear weapons and related materials.

Several delegates, including Ambassador Natalegawa of Indonesia, who spoke on behalf of the Non-Aligned Movement (NAM), underscored that the "most effective way of preventing terrorists from acquiring WMD is through the total elimination of such weapons." •



## Missiles and Anti-Missile Systems

Alicia Godsberg | Federation of American Scientists

This year's session of First Committee opened with encouraging remarks on the subject of missiles and anti-missile systems by Serigo Durate, High Representative for Disarmament Affairs, but ended without any resolutions on the subject. Previous years have seen some activity on the subject, including a resolution entitled "Missiles" adopted in 2008 and 2006, and a draft decision by the same name adopted in 2007 and 2005. Additionally, a resolution on the Hague Code of Conduct against Ballistic Missile Proliferation (HCOC) had been adopted in both 2005 and 2008.

### Missiles

While several delegations mentioned the threat of the proliferation of ballistic missiles and/or the need to stem such proliferation, only four delegations referenced the HCOC—the European Union, Turkey, Lebanon, and Norway. The EU and Norway reiterated their support for the Code and the EU called for its universalization. Turkey's delegate described the Code as a step toward and an internationally-accepted legal framework for dealing with the proliferation of ballistic missiles. Lebanon's representative indicated it is in the process of adopting a resolution that will permit it to join the HCOC.

The delegations of India, Iran, and the EU mentioned the need for multilateral steps to prevent the proliferation of missiles and for dialogue on the possession and use of missiles. In this context, the EU mentioned its 2008 proposal to start consultations on a treaty banning short and intermediate range ground-to-ground missiles.

Only a few delegations mentioned export controls for missiles and related technologies this year. The EU reiterated its support for the Missile Technology Control Regime (MTCR) and Singapore's delegation mentioned its participation in the MTCR as a concrete demonstration of its commitment to non-proliferation as one of the busiest shipping hubs in the world.

The Russian delegation made an appeal for the third year in a row to universalize the Treaty on Intermediate Nuclear Forces (INF Treaty). The US delegation generally and briefly stated that it was working on stemming the proliferation of ballistic missiles but did not mention the 2007 joint statement on the INF Treaty. The US and Russia elaborated on their missile disarmament successes related to the INF and Russia mentioned its desire to "substantially lower ... the number of strategic delivery vehicles— ICBM, SLBM, and heavy bombers" in the follow-on treaty to START I currently being negotiated.

Only a few comments in the general debate were made relating to missile programmes of specific countries. The delegations of Israel and the EU mentioned Iran's missile programme as a threat to regional and international peace and security, while Japan's delegation called the DPRK's missile tests a "serious threat"

to peace and security. The EU strongly condemned the DPRK's launch of a long-range missile in April 2009, saying that the launch constituted a clear breach of UN Security Council Resolution 1695 (2006) and strongly urged the DPRK to refrain from any launch using ballistic missile technology.

The delegation of Palestine mentioned the need to uphold the principles of international humanitarian law in the disarmament process; in this context, he argued, the use of conventional weapons that have "indiscriminate and excessive effects," including flachette missiles, must be addressed. Pakistan's ambassador expressed his country's concern over the growing strategic imbalance in South Asia, including the recent introduction into the region of nuclear submarines and submarine-launched ballistic missiles. He emphasized the significance of regional approaches to arms control, explaining that Pakistan has undertaken relevant confidence-building measures, including notification of missile tests.

### Anti-Missile Systems

Ballistic missile defenses (BMD) also received minimal attention during this year's First Committee. The Non-Aligned Movement pointed to the US abrogation of the Anti-Ballistic Missile Treaty as creating new challenges to strategic stability and the prevention of an arms race in outer space, but later commended the US decision to scrap plans for a missile defense system in Europe.

Delegates from Venezuela and the Russian Federation voiced concern over BMD systems that would create security concerns for other states. Russia's ambassador argued that such systems "substantially complicate the process in the field of nuclear disarmament," as strategic defensive and offensive weapons are "inseparably linked". Ambassador Churkin explained that Russia prioritizes a joint analysis of existing risks in the field of BMD and working out political and diplomatic responses to those risks.

The Democratic Republic of Korea (DPRK)'s delegation stated that the US has used the threat of ballistic missiles by so-called "rogue states" as a pretext over the years to develop a BMD system that could spark an arms race in outer space. The DPRK delegate also claimed that the United States is using this "fictitious" threat to devise a new missile defense initiative with South Korea, Japan and "other obedient countries".

### Conclusion

In short, the First Committee this year saw no substantive work on the issue of missiles and anti-missile systems. While concern over missile proliferation, ballistic missile defense systems, and the missile programs of certain countries were expressed by several delegations, no concrete measures were taken this year to address these concerns. •



## Outer Space

Ray Acheson | Reaching Critical Will

This year's First Committee demonstrated that perspectives on the way to promote security in outer space and prevent an arms race therein continue to vary. However, with the newfound cooperation between the European Union and Russian Federation regarding transparency and confidence-building measures (TCBMs) and the upcoming "blank slate" review of US space policy by the US government, the divergences do not appear nearly as large as last year. This progress was reflected in the voting on the two draft resolutions related to disarmament aspects of outer space security.

On 28 October, the Committee adopted draft resolution A/C.1/64/L.25, "Prevention of an arms race in outer space," by a vote of 176 in favour, none against, and two abstentions. The United States, which had voted against this resolution since 2005, switched its vote to an abstention. Israel maintained its abstention from previous years.

On 29 October, the Committee adopted A/C.1/64/L.40, "Transparency and confidence-building measures in outer space activities," without a vote. All EU member states co-sponsored the resolution for the first time. The US delegation stated that it would not participate in the vote, explaining that its space policy was currently under review. US Ambassador Larson said that the United States "In consultation with [its] allies ... is currently in the process of assessing options for international cooperation in space as a part of a comprehensive review of [its] national space policy." This review will include a "blank slate" analysis of the "feasibility and desirability of options for TCBMs that enhance spaceflight safety and advance the national security interests of the United States and its allies, as well as of all spacefaring nations."

While this shift in vote by the US delegation is an important step toward progress in enhancing space security, the safety of space objects and the prevention of an arms race in outer space is far from assured. In its thematic debate statement, the US delegation actually described this blank slate analysis as also applying to "effectively verifiable arms control measures," not just TCBMs. However, it also continued to stress that the US "will continue to reject any limitations on the fundamental right of the United States to operate in, and acquire data from, space." The fact that it was able to say this before completing its space policy review is troubling—for the past 30 years, the US government has considered any arms control measure to be a limitation on its right to operate in space. Also troubling is the fact that the US Strategic Command now describes its components and personnel as "Leaders in Strategic Deterrence and Pre-eminent Global Warfighters in Space and Cyberspace".

The rest of the international community, however, is coming together in its recognition that action is needed to preserve the peaceful use of outer space. While the

debate between those supporting TCBMs and those supporting a legally-binding treaty on the prevention of an arms race in outer space (PAROS) or prevention of the placement of weapons in outer space (PPWT) continued this year, some delegations emphasised that these approaches are not mutually exclusive. The Republic of Korea and the Russian Federation highlighted the importance of both tracks in their thematic debate statements and the delegation of Canada made several concrete suggestions toward developing an "encompassing approach to space security that includes not only addressing environmental, commercial and civil dimensions of space, but also its military and national security dimensions." These proposals included: a ban on the placement of weapons in space; the prohibition of the testing and use of weapons on satellites so as to damage or destroy them; and the prohibition of the use of satellites themselves as weapons."

During a side event on "Latest Developments on Space Security and Disarmament" sponsored by the UN Institute for Disarmament Research (UNIDIR) and the Secure World Foundation, UNIDIR Director Theresa Hitchens pointed out that TCBMs do not have to be strictly voluntary. Looking to the Law of the Sea Treaty, she argued that TCBMs can be incorporated into legally-binding treaties. She also argued that any legal regime would need to be built upon TCBMs, such as data exchanges and cooperative space situational awareness.

Many delegations in general also continued to recognise, as the Sri Lankan representative stressed, that "taking measures to prevent an arms race in outer space is more effective, less complicated and less expensive than taking measures after it has taken off the ground." Many highlighted the changes in aerospace technology and use of space that make the current space legal regime insufficient to preserve the security of space objects. Given the increasingly complex situation in outer space, commercial space operators have begun to develop a data centre for sharing orbital data amongst themselves, without waiting for governments to take the lead.

The 2010 session of the Conference on Disarmament (CD) session is the next chance for governments to consider the disarmament aspects of outer space. All CD members, including the United States, support the inclusion of PAROS discussions in the CD's programme of work. Governments should use this opportunity to compare the proposed measures for space security and look at their feasibility and possible reconciliation; to look at the industry data centre and consider working with these commercial space operators as a step to improve their own space situational awareness; and to make an effort to include non-space-faring and emerging space-faring states in their discussions. •

## Conventional Weapons

Ruben Reike | Global Action to Prevent War

Throughout the 64th session of First Committee, governments agreed that conventional weapons have a devastating impact on scores of civilians across the globe and reaffirmed the international community's commitment to address the threat of conventional weapons with priority. Ambassador Dell Higgie of New Zealand stated, "the impact of conventional weapons is felt deeply, on a daily basis, in many areas of the world," and thus requires immediate steps by the international community. Likewise, Ambassador Im Han-taek of the Republic of Korea argued, "The destructive power of conventional weapons may not surpass that of weapons of mass destruction, but their humanitarian and development implications require just as much attention as those of WMDs by the international community." Delegates frequently emphasised the negative impact of conventional weapons on development issues.

In the final week, First Committee adopted three resolutions relating to the field of conventional weapons.

### ***Convention on Certain Conventional Weapons (CCW)***

On 29 October, First Committee adopted without a vote draft resolution A/C.1/64/L.37, "Convention on the Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects." The resolution was tabled by Sweden, Pakistan, Switzerland, and Lithuania. It expresses support for the CCW as an important international humanitarian law instrument, calling upon all states to become party to the Convention.

During its explanation of vote on another resolution, dealing with the Convention on Cluster Munitions (A/C.1/64/L.16), Israel's delegation praised the CCW as an important instrument to address humanitarian purposes and stated that the CCW remains the most relevant forum to discuss issues regarding conventional weapons, including cluster munitions. Delegations from Singapore, the Republic of Korea, and others supported the view that a protocol on cluster munitions should be negotiated within and not outside of the CCW. Norway's delegation, however, stressed that while it will continue to support the CCW, the CCW should not deal with issues that are dealt with elsewhere, as is the case with cluster munitions.

The Libyan delegation, which joined consensus on L.37, noted that its support for the resolution does not mean it supports all of the Convention's protocols. It argued that the protocols do not deal with issues in sufficient depth, especially the protocol on landmines, which does not deal with mines laid during World War II.

### ***Ammunition***

The issue of surpluses in ammunition stockpiles was addressed in draft resolution A/C.1/64/L.44, "Problems Arising from the Accumulation of Conventional Am-

munition Stockpiles in Surplus," which was introduced by Germany and France and co-sponsored by 47 states. Delegations adopted the resolution without a vote. The resolution recognises the threat that can arise from ammunition surpluses and calls on states to consider the destruction of their surplus stockpiles of conventional ammunition, to assist interested states in eliminating stockpile surpluses, to contribute to the development of UN technical guidelines for stockpile management, and to improve their national stockpile management capacity. In an explanation of vote after the vote, the delegation of Venezuela stated that there is widespread consensus that certain problems arise from ammunition stockpiles in surplus. The delegation maintained, however, that it is up to each individual state to determine when ammunition stockpiles are in surplus. Moreover, the delegation pointed at the importance that marking can have in preventing illicit trade in ammunition, arguing that the main producers of ammunition bear the primary responsibility in this regard.

### ***Transparency in armaments and the UN Register of Conventional Weapons***

Draft resolution A/C.1/64/L.50 on "Transparency in armaments," introduced by the Netherlands and co-sponsored by 73 states, was adopted with a 150-0-22 vote. The resolution deals with the UN Register on Conventional Arms, supporting the view that it contributes to an enhanced level of transparency and thereby to confidence-building among states. Giving an explanation of their abstentions on behalf of the Arab League, the Sudanese delegation reaffirmed the general value of the UN Register as a confidence-building instrument. According to the Arab League, however, the UN Register should operate along three core principles, namely balance, transparency, and comprehensiveness. Currently, it criticised, only half of the UN member states make data available to the UN Register. Furthermore, it argued that the UN Register's scope is very limited, as it ignores nuclear weapons and other WMD. Hence, the Arab League stated that the UN Register does not respond to the Arab League's security concerns, which are largely determined by the special situation in the Middle East. In its own separate explanation of vote, the Syrian delegation supported the position of the Arab League, explaining that the draft resolution does not take into account the special situation in the Middle East, with Israel possessing nuclear weapons and other WMD.

During the thematic debate on conventional weapons, the European Union, India, and other governments expressed their conviction that the UN Register is an important instrument of confidence-building. •





## Small Arms and Light Weapons

Mark Marge | International Action Network on Small Arms

The noise generated by more contentious resolutions drowned out a major historical moment on 29 October, when the United States voted in support of the annual ‘omnibus’ small arms resolution, A/C.1/64/L.42/Rev.1, after three consecutive years of voting ‘no’. The support of the world’s largest importer, exporter, and stockpiler of small arms strengthens the renewed sense of purpose felt in the UN small arms process, especially now that we are in ‘phase II’ of that process.

The term ‘phase II’ of the UN small arms process was widely used by the diplomats speaking at the special meeting of the Group of Interested States (GIS) and the Geneva Process on 21 October. ‘Phase I’ lasted from the 2001 agreement of the Programme of Action through the 2006 conference reviewing the process. This phase was characterised by an increasing awareness of the problem and the creation of National Commissions in many countries to help coordinate strategies to reduce the impact of small arms proliferation. The second phase, leading to the next review conference in 2012, must now focus on measuring the scale of the problem and hopefully producing substantial reductions in gun violence.

These might seem modest goals, but they are close to being agreed globally, and many regions and national initiatives are already underway to work towards them. The positive outcome of the 2008 Biennial Meeting of States (BMS) has set the standard, and with the US in support, the 2010 BMS can achieve more, as Rebecca Peters, IANSA Director, stressed in her presentation to First Committee on 23 October.

Even with US support, the ‘omnibus’ resolution did not pass with the hoped-for consensus. Iran demanded votes on two paragraphs and abstained on both. Iran’s abstention on operative paragraph 4 was expected, for this affirmed the result of the 2008 BMS, which Iran uniquely opposed. However, its abstaining on operative paragraph 15 reveals a continuing ambivalence regarding the UN process on small arms, for this paragraph mandates the group of experts meeting in 2011, intended to maintain momentum for the process between the 2010 BMS and the 2012 Review Conference. Having expressed its unhappiness with these paragraphs, Iran’s delegation proceeded to vote in support of the resolution as a whole, which was adopted with 177 ‘yes’ votes and no abstentions or ‘no’ votes.

The two other small arms resolutions were adopted by consensus. The regular resolution on “Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them,” A/C.1/64/L.5, in support of the ECOWAS Convention on Small Arms, was co-sponsored by more states than ever before, according to Mali, the principal author. This expressed the grow-

*continued on page 19*

## Cluster Munitions

Thomas Nash | Cluster Munition Coalition  
Allison Pytlak | Religions for Peace

Topping off a highly positive First Committee for the Convention on Cluster Munitions, draft resolution A/C.1/64/L.16 was adopted by consensus on 28 October. The resolution, presented by the governments of Ireland and Lao People’s Democratic Republic (Lao PDR), welcomes the offer by Lao PDR to host the first Meeting of States Parties (1MSP) after the Convention enters into force and requests that the Secretary-General, in accordance with the provisions of the Convention, undertake necessary preparations to convene the 1MSP. Less substantive resolutions than this one have been put to the vote in First Committee in the past, so this unanimous decision was a significant result. It is a testimony to the diplomatic skills of the Irish and Lao teams that shepherded the resolution through.

A very limited group of states—Egypt, India, Russia, Israel, Singapore and the Republic of Korea—offered statements to explain their position on the resolution, clarifying that joining consensus on the resolution does not in any way equate support for the Convention on Cluster Munitions (CCM) and comes only from its procedural nature. Most of these explanations of vote also included strong language regarding the status of the CCM and the process taken to negotiate it, which was characterized as having been done outside of the UN framework.

This procedural criticism and the inevitable debate on the efforts in the Convention on Certain Conventional Weapons (CCW) to “complement” the CCM appeared throughout the general and thematic debates in First Committee again this year, as well as in the explanations of vote. However, this argument seemed rather hollow in comparison with past years’ discussions—perhaps because so far, negotiations in the CCW context have not yielded results. Many pro-CCM states set out very firm requirements for any new agreement in the CCW, describing the CCM as a relevant, “state of the art” instrument, to borrow a phrase from Canada. In particular, the criticism of the process as “non-UN” seemed to miss the mark, with the UN hosting a side event on the CCM on 21 October and the UN Secretary-General, as depositary, receiving a mandate by consensus through L.16 to convene the First Meeting of States Parties.

When the corresponding draft resolution was adopted last year, the explanations of vote spoke very little about the CCM’s status as a non-UN Convention. It is regrettable that these states have chosen to focus on this point of questionable relevance instead of reassuring the world that they too feel strongly about the humanitarian suffering caused by this weapon and are committed to ending it. Happily, it seems that this already small group of opposing states is dwindling—ten states gave an explana-

*continued on next page*



## Landmines

Allison Pytlak | Religions for Peace on behalf of the International Campaign to Ban Landmines

On 29 October, First Committee adopted draft resolution A/C.1/64/L.53, "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction." The annual resolution, which reaffirms the determination to put to an end the suffering caused by anti-personnel mines (APMs) and the need to ensure victim assistance, passed by a vote of 158-0-18.

Those who abstained included Cuba, Democratic People's Republic of Korea, Egypt, India, Iran, Israel, Kyrgyzstan, Lebanon, Libya, Myanmar, Nepal, Pakistan, Republic of Korea, Russian Federation, Syria, the United States, Uzbekistan, and Vietnam. Sixteen of these are affected by APMs, as are three out of the sixteen who were absent during voting. Nine delegations—Azerbaijan, Cuba, Morocco, Libya, Egypt, Russia, Pakistan, Singapore, and India—provided explanations of their vote, which is less than the thirteen who did so last year.

The Russian Federation abstained because it is not part of the Mine Ban Treaty (MBT, or Ottawa Convention) and against so-called "parallel processes" that lead to treaties not under the aegis of the UN. The Russian delegation argued that the problem of APMs should have been addressed through the framework of the Convention on Certain Conventional Weapons. It explained, however, that Russia does support the humanitarian goals of the Treaty and is therefore ready to give implementation assistance in this regard. Moreover, Russia has agreed to participate in the Second Review Conference of the MBT scheduled for 29 November–4 December in Cartagena de Indias, Colombia, which is the first time it will participate as an observer in official treaty meetings since 2003.

The Egyptian delegation abstained due to the particularly "unbalanced" nature of the MBT, calling it limited and dependent on donor states for success in implementation. The representative noted that the Treaty does not call on those who have actually laid the mines to remove them, arguing that this weakness is what has kept the biggest producers from acceding. The delegation pointed to the moratorium that Egypt has in place.

The Pakistani delegation claimed that issues of border defence are what prevent it from acceding to the Treaty. Until viable alternatives become available, use of APMs are still important to their defence strategy. The delegate assured the Committee that there has never been a humanitarian crisis within Pakistan that was caused by APM use and that the government of Pakistan will ensure they never become a cause of civilian casualties, either in Pakistan or elsewhere in the world.

Other abstainers gave similar explanations of vote, arguing either that the Treaty cannot be considered universal because of its method of negotiation or citing self-

defence requirements as obstacles to their accession to the Treaty.

According to diplomatic sources, the US delegation intends to observe the Cartagena Summit from afar, even if they decide to not officially and physically participate as observers at the meeting. These sources also noted that the US still chooses to remain outside of the Treaty despite not using landmines in 18 years because it has difficulty with some of the articles of the Treaty, specifically those dealing with clearance obligations.

It is curious why governments that put moratoriums in place or have not used the weapons in over a decade continue to resist signing a Treaty that two-thirds of the world endorses. If these states are openly in agreement with the aims of the Treaty, voting in favour of the non-binding resolution on the subject would be a simple and undemanding way to demonstrate this support. It would be very much in line with the funding and other assistance many of them already provide. Therefore, all UN member states including those who will not be coming to Cartagena, are strongly encouraged to vote favourably when the resolution resurfaces in the context of the General Assembly this December. •

## *Cluster Munitions (cont.)*

tion of vote last year, compared to six this year. It will only grow smaller in time, as the stigma on the use of the weapon deepens.

While it may be true that right now some of the world's major users and producers sit outside of the Convention, the majority of former possessors, producers, and users of the weapon are on board, including 20 out of the 28 countries in the world's most powerful military alliance, NATO. No viable alternative to the CCM has been articulated by any state that satisfies the needs of the affected and ensures that there will be no new victims ever again. The CCM is rapidly nearing entry into force and many states—including many allies of those outside the ban—have already begun to destroy stockpiles and implement its obligations. The focus now will turn to the Convention's pending 30th ratification, which allow the Convention to enter into force, as well as to the preparations for the historic First Meeting of States Parties. The impact of the Convention is being felt and its momentum will not be stopped. •



## Arms Trade Treaty

Mark Marge | International Action Network on Small Arms

On behalf of the hundreds of millions of people in West Africa, vote for the ATT resolution. This was the message of the Nigerian delegation, on behalf of the Economic Community of West African States (ECOWAS). In the end, the vote was overwhelmingly positive, with 153 states voting 'yes', 19 abstaining, and only Zimbabwe voting 'no'. Superficially, this resembled the voting from last year; except that the US government reversed its previous policy on the treaty and voted in favour of the resolution. That decision was momentous, as the United States is the world's largest supplier of conventional weapons, accounting last year for almost 70% of global arms sales.

The two previous ATT resolutions, in 2006 and 2008, maintained a discussion within the UN for a treaty to regulate the international trade in conventional arms. Now a clear process for negotiating a treaty has been agreed, with a conference in 2012 supported by preparatory committees during 2010–2011. This is a major step, as the Indian delegation pointed out when explaining its abstention. However, the vast majority of states supported such a step.

The smooth passage of the resolution as a whole hides considerable controversy on the details, as can be seen from the 25 explanations of votes, several times the number for any other resolution this year. The controversy centred on the possible rules of procedure for the 2012 negotiating conference. In the end, a compromise, coupled with intensive behind-the-scenes advocacy, reportedly prevented a paragraph vote.

The revised language is in operative paragraph 5. It had previously stated that decisions at the conference would be "taken on the basis of consensus". To some supporter states, and most civil society organisations, this suggested a procedure requiring unanimity for all decisions. The new language requires the conference to be "undertaken ... on the basis of consensus".

Some pro-ATT states raised concerns about the risk of consensus, which has resulted in paralysis during other disarmament negotiations and fora. The delegation from Trinidad and Tobago stated it did not interpret 'consensus' to mean a process providing a veto to any state. Within the European Union, several delegations expressed concern about interpreting 'consensus' too narrowly, including those of Austria, Germany, Ireland, Netherlands, and Portugal.

The states that routinely abstain on ATT resolutions universally took a different view, at least through their explanations of votes. India, Russia, Venezuela, and some Arab States (including Egypt) expressed concern that the process had moved to negotiations without a guarantee that each step would be taken by consensus. These states also expressed concern about transform-

ing the remaining budgeted sessions of the open-ended working group into preparatory committees for the 2012 negotiating conference. In its explanation for voting against the resolution, the delegation of Zimbabwe argued that the rush to negotiate an ATT despite the lack of consensus on any elements of a potential treaty shows that this treaty will be selectively applied, politicised, and subject to abuse by certain powers.

The US delegation supported the resolution so long as it contained the provision that the 2012 conference would be undertaken on the basis of consensus. The UK ambassador, implicitly supporting the decision to build bridges with the US, admitted that to some states, the bridge had gone too far. But in any case the point is now moot. The resolution has been adopted, creating an ambitious timetable to create a "strong and robust" ATT, creating international standards to prevent conventional arms contributing to armed conflict, the displacement of people, organized crime and terrorism, thereby undermining peace, reconciliation, safety, security, stability and sustainable social and economic development. As several delegations emphasised, the world needs an ATT with strong provisions on international human rights and humanitarian law.

First Committee has agreed to a timetable to develop a treaty. The type of treaty, and whether it will be strong and robust, remains to be determined. But in the words of Nobel Laureate President Arias of Costa Rica, speaking at a high-level meeting of the UN Security Council on 24 September, the UN "fails in its historic mission every day that it turns a blind eye to the rampant arms race." •

### Small Arms and Light Weapons (cont.)

ing international support for states lacking capacity and resources to properly address the problem. For resolution A/C.1/64/L.44 on surplus ammunition stockpiles, Venezuela's delegation registered an explanation of vote stressing the importance of marking of ammunition on manufacture, as a measure to help prevent diversion for state stockpiles at a later date (see the report on Conventional Weapons for details).

In each First Committee since the failed 2006 Review Conference, the UN small arms process has picked up steam. This session was no exception; with the strength of statements made at this First Committee and with US support for the small arms process, civil society campaigners are optimistic about progress in reducing the gun violence "which threaten[s] the rule of law and democratic governance in many countries and fuel the spread of international terrorism," in the words of the Deputy Prime Minister of Jamaica at the high-level summit of the General Assembly. •

## Disarmament and Development

Allison Pytlak | Religions for Peace

First Committee adopted draft resolution A/C.1/64/L.10, "Relationship between disarmament and development," without a vote this year—though the US and French delegations indicated before the vote that they would not be participating again this year. The United Kingdom, however, voted in favour this year, after not participating in 2008. All three share the objection that to call the relationship between disarmament and development symbiotic is not correct and oversimplifies a complex dynamic.

This annual resolution was again introduced by the Non-Aligned Movement. It regards the relationship between disarmament and development as "symbiotic" and stresses the central role of the United Nations in properly addressing these challenges. Specifically, L.10 urges the international community to "devote part of the resources made available by the implementation of disarmament and arms limitation agreements to economic and social development." It makes a direct reference to achieving the Millennium Development Goals (MDGs) and encourages the international community "to make reference to the contribution that disarmament could provide in meeting them when it reviews its progress towards this purpose in 2009, as well as to make greater efforts to integrate disarmament, humanitarian and development activities."

In its explanation of vote, the UK delegation welcomed the "mainstreaming of disarmament issues in development policy," noting that this is particularly important in the field of conventional weapons and in practices of disarmament, demobilization, and reintegration (DDR). However, the UK explained that it still does not believe that there is an "automatic link" between the two concepts and that L.10 does not "explain fully the complexity of this relationship."

The French delegation explained that it acknowledges the connection between disarmament and development, particularly in post-conflict areas. It argued that disarmament is a prerequisite for development after a conflict, but contested the notion of a symbiotic relationship between the two subjects. It questioned whether or not the impact of development on disarmament is as certain as the inverse. They further argued that to assume the resources from military expenditure are diverted from disarmament alone is simplistic, as is the assumption that resources given to peacekeeping or aid after a natural disaster also promote development.

First Committee also adopted without a vote draft resolution A/C.1/64/L.43 "Objective information on military matters, including transparency of military expenditures." This biennial resolution calls on member states to report annually to the Secretary-General on their military expenditures for the last fiscal year. It was introduced by

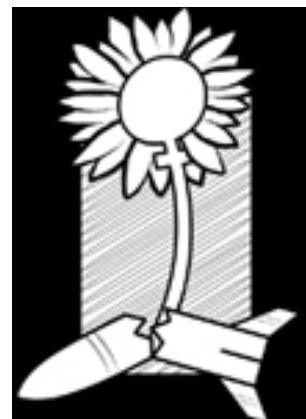
Germany and Romania and sponsored by more than 60 states. It reinforces the importance of the UN Instrument for Reporting Military Expenditures, currently under-utilized. The Instrument was established in 1980, by UN General Assembly resolution 35/142 B, "Reduction of military budgets" and could be a strong tool for building confidence and trust between nations.

The passage of both resolutions without a vote is indicative of the level of importance that an increasing number of governments are affording this topic. During the 2009 First Committee meetings, a record number of references were made to this subject and in a variety of contexts. This included links to the proliferation and impact of small arms and light weapons, the Geneva Declaration on Armed Violence, military spending, the Millennium Development Goals, and Article 26 of the UN Charter. Symbiotic or not, the paradigm is becoming well-established and appearing more often in dialogue. Hopefully, this will translate to the issue being well-established in practice. •

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## Regional Disarmament and Security

Lori Sims | Global Action to Prevent War

Several delegations referenced issues related to regional disarmament and security during this year's First Committee session. Many voiced support for regional security initiatives, including the UN's Regional Centres for disarmament and regional diplomacy, confidence-building measures, and cooperation. Several delegations also voiced concern about national military bases on extraterritorial soil, especially US bases in Latin America. Many delegations, including those currently involved in regional security and economic arrangements and those party to nuclear weapon free zones, supported the view that regional security and disarmament measures help foster global security.

First Committee adopted by consensus several draft resolutions related to regional disarmament and security.

A/C.1/64/L.11, "United Nations regional centres for peace and disarmament": Tabled by the Non-Aligned Movement, the representative acknowledged the resolution, which encourages everyone to make voluntary contributions to the UN Regional Centres for disarmament, would promote security and "further understanding and cooperation in the realm of peace."

A/C.1/64/L.22, "United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean" and A/C.1/64/L.45, "United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific": While the US and UK delegations "disassociated" from consensus on these two resolutions last year because they called for funding from the UN regular budget, this year the resolutions only appealed for voluntary contributions. A/C.1/64/L.32/Rev.2, "United Nations Regional Centre for Peace and Disarmament in Africa" was also adopted without reservations this year.

A/C.1/64/L.27, "Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa": The representative from Gabon, the lead sponsor, emphasized the need for increased confidence-building measures in the region, including sustainable development, and reaffirmed measures already implemented in Central Africa, including "disarmament and arms limitation programmes."

A/C.1/64/L.28, "Regional disarmament": The delegation of Pakistan, a co-sponsor, noted the resolution takes into account processes and linkages between regional disarmament and enhanced security and emphasized the need for sustained efforts to achieve the resolution's objectives.

A/C.1/64/L.30, "Confidence-building measures in the regional and subregional context": The representative from Pakistan, one of the sponsors, acknowledged the resolution was driven by the recognition of value of

confidence-building measures, and will create an environment necessary for arms control and disarmament. The representative from Afghanistan also expressed his government's support of the resolution.

A/C.1/64/L.49, "Strengthening of security and cooperation in the Mediterranean region": While adopted by consensus, Iran's delegation explained that it would not participate in the action because it feels that given the present situation in Palestine, the resolution lacks realism.

One resolution dealing with regional disarmament and security, A/C.1/64/L.29, "Conventional arms control at the regional and subregional levels," was adopted by a recorded vote of 173-1-2. Bhutan and Russia abstained while India voted against the resolution. In its explanation of vote, the Russian delegation pointed out that L.29 notes the "relevance and value of the Treaty on Conventional Armed Forces in Europe." Russia sees the CFE Treaty as "hopelessly out of date" and not accurately reflective of the reality in Europe and argued that it could not vote in favour of the resolution because it does not mention the need for states in Europe to adopt the amended CFE Treaty or to draft another agreement.

The Indian delegation explained that it voted against the resolution because it requests the Conference on Disarmament to consider the formulation of principles that can serve as a framework for regional agreements on conventional arms control, which in India's view have already negotiated and adopted by consensus by the UN Disarmament Commission in 1993. Furthermore, it argued, "the security concerns of States extend beyond narrowly defined regions. Consequently, the notion of preservation of a balance in defence capabilities in the regional or subregional context is both unrealistic and unacceptable to our delegation." •





## Disarmament Machinery

Ray Acheson | Reaching Critical Will

This year's First Committee discussion on disarmament machinery was lackluster at best. Very few delegations commented on any of the machinery, aside from welcoming the Conference on Disarmament (CD)'s adoption of a programme of work in 2009. Some of these also acknowledged the CD's failure to implement this programme. Very few offered any substantive suggestions for improvement.

Aside from the Chair of the UN Disarmament Commission, only the Non-Aligned Movement, the African Group, and Norway even referred to the body. Similarly, only the European Union and Norway discussed the operation of First Committee and only Canada referred to the weakness of the nuclear Non-Proliferation Treaty's institutional machinery. Despite general dissatisfaction with many aspects of all multilateral disarmament machinery, only the African Group, Non-Aligned Movement, and Norway called for the convening of the Fourth Special Session on Disarmament to address the situation.

### *Conference on Disarmament (CD)*

The Norwegian delegation was the most critical of the so-called "sole multilateral disarmament negotiating forum," arguing that if the CD continues not to deliver in 2010, "we should ask ourselves whether this institution in its existing format serves our interests." It called for implementation of working methods that "do not allow countries to single-handedly bring work to a standstill" and for reconsideration of the exclusion of 120 UN member states from its processes. Similarly, New Zealand's ambassador argued, "This is not the time for rigid rules of procedure to be allowed to frustrate the international community's expectations of progress."

Other delegations, including those of Pakistan, Iran, and Brazil, emphasised the importance of upholding the CD's rules of procedure and working methods, arguing that the problem is not the machinery itself but political will. In addition, Turkey's delegation put on record in its explanation of vote on draft resolution A/C.1/64/L.41, "Report of the Conference on Disarmament," that while it supports the resolution it does not support the resolution's reference to the importance of "continuing consultations on the question of the expansion of the Conference membership."

First Committee adopted L.41 without a vote on 30 October. Consensus was only possible after the sponsors agreed to an oral revision of preambular paragraph seven, deleting the words "with appreciation" in a reference acknowledging support to the CD from the UN Security Council summit on 24 September 2009.

The delegation of Bangladesh, as the incoming CD president, announced that it will conduct consultations during the intersessional period that it will take into account all relevant proposals in an attempt to reach con-

sensus on work programme during first few weeks of the 2010 session. In its explanation of vote, the Iranian delegation emphasised the importance of developing a programme of work in which "balance and equilibrium are observed and the rules of procedure fully respected."

### *Disarmament Commission (UNDC)*

Very few delegations even mentioned the UNDC, a clear indication of the general view on its continued relevance. Norway's representative characterized the UNDC as "even worse" than the CD, pointing out that while it is supposed to act as the UN's deliberative forum on disarmament, "very few experts from capitals bother to attend the UNDC regular sessions." The current Chair of the UNDC noted that the body's latest session in April only brought "mixed results". He suggested the UNDC invite experts for discussions at plenary meetings and that it should undertake "periodic critical self-assessment and—if found necessary—improvement and adjustment of its methods of work."

Draft resolution A/C.1/64/L.52, "Report of the Disarmament Commission," was adopted without a vote on 28 October. The US delegation announced before action was taken that it would not participate in the vote on L.52. No other delegations commented on the resolution.

### *First Committee*

Norway's delegation criticized First Committee for not fulfilling its mandate of fostering "a common understanding of the current threats to peace and security" and enabling the international community "to address them effectively in all relevant bodies," as formulated by the European Union. In order to increase the effectiveness of First Committee, Norway's representative suggested: limiting the habit of seeking co-sponsorship for resolutions to only new introduced resolutions; allowing resolutions to stand once adopted until otherwise decided, which would reduce the number of repetitive resolutions and make more time for discussions; and not simply tabling resolutions with identical texts year after year without taking into account "emerging new political opportunities to move the disarmament agenda forward."

### *Fourth Special Session on Disarmament (SSOD IV)*

The Non-Aligned Movement and the African Group urged reconvening the open-ended working group to consider the objectives and agenda of the Fourth Special Session of the General Assembly on Disarmament (SSOD IV). The Norwegian delegation also advocated for the convening of SSOD IV, "provided that we can agree on adjusting our multilateral negotiating bodies to better respond to the window of opportunity that is now emerging."

Draft decision A/C.1/64/L.9, "Convening of the fourth special session of the General Assembly devoted to disarmament," was adopted without a vote on 30 October.