

FIRST COMMITTEE MONITOR

*NGO Reporting on the United Nations General Assembly
First Committee on Disarmament and International Security
4 October–1 November 2010*

2 November 2010

Final Edition

No.5



APPROVED

(?)

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.

Contributing organizations and projects to this edition:

Global Action to Prevent War
International Action Network on Small Arms
Lawyers Committee on Nuclear Policy
Middle Powers Initiative
NGO Committee on Disarmament, Peace and Security
Quaker United Nations Office
Reaching Critical Will of WILPF
Religions for Peace



www.reachingcriticalwill.org | info@reachingcriticalwill.org

IN THIS EDITION:

Editorial: Consensus versus progress? 3	Depleted uranium weapons 14
Nuclear disarmament 4	IT and international security 15
IHL and nuclear weapons 5	Arms trade treaty 15
Operational status 6	Missiles and anti-missile systems 16
Negative security assurances 7	Small arms and light weapons 17
Other nuclear weapon resolutions 7	Cluster munitions 18
Nuclear weapon free zones 8	Nuclear energy and the fuel cycle 18
Fissile materials 9	Landmines 19
Nuclear and WMD proliferation 10	Disarmament and development 20
Nuclear testing 11	Disarmament education 20
Outer space 12	Disarmament machinery 21
Biological and chemical weapons 13	Regional disarmament 23
Conventional weapons 14	Women and disarmament 24

FIRST COMMITTEE MONITOR
2010 Number 5 | October–November 2010

Reaching Critical Will | A project of the Women's
International League for Peace and Freedom

777 UN Plaza, 6th Floor, New York, NY 10017
ph. +1 212 682 1265 | fax +1 212 286 8211
contact: info@reachingcriticalwill.org

PROJECT DIRECTOR/EDITOR: Ms. Ray Acheson
PROJECT ASSOCIATE: Ms. Beatrice Fihn
INTERNS: Emma Bjertén, Daniel Brunn, Jane
Wolkowicz

*The views in this publication are not necessarily those
of the Women's International League for Peace and
Freedom or the Reaching Critical Will project.*

About Reaching Critical Will

Reaching Critical Will is your primary source for information, documents, and analysis about the United Nations General Assembly First Committee and other multilateral disarmament conferences.

On **www.reachingcriticalwill.org** you can find:

- All editions of the *First Committee Monitor*;
- All statements, working papers, resolutions, and voting results from all First Committee meetings since 2001;
- All statements and documents from the Conference on Disarmament, and regular reports on the plenary meetings;
- All statements, documents, and reports from NPT Review Conferences and Preparatory Committees, and archived editions of the *News in Review*; and
- Research and analysis of critical issues related to disarmament and arms control.



Editorial: Consensus versus progress?

Ray Acheson | Reaching Critical Will of WILPF

The issue of consensus was once again one of the most resounding themes of First Committee deliberations and actions. The consensus rule in the Conference on Disarmament (CD) was the target of much debate, while endeavours to reach consensus on some resolutions led to complex questions about respecting previous agreements while moving forward with as much unity as possible.

During the various debates on disarmament machinery both within First Committee and the 24 September high-level meeting on revitalizing this machinery, views on the consensus rule in the CD cut across regional and political boundaries. Many believe consensus is the only way to ensure sustainable progress in multilateral disarmament, while others believe that consensus is preventing progress. The fundamental problem is that some of those states that demand consensus-based processes do not seem to respect consensus themselves.

Pakistan's delegation is firmly committed to the rule of consensus in the CD and other fora. However, the fact that Pakistan joined consensus on both CD/1864, the 2009 programme of work in the CD that included a negotiating mandate for a fissile materials treaty, and General Assembly resolution 64/29, which urged the CD to agree early in 2010 on a programme of work that includes the immediate commencement of negotiations on such a treaty, did not prevent Pakistan's delegation to the CD from opposing the commencement of work in 2009 or the adoption of a work programme in 2010. Regardless of the validity of many of Pakistan's concerns, it has backtracked on its commitments in these consensus-based processes.

A similar situation arose in regard to this year's draft resolution on the illicit trade in small arms and light weapons, A/C.1/65/L.32. Mexico's delegation tabled amendments to L.32 (contained in A/C.1/65/L.61), replacing language in operational paragraph 16 with text taken directly from the outcome document of the Fourth Biennial Meeting of States (BMS4) in June 2010, which was adopted by consensus. The Japanese delegation, one of L.32's lead sponsors, admitted that it had used this language in its original draft of L.32, but found that certain states opposed it. Japan therefore removed the consensus-based language and instead used a different formulation that was met with approval by the opposing state—though not by Mexico or the fifteen states of the Caribbean Community. The Mexican delegation argued that the amendments made to L.32 “are substantially detrimental” to taking steps forward from BMS4, a meeting that had resulted in the first consensus-based document on this issue. Mexico's delegation questioned the value of pursuing the adoption of documents by consensus if they cannot be invoked or endorsed subsequently in relevant contexts.

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. However, consensus can be—and has been—used as a veto by a minority, as is the case in the CD. Consensus can also be ignored, as is the case in both the CD, where consensus was reached on a programme of work, and the small arms resolution, where consensus on the BMS4 outcome document was ignored.

Consensus-based processes are generally employed in order to maximize the participation of as many actors as possible and to ensure that all participants are given equal voice. However, such processes can be manipulated so as to ensure that no progress in any direction is possible. Unfortunately, this appears to be the case throughout the current multilateral disarmament and arms control field. As Ambassador Hoffmann of Germany argued earlier this month, “if this kind of behaviour were to become the norm in the conduct of international relations, the international community would soon face total gridlock.”

Mexico's questions to First Committee on the final day of the 2010 session are valid: what is the point of consensus if even agreements reached by consensus cannot be counted on to provide a direction forward? Neither CD/1864 nor the BMS4 outcome document have retained the support of a minority. Is the international community supposed to start over because a few states have changed their minds? What value does consensus add to a process if consensus undermines the process itself?

The fact that the challenges of consensus have featured prominently in the work—or lack therein—of the Conference on Disarmament and First Committee in recent years indicates that serious deliberation is needed on this concept. There is much talk about revitalizing the multilateral disarmament machinery or initiating parallel processes in order to commence substantive work on negotiating treaties. The international disarmament and arms control community needs to assess how other disciplines have managed to continue functioning in the 21st century despite facing the same challenges and complexities of the modern world and learn how to apply these lessons to its own work.

It is certainly possible that consensus-based processes can achieve progress. It is necessary, however, for all parties to want to make progress. Unfortunately, the art of consensus-building in this particular field seems to have been undermined by the determination of some to ensure that the status quo is retained for as long as possible. Overcoming this challenge will be key to the future of international security in all its aspects. •

Nuclear disarmament

Jim Wurst | Middle Powers Initiative

The First Committee votes on the key nuclear disarmament resolutions highlighted an emerging dichotomy in the debate over the elimination of nuclear weapons. On the one hand, the positive events of 2010, such as the US/Russian new Strategic Arms Reduction Treaty and the 2010 nuclear Non-Proliferation Treaty (NPT) Review Conference (RevCon) final document's action plan, have provided a certain momentum to press forward with the agenda. On the other hand, there is no consensus on that agenda. On all of the treaty negotiations considered by many states to be the key next steps toward nuclear disarmament—such as the entry into force of the Comprehensive Test Ban Treaty (CTBT) and negotiations for a fissile materials cut-off treaty (FMCT)—there is a small but politically significant minority in opposition. Regarding a more ambitious and concrete approach to nuclear disarmament, such as the negotiation of a nuclear weapons convention, or regarding the revitalization of multilateral disarmament machinery, the divide is even greater.

The Japanese-led “United action towards the total elimination of nuclear weapons” (A/C.1/65/L.43)—replacing the old “Renewed determination towards the total elimination of nuclear weapons”—achieved as close to universal support as is possible on nuclear disarmament: only one country opposed the draft. The vote was 154 to 1 with 13 abstentions. Last year's vote was 161 to 2 with 8 abstentions. India switched from “no” to abstention, making the Democratic People's Republic of Korea the sole “no” vote. Other than the title change, there was little in this year's draft distinguishing it from 2009, except references to the 2010 RevCon and new START and a new paragraph on security assurances. The increase in abstentions can be attributed to that paragraph. It deals with security assurance for non-nuclear states, but frames them in terms of UN Security Council resolution 984, which was adopted ahead of the 1995 NPT RevCon. Ever since its adoption, many non-nuclear weapon states argued that resolution 984 fell too far short of a legally-binding instrument assuring non-nuclear weapon states against the threat or use of nuclear weapons. South Africa—which switched its vote from “yes” to abstention on L.43 this year—called assurances a “pragmatic, interim” measure but no substitute for the elimination of nuclear weapons. South Africa argued that both the RevCons of 2000 and 2010 had stronger language on security assurances than did “United action”. Last year's “Renewed determination” resolution did not include any references to security assurances or resolution 984.

The New Agenda Coalition's draft resolution, “Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments” (A/C.1/65/L.25), focused heavily on the 2010 RevCon

action plan and the RevCon's recommitment to the decisions of 1995 and 2000. “The true test of the value of the RevCon outcome will be the implementation of the commitments undertaken,” the New Agenda Coalition explained, therefore the draft “underlines the importance of early progress.” While changes were made in the draft to accommodate some governments, “given the group's focus on nuclear disarmament, we were unable to include some proposals which would have expanded the scope of the resolution into other areas.” The vote was 158 to 5 with 4 abstentions. The negative votes (the US, France, Israel, India, and North Korea) and the abstentions (the UK, Pakistan, Bhutan, and Micronesia) were exactly the same as last year. In explaining its abstention, the UK raised a counter-argument to the New Agenda Coalition's point about the focus of the resolution, arguing that L.25—and other resolutions—“focused almost exclusively on the nuclear disarmament agenda,” while downplaying non-proliferation and peaceful uses aspect of the RevCon final document. The UK called the RevCon's action plan “the new agenda which should guide our work over the next few years.”

The Non-Aligned Movement's (NAM) draft, “Nuclear disarmament” (A/C.1/65/L.22), has the broadest sweep of any of the major nuclear disarmament resolutions, and as such, draws the most opposition. Based on NAM declarations that go beyond existing treaty language, non-NAM states do not support all of the draft's provisions. In updates recognizing this year's achievement, the draft notes “the important work” done at the RevCon and calls “its plan of action ... an impetus to intensify work aimed at beginning negotiations for a nuclear weapons convention.” The vote was 107 (including China) to 44 (including the US, UK, and France) and 20 abstentions (including Russia). The vote was essentially unchanged from previous years.

The US/Russian draft focusing on their New START Treaty, “Bilateral reductions of strategic nuclear arms and the new framework for strategic relations” (A/C.1/65/L.28/Rev.1), was adopted by consensus. The draft welcomed the new strategic arms treaty and expressed hopes for more multilateral progress, including the entry-into-force of the CTBT and negotiations on a FMCT. A separate vote on the paragraph dealing with the FMCT was requested; Pakistan voted no and Iran abstained. In the lead up to the vote, Iran introduced, and then withdrew, two amendments to the draft. Both would have incorporated language on cuts in US and Russian arsenals needing to comply with “the principles of transparency, irreversibility and verifiability.” In its explanation of vote, Iran complained that new START lacks adherence to these principles and “it is not even aimed at nuclear disarmament and total elimination of such weapons.” The



International humanitarian law and nuclear weapons

John Burroughs | Lawyers Committee on Nuclear Policy

In an innovation in the nuclear Non-Proliferation Treaty (NPT) context, in its final document the 2010 Review Conference “expresses its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons, and reaffirms the need for all states at all times to comply with applicable international law, including international humanitarian law.” (See analysis in the Preview Edition of the First Committee Monitor.)

That provision met with approval in the statements of many governments at the 2010 First Committee and was incorporated in three resolutions: “United action towards the total elimination of nuclear weapons” (A/C.1/65/L.43), “Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments” (A/C.1/65/L.25), and “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.1/65/L.50). However, none of the resolutions called for any steps to operationalize compliance with international humanitarian law (IHL).

The Non-Aligned Movement’s “Nuclear disarmament” (A/C.1/65/L.22) makes no reference to the NPT IHL provision. Nor does the resolution “Convention on the Prohibition of the Use of Nuclear Weapons” (A/C.1/65/L.26). It does, however, reaffirm “that any use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity, as declared in its resolutions 1653 (XVI) of 24 November 1961.” Resolution 1653 is the landmark General Assembly declaration that use of nuclear weapons “is contrary to the rules of international law and to the laws of humanity.”

As recounted in *First Committee Monitor* reports for weeks one and two, a wide range of governments welcomed the NPT IHL provision, with some making strong statements about the incompatibility of nuclear weapons with IHL. Norway’s Deputy Minister of Foreign Affairs stated: “Weapons that cause unnecessary suffering and unacceptable harm have no place in today’s international security environment.... The humanitarian dimension is of course as valid for nuclear weapons as for conventional weapons.” The Swiss Permanent Representative in Geneva, Ambassador Jürg Lauber, said: “Switzerland considers the use of nuclear weapons immoral and illegal with regard to [IHL] because such weapons cause massive damage and strike without distinction.”

Costa Rica spoke to the implications of IHL for action. In calling for a “preparatory process to obtain a universally and legally binding convention banning nuclear weapons,” Maritza Chan, Minister Counsellor in New York, remarked: “It has been done with biological weapons and chemical weapons. It must now be done for nuclear weapons. What these weapons of mass destruction share is that their use violates [IHL].”

Perhaps most notable was the intervention of the International Committee of the Red Cross (ICRC). Last spring, prior to the NPT Review Conference, ICRC President Jakob Kellenberger stated that the ICRC “finds it difficult to envisage how any use of nuclear weapons could be compatible with the rules of [IHL].” On October 12, ICRC lawyer Robert Young spelled out, in no uncertain terms, the implications of the NPT IHL provision. Young said that it “must now be translated into a wide range of actions that will progressively end the role of nuclear weapons in State security policies.” Further, it “must also be translated into a negotiating process, or processes, within agreed fora and timeframes. [It is] essential negotiations be based not only on military doctrines and power politics. The debate must be equally informed by the implications of these weapons for human beings, the fundamental rules of [IHL] and the collective future of humanity.” (Emphasis supplied.)

IHL side event

Similar themes were sounded at an October 25 side event, “Humanitarian Law Versus Nuclear Weapons,” sponsored by the Lawyers Committee on Nuclear Policy (LCNP), the Global Security Institute (GSI), and the Swiss Permanent Mission to the UN.

Panelist Professor Charles J. Moxley, Jr. of the LCNP Board of Directors explained the thrust of a forthcoming article in the *Fordham International Law Journal*. In particular due to the inability to control their effects, he said, nuclear weapons cannot meet fundamental IHL requirements of necessity, proportionality, and discrimination. Speaking from the floor, Ambassador Jürg Lindenmann, Deputy Director of the Directorate of International Law at the Swiss Federal Department of Foreign Affairs, stated the Swiss position that nuclear weapons cannot be used consistently with seven principles of IHL: necessity, proportionality, prohibition of attacks on civilians, discrimination between military targets and non-combatants, prohibition of the infliction of unnecessary suffering, protection of neutral states, and protection of the environment, including prohibition of means of warfare that cause widespread, severe, and long-term damage to the environment.

Other panelists addressed the policy consequences of the NPT IHL provision. GSI President Jonathan Granoff argued that nuclear weapon states now have to make their doctrines and deployments compatible with IHL, and should establish visible processes to do so. LCNP Executive Director Dr. John Burroughs contended that the incompatibility of nuclear weapons with IHL logically requires their prohibition and elimination through a global agreement, a convention, as has been the case with biological and chemical weapons, landmines, and cluster munitions. •

Operational status of nuclear weapon systems

Sameer Kanal | NGO Committee on Disarmament, Peace and Security

During the fourth week of First Committee, the subject of operational status of nuclear weapons systems was addressed primarily through the adoption of the draft resolution entitled “Decreasing the operational readiness of nuclear weapons systems,” A/C.1/65/L.42. Two other resolutions, A/C.1/65/L.27, “Reducing nuclear danger,” and A/C.1/65/L.43, “United action towards the total elimination of nuclear weapons,” include language on operational status.

On Wednesday, 27 October, First Committee considered L.42, a draft resolution sponsored by the De-Alerting Coalition (Chile, Malaysia, New Zealand, Nigeria, and Switzerland). The Committee adopted L.42 by a vote of 144-3-22 and held a separate vote on operative paragraph 1, which passed by a vote of 145-0-19. The three votes against the resolution as a whole were made by France, the United Kingdom, and the United States, which issued a joint explanation of vote after the vote concluded. They explained that they continue to disagree with the basic premise that the current level of readiness of nuclear weapons increases the risk of accidental use, arguing that they have decreased the operational status of their forces since the 1990s, no longer target their weapon systems against any state, and subject their systems to “rigorous command and control” to ensure against “misuse”. The Russian Federation abstained from the resolution but did not issue an explanation of vote.

China’s delegation voted in favour of the resolution, though in an explanation of vote it argued that any step toward nuclear disarmament should abide by the principles of “maintaining global strategic stability” and not harming the security of any country, meaning that “intermediate steps should be implemented at the right time and under the right conditions”. Pakistan’s delegation, which also voted in favour, contended that decreasing operational status “must be based on reciprocity” among all nuclear weapon possessors. Both the Pakistani and Indian delegations objected to the reference to the nuclear Non-Proliferation Treaty in the resolution, as neither are members. India’s delegation, which supported the resolution, noted that “the issue that this resolution seeks to address is not limited to the context of a specific treaty.”

L.27’s operative paragraph 1 (along with numerous preambular paragraphs) references de-alerting in the context of calling “for a review of nuclear doctrines and, in this context, immediate and urgent steps to reduce the risks of unintentional and accidental use of nuclear weapons, including through de-alerting and de-targeting nuclear weapons.” The draft resolution was adopted with a vote of 103-48-14. An explanation of vote given by Switzerland’s delegation noted that while Switzerland “is a strong advocate of [...] decreasing operational readiness,” it regrets the resolution’s absence of requests for

de-alerting on behalf of states with nuclear weapons that are not recognized as such within the NPT framework.

First Committee adopted L.43 with a vote of 154-1-13. Operative paragraph 10 calls upon the nuclear weapon states “to take measures to further reduce the risk of an accidental or unauthorized launch of nuclear weapons.” However, New Zealand’s delegation said that it would have preferred stronger references in this regard, specifically “the retention of language from previous years which called upon the nuclear-weapon States to ‘consider further reducing the operational status of nuclear weapons systems in ways that promote international stability and security’.” •

Ray Acheson of Reaching Critical Will contributed to this report.



Nuclear disarmament (cont.)

Non-Aligned Movement expressed similar concerns in its explanation of vote, arguing that reductions cannot substitute for irreversible cuts in nuclear arsenals and the elimination of nuclear weapons. The NAM urged nuclear weapon states to accelerate concrete action to fulfill their article VI nuclear disarmament obligations and achieving a nuclear weapon free world and called for the negotiation of a nuclear weapons convention with an established timeframe. •



Negative security assurances

Georgie Bright and Sean Kelly | NGOCDPS

On 26 October 2010, the First Committee adopted draft resolution A/C.1/65/L.5, “Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,” with a vote of 106 in favour, none against, 58 abstentions. This did not differ significantly from the voting in last year’s First Committee, where the same resolution was adopted with a vote of 119-0-58. The voting pattern of the five recognized nuclear weapon states remained the same, as well, with China voting in favour and the others abstaining. The Pakistani and Indian delegations voted in favour, while the Israeli delegation abstained.

Pakistan’s delegation offered a comprehensive explanation of why the delegation voted in favour of the resolution, outlining the history of negative security assurances (NSAs) going back to the 1960s. The representative of Pakistan expressed hope that L.5 would underline the urgency of developing comprehensive, legally-binding NSAs and translate such urgency into concrete action. He urged member states to adopt the resolution with the highest possible majority. Cuba’s delegation reminded states that until complete nuclear disarmament is achieved, NSAs are necessary to ease the nuclear threat.

Although L.5 was the sole resolution dedicated to NSAs, many states connected the principles behind L.5 to their votes on other resolutions—particularly, resolution A/C.1/65/L.43, entitled “United action towards the elimination of nuclear weapons.” The Brazilian delegation explained that its abstention on L.43 was because of the introduction of operational paragraph 12, which suggests that unilateral statements made in UN Security Council resolution 984 had “exhausted” multilateral declarations of security assurances. The Brazilian representative argued that such unilateral statements as contained in UNSCR 984 are insufficient.

South Africa’s delegation abstained from voting L.43, noting the same problem with operative paragraph 12. Despite the recognition of the possibility of legally-binding NSAs in the final documents of the 1995, 2000, and 2010 NPT Review Conferences, South Africa argued, L.43 does not take note of this history and instead focuses too narrowly on UNSCR 984.

The Egyptian delegation voted in favour of L.43, though it also pointed out the shortcomings of operational paragraph 12. The Egyptian delegation explained that it voted in favour of L.43 in the hopes of working with Japan, the lead sponsor of L.43, in forthcoming years on NSAs. For its part, the Japanese delegation offered support for L.5 in its explanation of vote, stating that “deepening substantive discussions on ways to increase the effectiveness of NSAs is essential for the realization of a world free of nuclear weapons.” •

Other nuclear resolutions

Jessica Erdman | Global Security Institute

On 26 October 2010, First Committee voted to adopt two annual resolutions: “Reducing nuclear danger” (A/C.1/65/L.27) and “Convention on the prohibition of the use of nuclear weapons” (A/C.1/65/L.26). The resolutions were adopted with votes of 103-48-14 and 107-48-11, respectively.

With regard to L.27, China and Russia abstained while France, the United Kingdom, and the United States voted against the resolution. Few explanations of vote were offered. Switzerland’s delegation voted against the resolution, explaining that the scope of the resolution failed to take into account the current nuclear power distribution, only requiring the five recognized nuclear weapon states to take action. Furthermore, the Swiss delegation argued, key international instruments are missing from the resolution, such as the nuclear Non-Proliferation Treaty (NPT) and the Comprehensive Test Ban Treaty (CTBT). New Zealand’s delegation offered a similar explanation, noting that the responsibility for a nuclear weapon free world lies with all nuclear weapon-possessors, not merely the P5.

With regard to L.26, China voted in favour, Russia abstained, and France, the United Kingdom, and the United States voted against the resolution. The voting pattern did not differ from the previous year. Few explanations of vote were offered by delegations. The Brazilian delegation voted in favor of L.26, despite its position of complete elimination of nuclear weapons and not only prohibition of use. The Swiss delegation voted against L.26 for the same reason as they voted against L.27. •



Nuclear weapon free zones

Georgie Bright and Sean Kelly | NGO Committee on Disarmament, Peace and Security

On 26 October, First Committee adopted draft resolution A/C.1/65/L.1, "Establishment of a Nuclear Free Weapon Zone in the Region of the Middle East," without vote, as in previous years. The resolution, introduced by Egypt, invites all concerned member states to declare their support for establishing a nuclear weapon free zone (NWFZ) in the region of the Middle East. Israel's representative stated that the establishment of a NWFZ in the Middle East "remains a long term vision that Israel subscribes to and aspires for [and] in light of this fundamental approach, Israel has supported the draft resolution." However, the Israeli delegation added that "it has done so notwithstanding substantive reservations regarding certain elements contained therein, including the absence of references to grave cases of non-compliance to nuclear non-proliferation obligations and violations of UNSC resolutions by states in the Middle East."

Conversely, Iran's delegation argued that Israel, "with its clandestine nuclear weapon program and its secret nuclear facilities, remains the only impediment in realizing such a zone in the Middle East." Iran's representative added that "by pursuing counterproductive policies, certain nuclear-weapon States are actively hindering any meaningful action in international fora to address the real threat posed by the Israeli nuclear arsenals."

Draft resolution A/C.1/65/L.10, "Agreement on a nuclear weapon free zone in Central Asia," was adopted by a vote of 131-3-33. The explanation of vote (EOV) given by the United Kingdom, United States, and France, the three delegations that voted against the resolution, expressed particular concern with article XII of the Treaty, "which indicates that existing treaty obligations of the States Party would not be affected by this Nuclear-Weapon-Free-Zone Treaty." They expressed hope, however, that all remaining concerns could be mitigated through consultations in the near future. A joint EOV delivered by Japan on behalf of Austria, Ireland, Japan, Liechtenstein, Malta, New Zealand, Sweden, and Switzerland encouraged these consultations to take place without delay.

Also garnering widespread support was draft resolution A/C.1/65/L.24, "Nuclear-weapon-free southern hemisphere and adjacent areas," which was adopted by a vote of 158-3-4. Consistent with resolution A/RES/64/42, adopted last year by the General Assembly on the same topic, the source of the three "no" votes came from the United States, the United Kingdom, and France. In a joint EOV, these three nuclear weapon states argued 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." India's delegation voted against operative paragraph 5 and abstained from the resolution as a whole. Its opposition to operative paragraph 5 was due to the specific reference to establishing a NWFZ in South Asia, which India believes runs contrary to the principle that any NWFZ must be established by agreements of freely acting states of the particular region.

Draft resolutions A/C.1/65/L.41, "Mongolia's international security and nuclear-weapon-free status" and A/C.1/65/L.51, "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)," were adopted without votes or comments.

First Committee also adopted draft resolution A/C.1/65/L.54, "African-Nuclear-Weapon-Free Zone Treaty," without a vote, though several delegations took the floor to give general statements or EOVs. In a general statement, Spain's delegation noted that it supports the Pelindaba Treaty, but will not sign it, since the Treaty does not contain any provisions that Spain has not already implemented on its whole territory. The joint EOV offered by France, the United Kingdom, and the United States noted that the UK and France have already ratified the necessary protocols associated with the treaty. Furthermore, the recent announcement by the United States to pursue ratification was described as a promising gesture. The Israeli delegation asserted that it was "regrettable that Egypt, one of the most vocal supporters in the establishment of a NWFZ in the Middle East, refrains from ratifying the African NWFZ Treaty."

The 2010 meetings of the First Committee continued to highlight NWFZs as an essential element of the nuclear disarmament regime. The momentum behind establishing NWFZs, resulting from the recently established zones in Africa and Central Asia, and the Second Conference of NWFZ treaties states party was palpable in First Committee. The meeting set for 2012 regarding the establishment of a NWFZ in the Middle East was often cited in First Committee as a reason for optimism for the future spread of such zones to new regions. Nonetheless, equally as palpable in First Committee were the challenges associated with outstanding issues on already established zones and the impediments to establishing future zones. Delegations often cited robust and legally-binding negative security assurances from nuclear weapon states as necessary for established NWFZs to be effective. In regards to the spread of NWFZs to new areas, delegations spoke of the need for intra-regional confidence, trust, stability, and transparency. The statements given by various delegations from the Middle East make it clear that much progress will be needed in this regard if the conference scheduled for 2012 is to have a substantive outcome. •



Fissile materials

Beatrice Fihn and Daniel Brunn | Reaching Critical Will of WILPF

Although last year's version of the resolution entitled "Treaty banning the production of fissile materials for nuclear weapons or other nuclear explosive devices" (General Assembly resolution 64/29), tabled by the Canadian delegation, was adopted without a vote at First Committee, efforts to commence negotiations in the Conference on Disarmament (CD) failed. Canada's 2010 version, A/C.1/65/L.33, while virtually identical to the previous year's, was voted upon by First Committee and adopted by a vote of 163-1-2. The two abstentions were from Syria and the Democratic People's Republic of Korea and the lone vote against the resolution was from Pakistan.

In its explanation of vote, Pakistan's delegation reiterated its argument that any fissile materials treaty that only limits the future production of fissile materials and leaves existing stockpiles unaddressed would be "inherently flawed". Such a treaty would, in Pakistan's opinion, merely be a tool for non-proliferation and not disarmament and would therefore threaten Pakistan's national security. Pakistan's delegation also repeated that its strategic position has been further undermined by nuclear cooperation agreements in the region—a reference to the US-India nuclear cooperation agreement and the Nuclear Suppliers Group exemption for India—that are a violation of the nuclear Non-Proliferation Treaty (NPT).

While some delegations at First Committee support Pakistan's demand for any potential fissile materials treaty to address existing stockpiles, including Brazil, Iran, Myanmar, Indonesia, Colombia, and Ukraine, Pakistan continues to stand alone in calling for this to be a precondition for entering into negotiations in the CD. This illustrates one of the key outcomes from this year's First Committee meetings: the desire from most delegations that talks regarding a fissile materials treaty take place within the CD in 2011.

Both in the CD and at this year's session of the First Committee, several speakers and delegations have highlighted the inconsistency of Pakistan blocking progress in the CD while joining consensus on the Canadian resolution calling for negotiations of a treaty dealing with fissile materials in 2009. It was therefore not a surprise that Pakistan not only voted against the resolution calling for an FMCT to be negotiated in the CD, but also called for separate votes and voted against any reference to negotiations of an FMCT in the CD in any other resolutions tabled this year.

In a separate vote on operational paragraph 15 in the Non-Aligned Movement's nuclear disarmament resolution A/C.1/65/L.22, which calls for commencement of negotiations in the CD on a "non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nu-

clear weapons or other nuclear explosive devices on the basis of the report of the Special Coordinator¹⁶ and the mandate contained therein", Pakistan was the sole opposing country. Pakistan was also the only country voting against operational paragraph 7 of the US-Russian resolution on "Bilateral reductions of strategic nuclear arms and the new framework for strategic relations" (A/C.1/65/L.28/Rev.1), which expresses support for the "early commencement of international negotiations within the framework of an approved programme of work of the Conference on Disarmament in Geneva for the conclusion of a verifiable treaty to end the production of fissile materials for the use in nuclear weapons or other nuclear explosive devices." Pakistan also voted against operational paragraph 9 in the Japanese resolution "Renewed determination towards the total elimination of nuclear weapons" (A/C.1/65/L.43*) which calls for the immediate commencement of negotiations on a fissile material cut-off treaty at the 2011 session of the Conference on Disarmament and its early conclusion as well as calls upon all non-parties to the NPT to declare and maintain moratoriums on the production of such fissile materials pending the entry into force of the treaty. Also China and the Democratic People's Republic of Korea voted against this operational paragraph while India abstained.

Also notable is that Israel chose not to participate in the vote on A/C.1/65/L.33 nor in any of the separate votes on references to negotiating an FMCT in the CD mentioned above.

Another significant development at this year's First Committee has been the willingness expressed by many delegations, including those from the United States, Australia, Japan, and Liechtenstein to hold negotiations for a fissile materials treaty in a forum other than the CD, if the deadlock continues in the latter. In the words of Ambassador Gary Quinlan of Australia, "the CD does not have a monopoly on ... negotiations and ... other treaties have been successfully negotiated outside the CD.... If the CD cannot return to work and sustain that work, we will need to consider other avenues for the FMCT."

The prospects for the CD to start negotiations by consensus on a treaty on fissile materials based on the Shannon mandate seem bleak, as Pakistan has made its position on this topic abundantly clear. However, as both Pakistan and Iran stated they will continue to push for a programme of work that prioritizes nuclear disarmament over non-proliferation, including the negotiation of a nuclear weapons convention, getting the CD back to work in 2011 on any other topic will likely remain an ever greater challenge. •

Nuclear and WMD proliferation

Ray Acheson | Reaching Critical Will of WILPF

Four resolutions addressed the issue of the proliferation of nuclear weapons or other weapons of mass destruction (WMD) during this year's First Committee (see last week's edition for details on the texts).

Draft resolution A/C.1/65/L.3*, "The risk of nuclear proliferation in the Middle East," was adopted with 155 in favour, 5 opposed (Israel and the United States, as well as the Marshall Islands, Micronesia, and Nauru), and 8 abstentions (Australia, Cameroon, Canada, Congo, Côte d'Ivoire, Ethiopia, India, and Panama). Separate votes were held on preambular paragraphs 5 and 6. PP5, which recalls the 1995 nuclear Non-Proliferation Treaty (NPT) review and extension conference's call for all states to join the NPT, "particularly those States that operate unsafeguarded nuclear facilities," was adopted with 155 in favour, three against (India, Israel, and the Marshall Islands) and six abstentions (Bhutan, Congo, Côte d'Ivoire, Ethiopia, Kazakhstan, and Pakistan). PP6, which recognizes the 2000 NPT review conference's call for all states to accept International Atomic Energy Agency (IAEA) safeguards on their nuclear facilities, was adopted with 156 in favour, two against (India and Israel), and three abstentions (Bhutan, Mauritius, and Pakistan).

This is the first time a separate vote has been called on PP5. Last year's voting results on PP6 and the resolution as a whole at the General Assembly were similar—though the United States, Marshall Islands, and Palau voted no on PP6 in 2009 and Côte d'Ivoire and Democratic People's Republic of Korea, abstained on this paragraph. This year, the DPRK switched to a vote in favour, while Côte d'Ivoire did not vote on the paragraph.

In its explanation of vote, the Israeli delegation argued that L.3* "has little connection with the reality in the Middle East," describing the resolution as "ill motivated and imbalanced" due to its exclusive focus on Israel's nuclear programme. Furthermore, the Israeli delegation criticized the resolution's sponsors for including reference to the 2012 conference on establishing a WMD free zone in the Middle East, arguing that this "clearly indicates the true intentions of the Arab states with regard to this proposed conference and the negative spirit which they will attach to it." The US delegation also described the resolution as imbalanced and lamented the inclusion of reference to the 2012 conference, arguing, "Countries must feel confident that they can attend the 2012 conference and not be isolated or subject to political pressure or attack." The Canadian delegation, which abstained on the resolution as a whole, argued that singling out Israel "puts the 2012 conference at risk" and cited questions over Iran's nuclear programme and Syria's alleged nuclear facilities as other risks to the region. The Australian

delegation also said it abstained because the resolution singled out Israel. A number of other western delegations that voted in favour of the resolution—including the European Union, New Zealand, Norway, and Switzerland—explained that they agreed with the principles of the resolution but criticized the sponsors for failing to "address all of the nuclear proliferation challenges in the region."

Iran's delegation pointed out that Israel is the only country in the region that is not party to the NPT and that has not placed its nuclear facilities under IAEA safeguards. The Iranian representative criticized the "contradictory approach of certain European Union members as well as a few countries like Canada" for sending a wrong message to Israel by focusing on Iran's safeguarded facilities while ignoring Israel's unsafeguarded ones.

The Indian delegation, which voted against PP5 and PP6 and abstained on the resolution as a whole, argued that the focus of the resolution "should be limited to the region that it intends to address," and found the calls on states to accede to the NPT and IAEA safeguards to be "at variance" with India's position.

First Committee adopted A/C.1/65/L.29, "Measures to prevent terrorists from acquiring weapons of mass destruction," without a vote. Iran's delegation explained that while it joined consensus on the resolution as it always has in the past, it disassociated itself from preambular paragraph 9, which contains a reference to the nuclear security summit of April 2010. The Iranian representative outlined its objection to the summit, describing it as "a closed selected gathering for a selective approach towards nuclear security based on the assumption that the possession of nuclear weapons by a few countries should be continued and the only major problem is how to secure the weapons and needed materials for production of such weapons."

Pakistan's delegation also issued an explanation of its decision to join consensus, noting that it supports the objective of the resolution but arguing that the resolution does not reflect reality. The Pakistani representative emphasized that the prevention of terrorists acquiring WMD should not be used as an excuse to discriminate against states, that measures such as UN Security Council resolution 1540 and 1673 should be developed in a more inclusive and representative forum such as the General Assembly, and that the best guarantee against the use of WMD is their elimination.

The Republic of Korea reissued its draft resolution A/C.1/65/L.49, "Preventing and combating illicit brokering activities," as L.49/Rev.1 after consultations with concerned states. The only substantive change was the removal of a reference to the UN Security Council summit on nuclear non-proliferation of 24 September 2009.

continued on next page

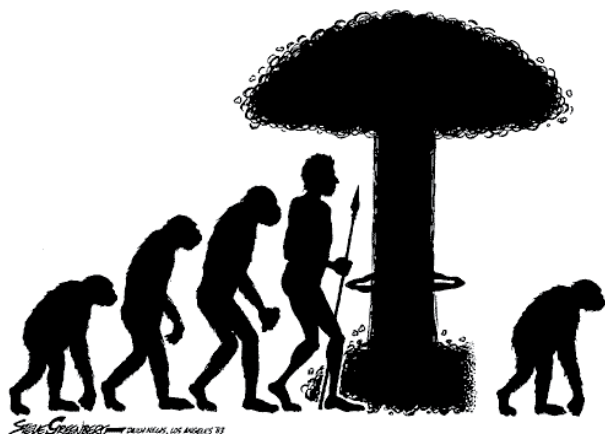


Nuclear proliferation (cont.)

Despite this change, a recorded vote was called (unlike in 2008, when it was adopted by consensus). L.49/Rev.1 was adopted with 171 in favour, one against (the Democratic People's Republic of Korea), and one abstention (Iran). A separate vote was conducted on preambular paragraph 12, which was adopted with 166 in favour, one against (the DPRK) and two abstentions (Iran and Syria).

The DPRK did not issue an explanation of vote. The Iranian delegation argued that while it supports the thrust of the resolution, it is inappropriate to mix the concept of illicit brokering of small arms and light weapons and WMD and its adoption "may lead to an interpretation which is detrimental to the letter and spirit of major international conventions on WMD." Specifically, the Iranian delegation explained, the notion of illicit brokering in WMD implies that there is such a thing as a licit trade in WMD, despite the fact that the NPT, Chemical Weapons Convention, and Biological and Toxin Weapons Convention, "the production, development, research, transfer and use of nuclear, chemical and biological weapons are prohibited and undoubtedly their trade or brokering is illegal as well."

Finally, draft resolution A/C.1/65/L.46, "Preventing the acquisition by terrorists of radioactive sources," was adopted without a vote. In a brief explanation of its decision to join consensus, the Indian delegation noted that this decision "is without prejudice to our position on the Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, to which India is not a party." Venezuela's delegation also joined consensus because it "rejects terrorism," though it noted that the best way of preventing the terrorist acquisition of WMD is through the complete elimination of such weapons. •

**Nuclear testing**

Jane Wolkowicz | Reaching Critical Will

The year 2010 marked small gains in progress toward the entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). In particular, there was positive news from Indonesia who announced that it is in the process of taking steps towards ratifying the treaty in the near future. "Indonesia has consistently emphasized that the CTBT is a key element in the international regime for nuclear disarmament and non-proliferation," Fabrian A. Ruddyard of Indonesia announced at First committee. Ruddyard said his government will ratify the Treaty "[i]n view to contributing to the global peace and security from the vantage point of 2010," and urged remaining annex II states to do the same.

Delegations to First Committee adopted draft resolution A/C.1/65/L.48, "Comprehensive Nuclear Test Ban Treaty," with a vote of 161 delegations in favour, 1 opposed (the Democratic People's Republic of North Korea), and 3 abstentions, from India, Syria, and Mauritius. The vote does not represent any significant change from last year, when the same delegations opposed and abstained. All five recognized nuclear weapon states continued to support the resolution.

The delegation of Syria, which abstained from the vote, offered an explanation to the Committee. It argued that the text of the CTBT resolution does not call for states to disarm "in a reasonable period" and that it "is limited to tests without limiting the development of new weapons."

First Committee also voted separately on operative paragraph 6 of L.48. 159 delegation supported the paragraph and none opposed. The four states unofficial nuclear weapon possessors that are not party to the nuclear Non-Proliferation Treaty (NPT)—the Democratic People's Republic of Korea, India, Israel, and Pakistan—abstained from the vote. "Israel cannot support and has strong reservations regarding some of the new wording contained in the PP6," Mr. Eyal Propper of the Israeli delegation stated. "Israel has always emphasized that the CTBT and the NPT are not one in the same, and a clear distinction should be maintained with regard to these two regimes," he continued.

The delegation of Iran also announced its frustration with the CTBT resolution. Although it voted in favour of the resolution as a whole, it refrained from voting on operative paragraph 6. Iran "was again obliged to abstain with regard to one of the paragraphs in this draft resolution because of the language of the text and the way it was drafted," Iran's representative said. The delegation also objected to the connection drawn between the CTBT and the NPT in the paragraph, arguing that "the General Assembly can and must express its views on any matter independently and there is no need to refer to the work of other organs which was done in a completely different context." •

Outer space

Beatrice Fihn | Reaching Critical Will of WILPF

As last year, the thematic debate on outer space and space security circulated around two different approaches to enhancing space security: through voluntary and non-binding agreements or through legally-binding treaties.

Voluntary "soft-law" initiatives were exemplified by the Russian initiative on transparency and confidence-building measures (TCBMs) and the European Union's Draft Code of Conduct for Outer Space Activities. The Russian Federation highlighted the importance of TCBMs and tabled draft resolution A/C.1/65/L.38, which proposed the establishment of a group of governmental experts (GGE) in order to conduct a study, commencing in 2012, on outer space TCBMs. The resolution notes that this study would be without prejudice to the substantive discussions on the prevention of an arms race in outer space (PAROS) within the CD framework.

While arguing that the United States will pursue pragmatic bilateral and multilateral TCBMs "to mitigate the risk of mishaps, misperceptions, and mistrusts," US Ambassador Laura Kennedy stated that her delegation could not support the Russian draft resolution, as neither Russia or the resolution's co-sponsor China, was willing to drop linkages between TCBMs and their proposal for a draft Prevention of a Placement of Weapons in Outer Space Treaty (PPWT). The "linkages" consist of a preambular paragraph that simply notes the introduction of China and Russia at the Conference on Disarmament (CD) of a draft PPWT. In her explanation of vote, Ambassador Kennedy repeated that while the US is supportive of the establishment of the GGE, it could not accept any reference to the PPWT and therefore had to abstain this vote. The resolution was therefore adopted by 167 votes in favour, none against, and the US as only abstention.

Another voluntary measure of keeping space secure has been pursued by the European Union. The EU, represented by Ambassador Lint from Belgium, noted that this draft Code of Conduct is based on three principles: freedom for all to use outer space for peaceful purposes; preservation of the security and integrity of space objects in orbit; and due consideration for the legitimate security and defence needs of states. Ambassador Lint stated that its aim was to find agreement in the near future on a text that would be acceptable to all interested states and would bring effective security benefits in a relatively short-term. He stated, "At the end of the consultation process, the EU hopes to be able to propose a final version of the Code of Conduct that would be open to participation by all States on a voluntary basis at an ad hoc conference to be organized in the first half of 2011." Ambassador Kennedy of the United States emphasized that the US is currently completing an extensive review of the EU initiative and hoped that her government would be able to make a decision in the coming months as to whether the

US can sign on to such a Code. Ambassador Soares of Brazil welcomed the EU draft Code of Conduct but noted, "as useful as it may be, it should be pointed out that it deals with the issue of the peaceful use of space in broad guidelines, aimed at many areas of satellite operations." He further argued that "codes of conduct, as a modality of regulating international activities, are a relatively new tendency, conceived as a midway solution when there is no clear agreement on a fully legal instrument."

Aside from voluntary measures, Brazil, Cuba, Belarus, Egypt, Kazakhstan, China, and the Russian Federation highlighted the need for a legally-binding agreement that would prevent an arms race in outer space. Ambassador Soares of Brazil argued, "Although relevant in certain circumstances, [TCBMs] ... are not legally binding. Brazil understands that not having agreement on a PAROS treaty may lead States to explore intermediate alternatives. However, if there should be efforts in the CD to push forward towards negotiations they should be focused on a legal instrument." Ms. Yadira Ledesma of Cuba highlighted that TCBMs can facilitate the implementation of disarmament commitments and the actions for their verification, as well as play an important role in the drafting, approval and implementation of a new treaty banning deployment of weapons and the use or threat of use of force in space. However, she also argued that "transparency and confidence-building measures are no substitute for arms control and disarmament measures; nor are they a precondition for implementation of the latter."

Mr. Marc De Bellefeuille of Canada said that the CD has a very important mandate in this area and highlighted previous Canadian proposals for a ban on the placement of weapons in outer space; the prohibition of the use of satellites themselves as weapons; and the prohibition of the testing and use of weapons on satellites so as to damage or destroy them. The Egyptian delegation also called for further measures to be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space.

By drawing attention to the new US National Space Policy, Ambassador Kennedy of the United States confirmed that the Obama administration is "open to considering space-related arms control concepts and proposals" but emphasized that such proposals must meet the "rigorous criteria of equitability, effective verifiability, and enhance the national security interests of the United States and its allies." With regards to the proposed PPWT, Ambassador Kennedy called it "fundamentally flawed" and argued that it "provides no grounds for the United States to support an ad hoc committee to negotiate any such treaty proposals at the Conference on Disarmament."

continued on next page



Biological and chemical weapons

Emma Bjertén | Reaching Critical Will of WILPF

The final week of First Committee began with a thematic debate on other weapons of mass destruction. Ambassador Laura Kennedy of the United States stressed that the Obama administration is “focused on actions to prevent chemical and biological agents and toxins from ever being used again as weapons by terrorists or states.” Ambassador Kennedy declared that the United States is fully committed to the goal of the Chemical Weapon Convention (CWC), the full destruction of the chemical weapons. She said the United States continues to make progress towards the complete destruction of its chemical stockpile.

On 27 October, First Committee adopted draft resolution A/C.1/65/L.23 on “Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,” sponsored by Poland. As in 2008, the resolution was adopted without a vote. Iran’s delegation gave an explanation of its decision to join consensus, emphasizing that all state parties to the CWC should fully comply with their obligations. Like many other states during the month, Iran’s delegation also urged states party to make every effort necessary to meet their final extended deadline for destruction of chemical weapons. Iran’s representative said that “it is strongly recommended that no action be undertaken to rewrite, amend, and/or, reinterpret the Convention. Instead, it is robustly suggested that the relevant States Parties bear the burden of non-compliance.”

Regarding biological weapons, Ambassador Kennedy of United States noted that the threat of biological weapons not only comes from state-level programmes, but also from non-state actors. She emphasized that the Biological and Toxin Weapon Convention (BTWC) needs to deal with this broader context and urged governments to seize the opportunity of the upcoming BTWC Review Conference in 2011 to promote actions to counter biological weapon threats.

On 27 October, First Committee adopted draft resolution A/C.1/65/L.20 on the “Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,” sponsored by Hungary. As last year, the resolution was adopted without a vote. The changes made this year mainly referred to the preparations for the upcoming Seventh Review Conference of the BTWC that will take place in Geneva in 2011.

First Committee also adopted draft resolution A/C.1/65/L.12 on “Measures to uphold the authority of the 1925 Geneva Protocol” on 27 October. The resolution, sponsored by Indonesia on behalf of the Non-Aligned Movement (NAM), calls on the international community to “achieve effective prohibition of the development,

production, stockpiling and use of chemical and biological weapons.” 168 states voted yes to the resolution and three states abstained from voting—United States, Israel, and Marshall Islands, which also abstained in 2008. L.12 calls on those states that continue to maintain reservations to the 1925 Geneva Protocol to withdraw them.

The main focus regarding biological and chemical weapons during this year’s First Committee was the strengthening of the CWC and BTWC. Many states emphasized the importance of “restoring” the BTWC at its 2011 Review Conference and in the major chemical weapon possessor states fulfilling their obligations under the CWC by eliminating their stockpiles by the extended final deadline. The two Conventions were unanimously described as important tools to prevent the proliferation and use of weapons of mass destruction. •



Outer space (cont.)

Both China and the Russian Federation spoke in favour of their draft PPWT. Mr. Vasiliev of Russia noted that since it was introduced, a great amount of work has been done to clarify the PPWT’s basic provisions. Ambassador Qun of China hoped that the CD could start substantive work based on this work with a view to early conclusion of equitable and legally-binding treaty on this subject. The annual resolution on PAROS (A/C.1/65/L.2), presented by Egypt, contained no substantive changes from previous years. The resolution reaffirms that the existing legal regime does not guarantee PAROS, and calls on space faring nations to refrain from activities contrary to this objective. It also reiterates that the CD “has the primary role in the negotiation of multilateral agreement” on PAROS and invites the CD to establish an ad hoc committee on PAROS in 2011. The voting pattern remained the same as last year and the resolution was passed with 170 votes in favour, none against, and the US and Israel abstaining. While last year signalled a different rhetoric and a potential change in US policy, the US government’s resistance to carrying out substantive work on PAROS and legally-binding agreements seems to remain. •

Depleted uranium weapons

Beatrice Fihn | Reaching Critical Will of WILPF

Depleted uranium weapons was not a widely debated topic in this year's session of First Committee, despite the introduction of an updated resolution (see the "Depleted uranium weapons" report from week 2). The draft resolution, A/C.1/65/L.19, was adopted with 136 votes in favour, 4 against, and 28 abstentions. The votes against this resolution were the same as previous years: the United States, the United Kingdom, France, and Israel.

In a joint statement, the US, UK, and France noted the relevant studies made by the World Health Organization, the UN Environmental Programme, the International Atomic Energy Agency, and NATO, but argued that the resolution does not indicate that none of these studies have documented long-term consequences of the use of depleted uranium weapons. The three states also expressed serious doubts about the contents of operational paragraph 6, which invites states that have used depleted uranium in armed conflict to provide information about the location and amounts used. The three countries said that they have serious doubts about how such request would work in light of current rules of international humanitarian law.

While voting in favor of this resolution, Ambassador Hoffmann of Germany noted that operational paragraph 6 "does not set a precedent for similar cases." Ambassador Van IJssel of the Netherlands argued that while his delegation was not against ongoing research on this subject, the basis for such research and discussions could have been formulated at this stage in a more neutral way, by speaking of "possible consequences" instead of "potential hazards" or "potential harmful effects".

As in previous years, both NATO and the European Union were split on the issue. While the no votes were similar to previous years, Belgium, Bosnia-Herzegovina, Greece, Luxembourg, Malta, and Slovenia changed their previous abstentions to a yes this year. Belgium's delegation noted that national legislation prohibiting the use of depleted uranium was approved by its parliament in June 2009. Ambassador Lint hoped that the resolution could contribute to a better understanding by the international community of the potential effects these weapons.

In a press release by the International Coalition to Ban Uranium Weapons, a spokesperson noted that overall, the organization is pleased with the outcome of the vote. He explained, "the text draws attention to a crucial issue that governs the humanitarian and environmental impact of uranium weapons—transparency. Nevertheless it is disappointing that many EU and NATO members who promote transparency in other areas of arms control are continuing to abstain.... The UK's position in particular is looking increasingly hypocritical, given that the text asks for less than they have already undertaken of their own volition in Iraq." •

Conventional weapons

Global Action to Prevent War

At this year's First Committee, few resolutions focused specifically on conventional weapons as distinct from small arms and light weapons, missiles, and issues related to illicit trade.

Resolution A/C.1/65/L.6, "Conventional arms control at the regional and subregional levels" passed with only India voting no and Bhutan and the Russian Federation abstaining. A separate vote was called on operational paragraph 2, which "Requests the Conference on Disarmament to consider the formulation of principles that can serve as a framework for regional agreements on conventional arms control." The paragraph was retained with a vote of 133 in favour, one against (India), and 26 abstentions.

Regarding OP2, India's concern is that the CD not "engage itself in formulating principles" on the subject already deliberated upon by the UN Disarmament Commission "at a time when it has several other priority issues on its agenda." Mexico's delegation, which abstained on OP2, argued that the "ongoing paralysis and working methods in the CD make it an inviable place to resolve pending issues" and inefficient in "responsibly grappling with challenges assigned to it." The delegation also argued that since the CD is ostensibly a negotiating body, it would be inappropriate anyway to assign it to undertake a study that is better suited to the UN Disarmament Commission.

As for the resolution as a whole, the Indian delegation also argued that the security interests of states are not confined to regional interests and further stated, "the notion of preservation of balance in defence capabilities in the regional or sub-regional context is both unrealistic and unacceptable to our delegation." Meanwhile, Russia's delegation abstained from the resolution because of its reference to the Conventional Forces in Europe Treaty, which Russia argues is obsolete and does not reflect the reality in Europe.

Draft resolution A/C.1/65/L.31, "Information on confidence-building measures in the field of conventional arms" was based on several earlier General Assembly resolutions, including 63/57 in 2008. L.31 calls for "the establishment of the electronic database containing information provided by Member States, and requests the Secretary-General to keep the database updated and to assist Member States, at their request, in the organization of seminars, courses and workshops aimed at enhancing the knowledge of new developments in this field." It was adopted by First Committee without a vote.

Draft resolution A/C.1/65/L.44, "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects" calls for states to become parties to the Convention and

continued on next page



IT and international security

Beatrice Fihn | Reaching Critical Will of WILPF

Draft resolution A/C.1/65/L.37, “Developments in the field of information and telecommunications in the context of international security,” was introduced by the Russian Federation. While containing mainly technical updates, it also proposed a Group of Governmental Experts (GGE) on information and international security “to conduct a study on existing and potential threats in the sphere of information security and possible cooperative measures to address them,” as well as relevant international concepts that would be aimed at strengthening the security of global information and communication system. On 28 October, the resolution was adopted in the First Committee by consensus.

Although the resolution was adopted without a vote, Cuba and Venezuela took the opportunity to highlight their positions on the topic in their explanations of vote. While sharing the concerns of the international community on the topic of information and international security, the Cuban delegation emphasized that it denounces any form of radio and television aggression. This was seconded by the delegation of Venezuela, which argued that the First Committee should consider possible aggressions of national networks that are promoted or designed abroad, such as radio or television broadcasts designed to disrupt order to another states. The representative of Venezuela also argued that there is a growing need for efforts by member states and the United Nations to prevent information technology from being used for purposes that are contrary to international peace and security.

The draft decision on the role on science and technology in the context of international security and disarmament (A/C.1/65/L.40), tabled by India, was also adopted without a vote and will place the topic on the agenda for next session of the First Committee. •

Conventional weapons (cont.)

more specifically “to express their consent to be bound by the Protocols to the Convention and the amendment extending the scope of the Convention and the Protocols thereto to include armed conflicts of a non-international character.” The resolution was adopted without a vote.

Finally, draft resolution A/C.1/65/L.49/Rev.1, “Preventing and combating illicit brokering activities,” reinforces the need for regional engagements on this issue and “[c]alls upon Member States to establish appropriate national laws and/or measures to prevent and combat the illicit brokering of conventional arms and materials.” The only substantive change between L.49 and L.49/Rev.1 was the removal of a reference to the UN Security Council summit on nuclear non-proliferation of 24 September 2009. L.49/Rev.1 was approved with a lone “no” vote from the Democratic People’s Republic of Korea. •

Arms trade treaty

Robert Zuber | Global Action to Prevent War

After the first week, discussion focused on the scope and parameters of an arms trade treaty (ATT) was quite limited. As in the case of draft resolutions concerning the illicit trade in small arms and light weapons—A/C.1/65/L.32 and amendments contained in A/C.1/65/L.61 (see the report on small arms and light weapons in this edition)—consensus was the order of the day in discussions on ATT. Rather than opening up new avenues of debate, even if those areas could be seen as consistent with discussions held over the summer during BMS4 and ATT Preparatory Committee (PrepCom), most states seemed content to stay within the bounds of those previous meetings.

Where the ATT was concerned, delegates were especially keen to praise the leadership of Ambassador Roberto Garcia Moritan of Argentina, Chair of the first ATT PrepCom. While there were discussions over the course of the month focused on some issues of ‘scope’ raised during the PrepCom—including the inclusion of small arms and ammunition—there was a sense in First Committee that states were trying to avoid creating needless controversy in anticipation of the February PrepCom. The need to avoid “pre-judging” came up frequently during the July 2010 PrepCom—in part as a way of avoiding extended discussions on the issues such as the human rights and international humanitarian law implications of an ATT. But at this First Committee, such language was invoked largely on the basis of widespread confidence in the manner in which the PrepCom has laid a foundation for meaningful negotiations in 2012. Indeed, the number of delegations expressing general confidence that the ATT process would, in fact, lead to adoption of a formal treaty in 2012 was striking.

A few delegations expressed belief that the February PrepCom will not be without controversy. There remain gaps between those who simply wish to regulate the ‘business’ of arms transfers and those who wish to integrate language that recognizes the damage to international law, human rights, and communities wrought by an unregulated—or poorly regulated—arms trade. States anticipate that there will be considerable further debate on the degree to which the international community can and should ‘police’ illicit transfers. Concerns will likely be expressed both for maintaining the integrity of transfers between sovereign states and financial issues associated with the establishment and maintenance of a ‘secretariat’ or similar structure to monitor transfers and to ‘flag’ transfers that are likely candidates for diversion or where there are concerns that such transfers will raise the likelihood of human rights violations or other violations of international humanitarian law. Nevertheless, the mood of delegates regarding the ATT was largely to let a process in which most have confidence run its proper course. •



Missiles and anti-missile systems

Beatrice Fihn | Reaching Critical Will of WILPF

This year's session of First Committee adopted a decision placing the topic of missiles on the agenda for next year and a resolution on the Hague Code of Conduct against Ballistic Missile Proliferation (HCOC). The explanations of vote revealed a wide divergence of views on HCOC and highlighted that this instrument is still a source of disagreement amongst the UN member states.

The draft decision on missiles in A/C.1/65/L.18 was adopted without a vote and places the topic of missiles on the agenda for next year. The United States delegation stated that while not wanting to break consensus, it would not participate in action on this resolution. The biannual resolution on the HCOC, A/C.1/65/L.45/Rev.1, was adopted by a vote with a similar voting pattern to previous years. 149 countries voted in favour and Iran was the only country voting against this resolution. Pakistan, Qatar, Venezuela, the United Arab Emirates, Nicaragua, Mexico, Lebanon, Oman, Cuba, India, Indonesia, Egypt, China, Algeria, Bahrain, Bolivia, Syria, and Libya abstained, with China as only notable change of position with an abstention instead of its usual vote in favour from previous years.

France, which tabled the draft resolution, argued that HCOC is "one of the rare multilateral instruments that combats the proliferation of ballistic missiles," strengthening security through trust and confidence-building measures. Ambassador Danon also expressed France's commitment to making the HCOC and its implementation universal. Voting in favour of the resolution, the Russian delegation pointed out the need to ensure that the HCOC will become an effective universal mechanism of transparency and for the regime to increase trust in missile and outer space activities. Despite not adhering to HCOC, Brazil also voted in favour of this regime, in particular because of the importance that regional and international efforts to prevent missile proliferation can have on international peace and security.

However, in the explanations of vote, many delegations raised concerns about this regime. India's delegation said it abstained on this resolution "as it does not adequately recognize the need for a more inclusive approach," and referred to the recommendations of the Group on Governmental Experts on Missiles, which emphasized in its report (A/63/176) the important role of the United Nations in providing a more structured and effective mechanism to build consensus. Pakistan's delegation explained that it abstained on this resolution because the HCOC did not address its security concerns and that it is important to address this issue in a multilateral forum. Cuba's delegation also abstained due to lack of transparency and inclusiveness of the regime. The Cuban delegation also argued that the HCOC turns a blind eye to the relationship between ballistic missiles

and nuclear weapons and that it does not deal with other missiles, such as cruise missiles.

China changed its position from 2008 and abstained rather than voting in favour of this resolution. While stating that it supported the principles and goals of this resolution, the Chinese delegation drew attention to the resolution's new article on pre-launch notification. Operational paragraph 4 welcomes progress in implementation of the Code through submission of pre-launch notifications and annual declarations on space and ballistic missile activity. The Chinese delegation stated that such language was not compatible with its position on the topic.

Venezuela's delegation also noted that it has subscribed to the initiative of the HCOC but with the understanding that it could be a formula, which could provide for broad agreements in the future. However, the delegation of Venezuela argued that efforts needed to be taken to address this issue in the context of the United Nations. The Indonesian delegation also emphasized that it shared the objectives of the resolution, but noted that such noble aim does not suffice in itself. The representative of Indonesia argued that the best way to establish broad international norms is through negotiations of a legally binding instrument and noted that a treaty based regime would verify the seriousness of implementation of HCOC by some key countries with missile capabilities. Egypt's delegation explained its abstention by highlighting that the HCOC was "a product of exclusive export control regimes, developed outside the United Nations in a discriminatory manner." It argued that in addition to its voluntary, non-verifiable nature, "the Hague Code of Conduct is neither balanced in its approach nor comprehensive in its scope" and that it has "failed significantly, since its adoption, to develop in a manner which may address the mentioned weaknesses and shortcomings."

As the only country voting against the resolution, Iran's delegation argued that the HCOC suffers from procedural flaws. The Iranian delegations said that the HCOC "was drafted and endorsed outside the United Nations in a selective, unbalanced and incomprehensive manner" and concluded that the Code does not represent a fully negotiated text. The representative of Iran listed several substantive shortcomings of the HCOC, such as lack of disarmament perspective; lack of inclusion any kind of missiles except ballistic ones; no distinction between a space launch vehicle and a ballistic missile programme; and silence on vertical proliferation of missiles.

Neither missiles nor missile defence were topics of wide debate during this session of the First Committee. However, the differences in views on the HCOC were apparent when the voting came around. Despite 130 countries adhering to it, controversy about its transparency, implementation, and status is still high. •



Small arms and light weapons

Ray Acheson | Reaching Critical Will of WILPF
 Nadira Khudayberdieva | Quaker United Nations Office
 Jimmy Wall | International Action Network on Small Arms

During its final week, First Committee took action on three resolutions dealing with the subject of small arms and light weapons (SALW). The most controversial of these was A/C.1/65/L.32, “The illicit trade in small arms and light weapons in all its aspects,” tabled by Colombia, Japan, and South Africa, and amendments tabled by Mexico in A/C.1/65/L.61.

The controversy erupted when Mexico’s suggested amendments to L.32 were not incorporated by the co-sponsors, who felt that changing the text would mean losing the votes of certain other states. Mexico’s delegation introduced language for operational paragraph 16 that recognized “the urgent need to prevent, combat and eradicate the illicit trade in small arms and light weapons across borders because of the harmful effects of those activities on the security of each State, subregion and region and of the world as a whole, endangering not only the well-being of peoples, but also their social and economic development.” This language was agreed upon by consensus at the Fourth Biennial Meeting of States (BMS4) on the UN Programme of Action (UNPoA) in June 2010. The Japanese delegation admitted that it had used this language in its original draft of L.32, but found that it was not met with consensus and thus removed it. In L.61, Mexico also proposed replacing L.32’s operational paragraph 20 with a recommendation “that the 2012 review conference assess and, as necessary, strengthen the follow-up mechanism of the Programme of Action.”

After several rounds of consultations, including on the final day of First Committee, the co-sponsors of L.32 urged the Mexican delegation to withdraw its amendments and encouraged all states to adopt L.32 by consensus. However, Mexico kept its amendments on the table and called for a recorded vote on L.32. In its general statement on L.61, the Mexican delegation explained that while the original L.32 “was balanced, substantive, and appropriately reflected major steps forward” made at BMS4 for the implementation of the UNPoA, amendments were made “which are substantially detrimental” to these steps forward. Mexico’s delegate questioned the value of pursuing the adoption of documents by consensus, such as the outcome document of BMS4, if they cannot be invoked or endorsed subsequently in relevant contexts. Mexico’s delegation further argued that the process of amending L.32 gave leeway to those states “seeking to maintain the status quo”.

The representative of Trinidad and Tobago, speaking on behalf of the Caribbean Community (CARICOM), agreed with Mexico’s arguments and encouraged other states to adopt the amendments in L.61. Reiterating its support for the UNPoA and BMS4, CARICOM argued

that the way forward “necessitates the acknowledgment of all facets” of illicit trade in SALW, including its cross-border nature, as this would be an “indication of the necessity of an integrated, global response” to the illicit trade in SALW that will supplement actions at the national, regional, and subregional levels.

However, several other governments that were sympathetic to the content of Mexico’s amendments argued that tabling L.61 would only create disunity in the UN-PoA process. Sierra Leone, Nigeria, Egypt, Switzerland, Brazil, Australia, Venezuela, Japan, South Africa, New Zealand, Ecuador, and Paraguay all said they would vote against L.61 and any other amendments to L.32, arguing that L.32 represents the broadest possible support for the SALW process and the UNPoA.

In the end, only 19 states voted in favour of L.61 (the CARICOM states present for voting and Mexico, but also Iraq, Peru, Timor-Leste, and Uruguay), with 54 voting no and 70 abstaining. L.32 was adopted with 167 in favour and Mexico abstaining. The Mexican delegation explained that its abstention on L.32 does not indicate that Mexico no longer supports the UNPoA process. The delegation did call upon member states to reflect upon the issue of consensus, pointing out that the drive for consensus in First Committee produced a resolution that could not include language agreed upon by consensus at BMS4.

Earlier in the week, First Committee adopted draft resolution A/C.1/65/L.11, “Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them.” The resolution urges the “international community to provide technical and financial support to strengthen the capacity of civil society organizations to take action to help combat the illicit trade.” As in the past five years, the resolution was adopted without a vote.

First Committee also adopted draft resolution A/C.1/65/L.36 entitled “Consolidation of peace through practical disarmament measures.” Prior to its adoption, the Committee voted separately on operative paragraph six, which received 166 votes in favour, none against, and one abstention, from Iran. The delegation of Iran explained that the resolution “provides unnecessarily, the ground for activities parallel to the established follow-up and implementation mechanism of the [UNPoA]”. Furthermore, the delegation stressed that providing resources for the UNPoA Implementation Support System imposes additional financial burden on the UN and further complicates its bureaucracy. The delegation of Cuba, supportive of the resolution as a whole, stated that the work of the Group of Interested States (GIS) should not interfere with or duplicate negotiating processes on the UNPoA. •

Cluster munitions

Allison Pytlak | *Religions for Peace*, a member of the Cluster Munition Coalition

Get on board” and “Deliver results now” were the key messages from the Cluster Munition Coalition’s statement during a special event on the Convention on Cluster Munitions (CCM) on 19 October. But these are sentiments not limited to civil society alone; in fact they were widely echoed by the majority of delegations who addressed this issue during First Committee this year.

In total, nearly thirty states welcomed the Convention’s entry into force. Several statements from the growing number of states party and signatories called consistently on others to “get on board” by acceding or completing their ratification. Burkina Faso, whose ratification alongside Moldova’s triggered the Convention’s entry into force, called on all member states to ratify. The Holy See called the Convention the “rightful response to the numerous victims who have undergone and continue to undergo the tragic effects of this terrible kind of weapon.” The statement from Costa Rica noted that the Convention “addresses at the universal level one of the most present humanitarian needs since World War II.”

The “get on board” message is also relevant for the ongoing efforts in the Convention on Certain Conventional Weapons (CCW) to negotiate a protocol on cluster munitions that could apply a lower standard of international humanitarian law to its provisions. As noted by the representative of Norway in its explanation of vote on A/C.1/65/L.44, “the CCW should not spend time discussing topics that are already covered in established instruments such as the Mine Ban Convention and the

Convention on Cluster Munitions. The CCW should rather devote time to discuss where it can actually add value to International Humanitarian Law.”

There was not a resolution on the CCM in the 2010 session of the First Committee; last year’s draft, adopted as General Assembly resolution 64/36, was largely administrative and procedural, providing the mandate under which the Secretary-General of the UN acts as the depository of the CCM and to convene the First Meeting of States Parties. Therefore it was not necessary to present it again this year.

States party and observers will meet again in just one week’s time for the First Meeting of States Parties to the CCM in Vientiane, Lao People’s Democratic Republic. Over 95 governments have registered to attend the meeting and some at a very high-level; more are expected to do so this week. “Deliver results now” is a message especially relevant for this meeting. The Convention was not established to manage the status quo of clearance, victim assistance, and international cooperation that is already going on, in particular in the context of the Mine Ban Treaty. The CCM requires new action, more work, increased resources, and improved lives. In the words of Ambassador Phommachanh, Permanent Representative of the Mission of Lao PDR to the United Nations, “The First States Parties Meeting will provide an opportunity to chart a clear vision, and adopt appropriate mechanisms to ensure the effective implementation of the Convention.” •

Nuclear energy and the fuel cycle

Lauren Patti and Tabitha Carlson | *NGO Committee on Disarmament, Peace and Security*

The nuclear fuel cycle warranted only nominal mention in First Committee this year. As in previous years, developing states addressed the right of all states to use nuclear technology peacefully. On behalf of the Non-Aligned Movement (NAM), Ambassador Hasan Kleib of Indonesia “reaffirm[ed] the inalienable right of developing countries to develop research, production and use of nuclear energy, including the right to nuclear fuel cycle, for peaceful purposes without discrimination.” To abate proliferation concerns, NAM called for transparent, non-discriminatory multilateral agreements that simultaneously eliminate “restrictions on access to material, equipment and technology for peaceful purposes required by developing countries for their continued development.”

The European Union reasserted its commitment to a multilateral approach to the nuclear fuel cycle and Norway supported “cooperative arrangements on production of nuclear fuel for civilian reactors and handling of nuclear waste.” Russia and Kazakhstan briefly referred to the establishment of international nuclear fuel banks, which they regard as an important step in multilateralising the

fuel cycle. Russia believes that “a proliferation-resistant architecture of international cooperation in the area of peaceful uses of atomic energy, based on multilateral approaches to nuclear fuel cycle” prevents replication and diversion of nuclear technology. Furthermore, Kazakhstan stated that international centres not only “strengthen the non-proliferation regime,” but also address the growing demand for nuclear energy and “eliminate all possibilities of any monopoly or double standards.”

In March 2010, the International Atomic Energy Agency (IAEA) Director-General Yukiya Amano, and Mr. Sergei Kiriienko, Director-General of the Russian Federation’s State Atomic Energy Corporation, “signed an agreement to establish a reserve of low-enriched uranium (LEU) for supply to the IAEA for the use of its Member States, which is yet to enter into force” as of June 2010. The International Uranium Enrichment Centre, to be located in Angarsk, “has been designated for safeguards,” and the IAEA “remains ready to provide further assistance to Member States as they consider possible additional arrangements to ensure supply of nuclear fuel.”



Landmines

Allison Pytlak | *Religions for Peace*, a member of the International Campaign to Ban Landmines

On 27 October, the First Committee adopted draft resolution A/C.1/65/L.8, "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, was passed by a vote of 155-0-18.

None of the abstaining governments from previous years changed their vote to a 'yes', even though many of them are mine-affected. Proponents of the resolution and the Ottawa Convention have argued that voting in favour of the text is an easy, and non-binding way, to indicate support for the humanitarian aims of the Convention while still maintaining official national positions related to defence. As Ambassador Skorpen of Norway noted in her general statement on the resolution, "We hope the resolution will be adopted by consensus as an expression of the fact that we all share the humanitarian aims of the resolution, independent of whether one is a party to the Convention or not." Explanations of vote were offered by the delegations of Cuba, the Republic of Korea, Libya, Kyrgyzstan, Egypt, Singapore, Morocco, India, and Pakistan, most of which said they abstained because the Convention was negotiated outside of the UN framework, because it did not "appropriately humanitarian and military interests," and/or because they continue to "require" landmines for territorial defence and would eliminate their stockpiles as soon as an "acceptable alternative" is made available.

The thematic debate on conventional weapons during the third week of First Committee provided an opportunity for many states to give an update on their implementation activities of the Ottawa Convention. Eritrea has cleared a total of 54 km² in which 10, 258 APMs, 997 anti-tank mines, and 68, 890 unexploded ordinances have been removed. The representative of Thailand stated that its National Mine Action Strategic Plan is under revision to "suit changing situation and new challenges. Some challenges we face are the need for integrated planning and for technical and financial assistance." Having completed its clearance, Zambia is now turning to the issue of other explosive remnants of war and transferring expertise gained in providing risk education on landmines through the development of a new handbook which will be translated into local languages and distributed to schools. The United Kingdom has completed a clearance pilot project in the Falkland Islands. Nicaragua announced that it is now mine-free. Mozambique, which received an extension on its clearance deadline, noted that its priority lies in the "re-settlement of the areas earmarked for social infrastructure ... such as agriculture, roads and bridges, railways, dams,

power lines and industrial infrastructure." Finland, one of the only two European Union countries still not party to the Convention, announced that it will accede in 2012 and can complete its stockpile destruction by 2016.

A common theme among statements was the Cartagena Summit for a Mine Free World, the Convention's Second Review Conference, referred to in detail by the European Union, MERCOSUR, Australia, Japan, Kenya, Mexico, Slovenia and Switzerland. The Summit took place last November/December in Colombia and put "survivors and victims at centre-stage," as noted by the Norwegian representative. The resulting Cartagena Action Plan "underlines the importance of strict compliance with Mine Clearance deadlines ... Cartagena allowed ground breaking progress to be made towards a comprehensive non discriminatory approach to victim assistance and on the inclusion of gender aspects in mine action," stated Switzerland's delegation.

Alongside the well-deserved praise for the successful Review Conference, some governments prudently raised concerns about the future sustainability of support for mine action. MERCOSUR and Associated States highlighted "the important discussions carried out ... about the Implementation Support Unit of the Convention, which we expect to be strengthened in order to properly carry out its functions." The South African delegation reviewed a number of challenges that still exist, including the connection between slow clearance of mines and hampered development and food production, but ended positively by stating, "We believe that early planning and implementation and the allocation of adequate resources will go a long way in addressing these problems." Slovenia's representative noted that "in recent years we have been facing a challenge of a growing number of Parties that do not manage to clear mined areas in the 10 year deadline ... we all have to overcome donor fatigue and assist those countries.... In this context, the credibility of the Convention is at stake."

Slovenia's delegation went on to note this as priority for the upcoming Tenth Meeting of States Parties (10MSP) to the Convention, scheduled from 29 November–3 December in Geneva. The 10MSP will be the first formal occasion to measure states' progress in putting the Cartagena Action Plan into place. The International Campaign to Ban Landmines (ICBL) expects states to report on efforts made and plans developed to implement the 67 actions of the Cartagena Action Plan. The ICBL slogan for this year is 'Keep Up the Energy!' and the campaign is calling on all states to keep up the energy to get rid of landmines once and for all and to ensure survivors can lead fulfilling lives. •

Disarmament and development

Ray Acheson | Reaching Critical Will of WILF

On 28 October, First Committee adopted draft resolution A/C.1/65/L.13, "Relationship between disarmament and development," without a vote, as it did last year.

In a statement before the vote, the Non-Aligned Movement, which tabled the resolution, argued that the close relationship between disarmament and development is "obvious". It note that money spent on arms races could and should be spent on promoting global development and peace and called for greater integration of disarmament, humanitarian, and development activities by UN member states. Speaking separately, the Cuban delegation reiterated its call for a UN fund to redirect half of all military expenditure to meet the urgent development needs of states.

The French delegation, while not calling for a vote, disassociated itself from the consensus. It argued that while disarmament might help promote development, development does not affect disarmament. It also contended that the idea of diverting military expenditure to development is "simplistic," as "disarmament has a cost". The French delegation also posited that "defence investments might help promote stability" and increase the ability of states to participate in peacekeeping.

The US delegation also disassociated itself from the adoption of the resolution, explaining that the United States did not participate in the 1987 conference on disarmament and development and is not bound by the final document of that conference.

The United Kingdom issued its support for L.13, as it did on the same resolution last year. The UK delegation explained that it welcomes "the mainstreaming of disarmament issues in development policy," though it continued to criticize the text for not elaborating the "full complexity" of the relationship between disarmament and development. The UK delegation also argued that "it is not possible to identify a direct relationship between different sources of funding," which makes it difficult to comply with the resolution's request for transparency regarding resources made available for development through the implementation of disarmament and arms control agreements.

During this session of First Committee, a growing number of delegations expressed their alarm over rising global military expenditure in the face of an economic crisis, growing poverty and inequalities, and the realization that the Millennium Development Goals will not be achieved by 2015. Many delegations suggested that the current trend of overarmament impedes social and economic development both directly, by wasting financial and human resources, and indirectly, by the exacerbation of armed conflict. Several pointed out that the increased spending on weapons and wars also acts as a material deterrent to disarmament.

During the general debate, Tanzania's Ambassador Sefue even described "development as an incentive to end conflicts and disarm." He explained, "In post-conflict societies, development and opportunity are the best anchors and guarantee of disarmament and sustainable peace." His comments reflect the growing understanding that disarmament, development, and security need to be considered together in order to achieve all three. This perspective is catching on in many debates within the disarmament community, with many governments pushing for a rearticulation of security and a realignment of priorities to meet the challenges of the 21st century. •

Disarmament education

Beatrice Fihn | Reaching Critical Will of WILPF

This year, First Committee took action on two biennial resolutions on disarmament education: "United Nations study on disarmament and non-proliferation education" (A/C.1/65/L.53) and "United Nations Information Programme" (A/C.1/65/L.52). Neither of these resolutions contained any substantial changes from 2008 and were both adopted by consensus. While education is not a controversial topic compared to others during the First Committee, implementation of these resolutions is still limited. The resolution on the UN study on disarmament and non-proliferation education had 35 co-sponsors but only five states—Burkina Faso, Japan, Mexico, Spain, and Ukraine—submitted reports on their implementation to the UN Secretary-General (A/65/160).

While reports from member states on the implementation of the UN study are limited, increased work around disarmament education is still taking place. According to the UN Secretary-General, there was an overwhelming response from international organizations and civil society on the implementation of the 34 recommendations contained in the UN study. Nine UN and other international and regional organizations, as well as 20 non-governmental organizations, submitted reports on their efforts to promote and carry out disarmament education.

Furthermore, for the first time the final document of the 2010 nuclear Non-Proliferation Treaty (NPT) Review Conference underscored the importance of disarmament and non-proliferation education as a useful and effective means to advance the goals of the NPT and encouraged all states to implement the recommendations of the UN study on disarmament and non-proliferation education. Japan and the United Nations University (UNU) submitted a working paper to the 2010 NPT Review Conference that encouraged cooperation between governments and civil society on relevant education initiatives. Japan



Disarmament machinery

Beatrice Fihn | Reaching Critical Will of WILPF

This year, First Committee devoted increased attention to disarmament machinery, much of it stemming from the recent high-level meeting convened by the UN Secretary-General on the topic. This recent meeting, together with escalating frustrations from certain delegations with the inability of the Conference on Disarmament (CD) to capitalize on the current “momentum for disarmament,” led to an extensive debate on the future of both this particular body and the machinery as a whole. The debate and the diverging views during the first three weeks were mirrored in the actions on the resolutions on this topic, which saw a couple of significant changes this year. Not only was a new resolution introduced on the follow-up of the high-level meeting, but also a number of separate votes were requested for the first time on resolutions that usually receive little attention, showing the increased controversy surrounding the disarmament machinery.

The Conference on Disarmament

The debate on the future of the CD has ranged from strengthening, modifying, or simply abandoning it. While many countries from the Non-Aligned Movement (NAM) have insisted that only a fourth special session on disarmament can modify the CD’s methods of work or rules of procedure, other delegations and Secretary-General of the CD, Mr. Ordzhonikidze, suggested minor amendments to the working methods. Some delegations, including that of the United States, have signalled a readiness to abandon the CD and negotiate a fissile material cut-off treaty elsewhere. Ambassador Skorpen from Norway expressed her delegation’s frustration with the multilateral machinery by noting, “If it does not work we must either fix it or take our business somewhere else.”

Such frustration manifested with the delegation of Mexico’s request for a separate vote on operational paragraph 6 of the annual resolution on the “Report of the Conference on Disarmament” (A/C.1/65/L.57/Rev.1). OP6 requests the UN Secretary-General to continue to ensure and strengthen the provision to the CD of all necessary administrative, substantive and conference support services. While the paragraph was retained with 164 votes in favour and zero votes opposing it, four delegations—Mexico, New Zealand, Austria and Norway—showed their strong dissatisfaction with the lack of results in the CD by abstaining. The Mexican delegation argued that it requested the vote because it is “inadmissible” to continue earmarking resources for an exercise that has no direction, and stated that until the CD starts to work, resources to this body should be questioned. In a joint explanation of vote, Norway, Austria, and New Zealand clarified that their abstention on this separate vote was because they did not consider the funding of the CD to be an automatic issue. “If the situation in the CD

does not change, we should revisit the issue of financing of the CD both in the First Committee and in the Fifth Committee,” they argued.

Pakistan requested a separate vote on operational paragraph 2 of L.57/Rev.1, which “takes into account the overwhelming call for greater flexibility with respect to commencing substantive work of the Conference without further delay on the basis of a balanced and comprehensive programme of work as reflected in document CD/1864”. OP2 was retained with 165 states voting in favour, one opposing vote (Pakistan), and one abstention (Iran). Pakistan’s delegation argued that while going along with consensus on the resolution as a whole, the Pakistani proposal to remove the reference to CD/1864 had been ignored and its delegation therefore chose to oppose this paragraph. Iran’s delegation stated that CD/1864 is not a balanced and comprehensive programme of work and therefore it abstained on the separate vote on OP2 and chose not to participate at all in the action on the resolution as a whole.

While the entire resolution was adopted without a vote, some delegations criticized the separate votes on OP2 and OP6. The Chinese delegation expressed disappointment with the requests for separate votes and argued that this annual resolution should be used to highlight consensus, rather than deepening differences between delegations. The Cuban delegation argued that the solution to the problems in the CD is not to start ignoring it or to undermine its importance.

The informal group of observer states to the CD reiterated its call for expansion of membership of the CD and remained hopeful that a special coordinator on this topic would be appointed during the 2011 session. Turkey’s representative, however, argued that the question of expansion of CD membership is not a priority at this stage and should only be considered on case-by-case basis. The Turkish delegation therefore underlined that preambular paragraph 10 of L.57/Rev.1 should not be construed as change in Turkey’s well-known position.

The CD was also the centre of attention in the new draft resolution that dealt with follow-up to the high-level meeting (A/C.1/65/L.34/Rev.1). The resolution welcomes the high-level meeting, appreciates the participation of Ministers of Foreign Affairs, and decides to include in the agenda for next session an item entitled “Revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations”. In an earlier version of the draft resolution, this proposed agenda item was called “Follow-up to the high-level meeting held on 24 September 2010: revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations.” Lead sponsor Austria argued “the agenda item at the

Disarmament machinery (cont.)

sixty-sixth session should focus on the substance of the matters in question and not on a single meeting.”

While the resolution was adopted without a vote, several delegations made remarks regarding this amendment. Ambassador Soares of Brazil expressed apprehension to this new wording, arguing that it opens up and encourages direct action on the reform of the CD. He reminded delegations that the high-level meeting did not only address the CD, but also the disarmament machinery as a whole, and he cautioned against revitalizing only the CD. The delegations of Pakistan and Venezuela echoed the Brazilian views. While joining consensus on this resolution, China noted that the purpose of the high-level meeting was to strengthen the status of the CD and argued that any follow-up should be consistent with such goal. The Indian delegation also noted that its suggestions to include a reference to the first special session on disarmament (SSOD-I) was not accepted, and argued that the “current disarmament machinery owes its origin to SSOD-I and it would have been logical to both recall and reaffirm that fact.”

Fourth special session devoted to disarmament

The triennial resolution on the convening SSOD IV (A/C.1/65/L.35) was tabled on behalf of the Non-Aligned Movement (NAM). The resolution is similar to previous ones and convenes an open-ended working group to consider the objectives and agenda for SSOD-IV. The working group shall hold its organizational session as soon as possible for setting dates for its substantive sessions in 2011 and 2012. This resolution was adopted by a vote; with 164 votes in favour, none against, and four abstentions (the United States, the United Kingdom, France, and Israel). A separate vote was called for on operational paragraph 3, which requests the UN Secretary-General to provide the working group with the necessary assistance and services. This separate vote gave the exact same result as the vote on the resolution as a whole. The US, UK, and France explained their abstention on OP3 by arguing that mobilization of additional budget resources is not possible given the current restrictive financial climate. The three countries continued by arguing that they chose to abstain on the resolution as a whole, since the Secretary-General’s summary from the high-level meeting mandated his Advisory Board on Disarmament Matters for considering options on the disarmament machinery. The US, UK, and France believed that convening a working group on SSOD IV should not preempt the conclusions of the Advisory Board. The last time this resolution was considered in 2007 the United States opposed the establishment of such working group. The United Kingdom and France also shifted position, since they voted in favour of the 2007 resolution, which included the exact same OP3 on budget resources as this year’s version.

A large number of countries highlighted their support for both SSOD IV and the high-level meeting. Italy, Bulgaria, Romania, Slovakia, Japan, Denmark, Netherlands, Poland, Sweden, Germany, Spain, and Slovenia all noted that the two events should be complementary and aimed at achieving the same goals. However, the Japanese delegation said that it was its understanding that draft resolution L.35 should not prejudge future discussions on the follow-up to the HLM and ongoing efforts in promoting individual issues of disarmament. In a joint explanation of vote, Denmark, Netherlands, Poland, Sweden, and Germany noted that follow-up measures to the high-level meeting would have to be taken into account by the open-ended working group to be established in accordance with L.35. These five countries also stressed that SSOD IV “cannot be an alternative, nor a reason, to postpone the work that needs to be done now, especially getting the CD back to work and the implementation of the NPT Action Plan.” Australia also hoped that in addition to any effort made to convene SSOD IV, immediate and sustained efforts would be made toward other measures on the disarmament agenda.

Other resolutions

The resolution on the Report of the Disarmament Commission (A/C.1/65/L.9) was adopted by consensus and without any explanations of vote or comments from delegations. The resolution on the thirtieth anniversary of the United Nations Institute for Disarmament Research (A/C.1/65/L.47/Rev.1) was also adopted without a vote, and while the US delegation commended the excellent research and work done by UNIDIR, it called for funding through the UN regular budget to be limited and argued that voluntary funding should continue to be the principle source of money. •

***Disarmament education (cont.)***

and UNU indicated they would “initiate dialogue” to this end, leading to a “global forum that brings together civil society and Governments, compiles best practices and ideally produces a declaration and a joint plan for capacity-building for enhanced disarmament and non-proliferation education.” Ambassador Suda of Japan announced to First Committee that Japan and the UNU intend to hold this forum in March 2011 in Japan. •



Regional disarmament and security

Isabelle Cutting and Natalia Pombo | NGO Committee for Disarmament, Peace and Security

A regional approach to disarmament and security received continued support in this year's First Committee. The Committee adopted eight of nine regionally-focused items without a vote. Delegations extended support for regional security initiatives within and outside of the United Nations, particularly those implementing confidence-building measures and training and dissemination programmes.

However, India, Mexico, and Pakistan disagreed over whether the Conference on Disarmament (CD) is the appropriate forum for discussing regional issues, with India opposing and Mexico abstaining on Pakistan's "Conventional arms control at the regional and sub-regional levels," A/C.1/65/L.6. India and Mexico both described the UN Disarmament Commission as the better place for considering such issues. India's delegation also dismissed L.6's emphasis on notions of regional parity in strategic security as "unrealistic and unacceptable". The Committee adopted the resolution as a whole by a recorded vote of 162-1-2. Similar to the votes during the sixty-fourth session, Bhutan and the Russian Federation abstained and India cast a negative vote. In its explanation of vote, the Russian delegation cited discontent with the resolution's treatment of the Treaty on Conventional Armed Forces in Europe. While the fifth preambular clause of the resolution describes the treaty as "a cornerstone of security in Europe," the Russian delegation described it as "obsolete".

This year a separate vote was held on the resolution's second operative paragraph, which "[r]equests the Conference on Disarmament to consider the formulation of principles that can serve as a framework for regional agreements on conventional arms control." With a recorded vote of 133-1-26, the Committee adopted to retain operative paragraph 2 in the text of the resolution. The additional 26 abstentions would seem to indicate that discontent is targeted not at the regional and sub-regional control of conventional weapons, but at the CD's current paralysis. These abstentions include Albania, Andorra, Bhutan, Iceland, Israel, Mexico, Monaco, Montenegro, New Zealand, Norway, the Russian Federation, and fifteen member states from the EU.

The rest of the regional resolutions were adopted by consensus. Tabling draft resolution "United Nations regional centres for peace and disarmament," A/C.1/65/L.16, the Non-Aligned Movement cited the UN's three regional centres as positively impacting disarmament efforts through education programmes aimed at changing public opinion on disarmament, peace, and security.

Delegations similarly reached consensus over the resolutions specific to each regional centre (A/C.1/65/L.21 and A/C.1/65/L.56) and the UN Standing Committee on Security Questions in Central Africa, A/C.1/L.58,

despite changes to this year's texts. Such action signaled commitment to support the continued efforts of the centres through enhanced the financial and human capacities of the Regional Disarmament Branch of the UN Office for Disarmament Affairs as well as to collaborate among global, regional, and national levels on disarmament initiatives.

A draft decision on the "Maintenance of international security—good-neighbourliness, stability and development in South-Eastern Europe," A/C.1/65/L.17, means the topic will return to the Committee's provisional agenda in the sixty-seventh session.

Encouraging "measures to strengthen security in the region," Algeria sponsored "Strengthening of security and cooperation in the Mediterranean region," A/C.1/65/L.30. The resolution was adopted without a vote, though Iran's delegation explained in advance that it would not participate in the consensus. Iran criticized the resolution for its silence on "the situation in the Occupied Palestinian Territories, especially in the Gaza Strip," and thus its failure to reflect "the actual situation in the [Mediterranean] region."

First Committee also adopted "Regional disarmament," A/C.1/65/L.4 and "Confidence-building measures in the regional and sub-regional context," A/C.1/65/L.7, without a vote as in previous years. •





Women and disarmament

Ray Acheson | Reaching Critical Will of WILPF

On 28 October, First Committee adopted draft resolution A/C.1/65/L.39/Rev.1, “Women, disarmament, arms control and non-proliferation,” without a vote. The version adopted includes several changes from the original text tabled by Trinidad and Tobago.

Preambular paragraph three of L.39 recognized “essential contribution of women to practical disarmament measures carried out at the local, national and regional levels, in particular in the fields of the prevention and reduction of armed violence, as well as conventional disarmament and arms control,” where as PP3 of L.39/Rev.1 recognizes the “valuable contribution” of women to such measures at the “local, national, regional and subregional levels in the prevention and reduction of armed violence and armed conflict, and in promoting disarmament, non-proliferation and arms control.”

Whereas operative paragraph one of L.39 urged member states, regional organizations, the UN, and specialized agencies “to ensure equitable representation of women at all decision-making levels, in particular in the security sector, which may make or influence policy with regard to matters related to disarmament, arms control and non-proliferation,” OP1 of L.39/Rev.1 “encourages” them to do so. And whereas OP2 of L.39 called upon all states “to support and strengthen the involvement of women in organizations in the field of disarmament at the local, national and regional levels,” OP2 of L.39/Rev.1 “invites” all states to support and strengthen “the effective participation” of women in such organizations.

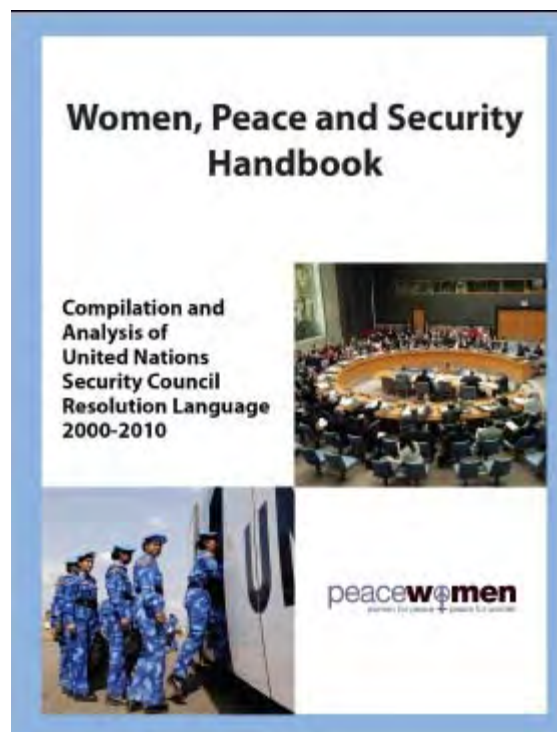
Mr. Hossam Aly of the Egyptian delegation explained that while Egypt decided not to call for a recorded vote on L.39/Rev.1, it argued that UN Security Council resolution 1325 “is purely a human rights resolution rather than a disarmament one” and that it would therefore be more appropriate to address the content of the resolution “in the Third Committee or the General Assembly as the competent bodies to deal with human rights and empowerment of women.” The Indian delegation, on the other hand, argued that the resolution “brings focus on an important dimension of global disarmament, arms control and non-proliferation efforts, namely the recognition that the participation of both men and women is essential for the attainment of sustainable peace and security.” The representative of India noted, “The greater involvement of women in the field of disarmament, non-proliferation and arms control should be supported and strengthened.”

Other delegations, including those of Switzerland and Tanzania, indicated their support for the resolution earlier in the session, highlighting the importance of ensuring the effective participation of women in disarmament decision-making positions.

Trinidad and Tobago’s introduction of this resolution was especially timely because October 2010 marked the

tenth anniversary of UN Security Council resolution 1325 (2000) on women, peace, and security. UNSCR 1325 is the first resolution ever passed by the Security Council that specifically addresses the impact of war on women, and women’s contributions to conflict resolution and sustainable peace. Among other things, UNSCR 1325 urges states “to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms.” L.39/Rev.1 directly applies this provision to the field of disarmament. While introducing L.39 on 20 October, Mr. Eden Charles from Trinidad and Tobago explained that his delegation is seeking to build on the foundations laid by UNSCR 1325 “through broadening the understanding of women’s roles in the attainment of sustainable peace and recognizing the value of their contributions in this important field.” However, he also emphasized that L.39 must be distinguished from UNSCR 1325, as L.39 does not “misappropriate, duplicate or replace” 1325 but aims “to develop a particular aspect of it”.

The next time a resolution on this subject will be introduced in First Committee is in 2012 at the General Assembly’s sixty-sixth session. •



The PeaceWomen project of WILPF launched the Women, Peace and Security Handbook: an analysis of how the Security Council’s country resolutions (2000 to 2010) that have reflected the language and intent of SCR 1325. See www.peacewomen.org.