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Action on Armed Violence
Global Action to Prevent War
Global Security Institute
International Action Network on Small Arms
Lawyers Committee on Nuclear Policy
NGO Committee on Disarmament, Peace and Security
Reaching Critical Will of WILPF
Secure World Foundation



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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*;
- Research and analysis of critical issues related to disarmament and arms control; and
- News and information about civil society engagement for a nuclear weapon free world.



Editorial: Disarmament is the responsibility of the General Assembly

Ray Acheson | Reaching Critical Will of WILPF

First Committee is facing its greatest opportunity in many, many years. Right now, in October 2011, it has a real, concrete opportunity to revitalize multilateral disarmament negotiations. To initiate real substantive work, for the first time on the four core issues on the CD's agenda (nuclear disarmament, negative security assurances (NSAs), prevention of an arms race in outer space (PAROS), and fissile materials).

During the past fifteen years of deadlock in the Conference on Disarmament (CD), countless diplomats have come and gone. Their farewell statements are typically full of laments and frustration. They have invested incredible efforts in the CD, employing all their skills of practical diplomacy to overcome the challenges of the stalemate. But their efforts have been fruitless as the rule of consensus has solidified into a veto, used exclusively by those states that possess nuclear weapons in order to prevent any multilateral initiatives from affecting their arsenals of mass destruction.

Surely many of these diplomats would be thrilled to be in First Committee this year, to have the best opportunity in years—and the only one likely for the foreseeable future—to set up a viable plan of action for commencing multilateral negotiations.

In the meantime, non-CD member states and civil society actors have watched with concern, then disbelief, and now utter frustration, as the so-called so “sole multilateral disarmament negotiating body” has lost all credibility as a functioning forum for the international community to pursue and achieve agreements to enhance collective and human security.

It is time—past time—for action that will result in tangible progress on the items on the CD's agenda. The draft resolution proposed by Austria, Mexico, and Norway, which would establish open ended working groups in Geneva on the four core issues in 2012 if the CD does not adopt a programme of work, is the best option for moving forward at this time. The proposal would establish a working group on nuclear disarmament, which includes action on nuclear disarmament and the achievement of a world without nuclear weapons; NSAs; and a fissile materials treaty, and a second working group on PAROS. The working groups would conduct their work in Geneva making use of existing and currently under-used resources and infrastructure. They would only be established if the CD does not adopt a programme of work in the first part of its 2012 session.

In the final document of the first special session of the General Assembly devoted to disarmament, member states agreed that “The United Nations, in accordance with the Charter, has a central role and primary responsibility in the sphere of disarmament.” If the CD cannot adopt a programme of work, then the General Assembly

must exercise that responsibility and establish a mechanism to begin substantive work on the CD's issues. This would benefit the majority of the people and governments of the world (who, as Ambassador Anne Anderson of Ireland said at the July UNGA plenary on the CD, “depend on the rule of law and international treaties to ensure their security”) over the few states that seek to maintain the status quo quagmire in order to retain their tools of destructive violence.

The stalemate in the CD privileges the interests of each of those states that possess nuclear weapons, the ones that do not want to disarm, that do not want to stop producing fissile materials, and that want to preserve the possibility of putting weapons in space. The current stalemate therefore only furthers the interests of the nuclear weapons enterprises and their all-to-frequently associated corporate boosters. Continued stalemate only undermines the security of the majority—both governments and peoples—that must rely on the rule of law rather than the balance of terror to protect them. As Thailand's Ambassador Srivali said last week, “Strengthened security for one nation should not come at the expense of all others.”

Some countries argue that the problem with the CD is not procedural but political. They're not wrong. In the past, even during the darkest days of the Cold War, the CD has managed to negotiate international disarmament and arms control treaties, with the same working methods it operates under today. Furthermore, all nuclear weapon-possessors are currently undertaking or planning extensive modernization programmes for their nuclear weapon arsenals, delivery systems, and related facilities, in spite of the budgetary constraints on other areas of domestic spending imposed by the global financial crisis. These real commitments to nuclear weapons will only further entrench the powerful interests that make genuine political will for disarmament so hard to achieve.

However, creativity and new strategic approaches are not just required from those states that are blocking negotiations from beginning on nuclear disarmament, PAROS, NSAs, fissile materials. Political will, unity of purposes, and strategic thinking is required from all of those states that say they are in favour of disarmament, of PAROS, of NSAs, and of stopping the production of fissile materials. Every government that wants to establish a ban on nuclear weapons, a ban on fissile materials, and/or a ban on space weapons, must support concrete action to begin negotiations.

Returning to work would also help generate political will. As Ambassador Alexander Kmentt of Austria said in July, “by starting to address the issues that have been stuck on the CD agenda for all these years,” states that are resistant to engage can be encouraged to join in by

Editorial (cont.)

the reality of the international community moving along without them. This has been seen in other negotiation process and with treaty ratifications.

Establishing the mechanism proposed in the draft resolution before First Committee to commence substantive work on these issues is in the best interest of the vast majority of states. It will prevent the establishment of ad hoc, exclusive arrangements set up by the few to dictate to the many. It will obviate the establishment of informal and ultimately redundant talk-shops when what is needed is negotiation.

Starting substantive work on these issues will also, as indicated above, disrupt the status quo of increasing militarism as the answer to global challenges, of increased investment in military-industrial complexes. These trends are rightly criticized by many delegations, but many of these same delegations do not support initiatives to get the CD back to work. By allowing the CD to continue to languish, these trends are permitted to continue and become entrenched. Without multilateral development of the rule of law on disarmament and arms control, the nuclear weapon possessors and other major arms producers will continue to pour massive funds into weapons and war while poverty and inequality increase throughout the world. The militaries and weapons industries will continue to consume the resources that could otherwise be spent on developing viable mechanisms for collective security and socioeconomic development.

Furthermore, the vast sums spent keeping the CD in operation each year must be taken into account—the cost of the venue, the Secretariat, the documents, the diplomatic salaries, etc. After fifteen years without substantive work, this waste of resources is completely unjustifiable. Governments concerned with economic justice should consider how these funds could otherwise be spent—perhaps on the UN regular budget, on viable fora such as the arms trade treaty negotiations process, or on implementation of disarmament and arms control programmes.

It appears that many delegations are ready to take a bold step forward at this year's First Committee, to establish a mechanism that will ensure substantive work begins early in 2012. Those of us in civil society who are advocates for disarmament, arms control, and collective security encourage all delegates here in New York and in decision-makers in capitals to decide to take the path that leads concretely to substantive work on the issues we all care about.

Tuesday, 11 October, will mark the 25th anniversary of the historic Summit in Reykjavik, where the leaders of the two cold war superpowers sat down with the political will and determination to discuss concrete plans for the total elimination of their nuclear arsenals. The General Assembly would do well to reflect on the difference between what seemed possible then and what can be achieved now, and not miss the same opportunity to break the impasse. •

UNITED NATIONS INSTITUTE FOR DISARMAMENT RESEARCH

UNIDIR

UNIDIR is pleased to invite you to the seminar

**The Nuclear Fuel Cycle
Meeting the Global Challenges**

**Thursday, 13 October 2011, 13:15–14:30
Conference Room I**

Next week, you are also invited to the following seminars

EU-UNIDIR side event**Supporting the ATT Negotiations**

(presenting selected background papers)

Monday, 17 October 2011, 13:15–14:30, Conference Room A

TCBMs in Outer Space Activities**Looking Back and Moving Forward**

Wednesday, 19 October 2011, 13:15–14:30, Conference Room I

International Law and War in Cyberspace**Many Questions, Few Answers**

Thursday, 20 October 2011, 13:15–14:30, Conference Room I

IDEAS FOR PEACE AND SECURITY

Nuclear disarmament

Ray Acheson | Reaching Critical Will of WILPF

Throughout the opening week of First Committee, delegations made clear their frustration with the pace and scope of concrete nuclear disarmament. While several welcomed the new Strategic Arms Reduction Treaty, most were firm in their conviction that the Treaty did not go far enough and that they expect more. Ambassador Viotti of Brazil also pointed out that “other developments, in particular the modernization of weapons systems, and the reiteration of outdated concepts and doctrines of nuclear deterrence, continue to be a cause of concern.” The New Agenda Coalition reiterated its concern with the “development and qualitative improvement of nuclear weapons” and Swiss Ambassador Fasel pointed out that “the unilateral and bilateral steps taken fail to address adequately the fissile material issue, the continuing deployment of thousands of weapons or their modernization programmes.” Iran’s Ambassador Khazaee criticized the nuclear weapon states for “allocating billions of dollars to modernize and develop new types of nuclear weapons in flagrant violation of Article VI of the NPT.”

From the Non-Aligned Movement to the African Group to the New Agenda Coalition, representatives called for the irreversible, verifiable, and transparent elimination of nuclear weapons. “We should not lose sight of the fact that nuclear weapons are the sole anthropogenic factor that can instantly destroy humanity and irreversibly change the face of the Earth,” said Brazilian Ambassador Viotti. She further argued, “Nuclear weapons perpetuate an intrinsically unbalanced state of affairs. States that have renounced the nuclear weapons option have, in fact, their fundamental security interests jeopardized by the very existence of nuclear arsenals.”

With the unanimous adoption of a nuclear disarmament action plan at the 2010 nuclear Non-Proliferation Treaty (NPT) Review Conference, most governments have accepted it as the de-facto roadmap leading up to 2015 Review Conference. However, this roadmap was watered down by the nuclear weapon states during the process of negotiations, meaning that many of the expectations of non-nuclear weapon states were not met by the final product. Therefore, most states have placed emphasis on actions 5 and 21 in particular, as well as the action plan on the Middle East, and consider full implementation of these to be the sine qua non to avoid confrontation and possible failure at the 2015 Review Conference. Furthermore, the vast majority of states are looking forward to reaching agreement in 2015 of the next steps leading to the complete elimination of nuclear weapons, which many governments believe could only be the negotiation of a nuclear weapons convention.

For example, the New Agenda Coalition emphasized that the 2015 Review Conference will take stock of the implementation of the action plan and consider next

steps for the full implementation of article VI of the NPT. “With the NPT being almost 50 years old at that point, this will be no ordinary stocktake,” said Ambassador Dell Higgie of New Zealand, on behalf of the Coalition. “It will be a watershed moment for the Treaty and for the goal of achieving a nuclear-weapon-free world. For these reasons, the NAC will be examining closely the information provided, action by action, so as to determine how much progress has indeed been made in relation to the commitment made by the nuclear-weapon States to ‘accelerate progress on the steps leading to nuclear disarmament’.”

Speaking in her national capacity, Ambassador Higgie also emphasized that the NPT action plan “is not something simply to be admired. It must be implemented—and implemented in its entirety.” Similarly, Kenya’s Ambassador Andanje pointed out that the action plan “will not be worth the paper it is written on if member states do not demonstrate genuine political will to commit to early realization of a world free from nuclear weapons.”

However, some members of the P5 indicated that the nuclear weapon states may only seek to implement some of their disarmament commitments, focusing nearly exclusively on transparency and reporting. Ms. Gottemoeller of the United States highlighted the NPT follow-up meeting in July 2011 in Paris, during which the P5 “conferred on steps taken to implement our Article VI commitment, including reporting a topic of great interest to the NPT community and one for which the P5 acknowledges a special responsibility.” She indicated they would inform the 2014 NPT Preparatory Committee on their “approaches to reporting”.

While noting the importance of reporting and transparency of the P5 and welcoming their efforts to this end, several delegations cautioned that this does not go far enough, as it does not take into account all of the issues listed in action 5 that the nuclear weapon states are required to address and report on by 2014. The Egyptian delegation called on the P5 to “redouble their efforts far beyond the general follow up meeting held in Paris last July, which produced limited results as reflected in its final statement.” Ambassador Abdelaziz called on the five to “fully implement their obligations” and to present “quantifiable and qualifiable indicators which would be easily evaluated for measurement of progress in implementation.”

Some members of the P5, particularly France, made it clear that for them, the NPT action plan is the defining and limiting text for action over the next five years. Ambassador Danon of France firmly rejected any initiation of activities that were not strictly agreed upon at the 2010 NPT Review Conference, calling for “consistency” with the outcome document. In this context, he expressed dis-

Nuclear proliferation

Ray Acheson | Reaching Critical Will of WILPF

Many delegations, including those of the New Agenda Coalition, Mexico, and Venezuela emphasized that non-proliferation and disarmament are intrinsically linked and mutually reinforcing. While for most countries this means that progress on both fronts is required in good faith, the French ambassador argued, "More disarmament will not suffice to stop proliferation."

Vertical proliferation

However, proliferation is not just about new countries acquiring nuclear weapons. Several countries criticized nuclear weapon possessors for their plans to modernize or refurbish their nuclear arsenals and facilities. Ambassador Viotti of Brazil pointed out that "other developments, in particular the modernization of weapons systems, and the reiteration of outdated concepts and doctrines of nuclear deterrence, continue to be a cause of concern." The New Agenda Coalition likewise reiterated its concern with the "development and qualitative improvement of nuclear weapons".

Strengthening the non-proliferation regime

While these and other countries emphasized the priority of nuclear disarmament and cessation of moderniza-

tion programmes, many also reiterated the importance of simultaneously strengthening measures against nuclear weapons proliferation to states and non-state actors.

The US delegation described the International Atomic Energy Agency (IAEA) safeguards system as the "essential underpinning of the nonproliferation regime," and indicated that it is "carrying out a range of measures to strengthen that system, including universalizing the Additional Protocol." Turkey's Ambassador Apakan called on all states to ratify the additional protocol as soon as possible. Norway's delegation called for the development of "cooperative arrangements" for producing fuel for civilian nuclear reactors and for the reduction of the use of highly enriched uranium in such reactors. The Kyrgyz and Ukrainian delegations also highlighted this latter issue. Meanwhile, Mexico's delegation specified a need for oversight mechanisms for the use of components that might be used in manufacturing weapons of mass destruction, and called for "concerted action" against proliferation to non-state actors.

Several delegations expressed support for the Nuclear Security Summit to be held in Seoul in 2012. As a rep-

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Reaching Critical Will

2010 NPT Review Conference Action Plan Non-proliferation of nuclear weapons

Monitoring Report, 29 September 2011



NPT Action Plan Report #2: Non-proliferation of nuclear weapons

On 29 September 2011, Reaching Critical Will presented its monitoring report on the second pillar of the 2010 NPT action plan as a part of a joint project on NPT Action Plan Monitoring together with the Geneva Centre for Security Policy and United Nations Institute for Disarmament Research.

In this second report, Reaching Critical Will has reviewed the implementation of the actions on non-proliferation contained in the 2010 action plan. A report on nuclear energy was released in June 2011, and a report on nuclear disarmament will be released in January 2012.

Edited by Beatrice Fihn • Research by Beatrice Fihn, Mia Gandenberger, and Gabriella Irsten

Available at www.reachingcriticalwill.org



Nuclear proliferation (cont.)

representative of the host country, Ambassador Kim of the Republic of Korea said the summit will be an opportunity to “address the synergy between nuclear security and nuclear safety, review the implementation of the commitments made at the Washington Summit, and explore new and creative ways to further enhance nuclear security.”

A few states focused on country-specific concerns:

Democratic People's Republic of Korea (DPRK)

Most statements on the DPRK's nuclear programme emphasized the need to resume the diplomatic process. The delegations of China, Mexico, Turkey, called for the resumption of six-party talks. Turkey's ambassador called on the DPRK to return to the nuclear Non-Proliferation Treaty as a non-nuclear weapon state. Australia and Japan's delegations expressed concern with what Ambassador Quinlan described as “the revelation of a covert uranium enrichment capability.” The DPRK dismissed this allegation in a right of reply and, in its official statement, reiterated that the “nuclear issue on the Korean peninsula has entirely originated from the hostile policy and nuclear threats of the US against the DPRK.”

Iran

As with DPRK, delegations focused on resuming the diplomatic process to resolve the issue. The delegations of Japan, Mexico, and Republic of Korea called on Iran to show transparency regarding its nuclear programme, while China called for early resumption of dialogue between Iran and E3+3. The Qatari and Turkish delegations stressed the importance of resolving the issue through peaceful and diplomatic means. Australian Ambassador Quinlan expressed concern over “the mounting evidence of the possible military dimensions of Iran's nuclear program” and urged Iran to “demonstrate conclusively the peaceful intent” of this programme. However, Ambassador Khazaee of Iran stated that “Iran's nuclear activities are, and have always been exclusively for peaceful purposes and despite all external political pressure, on the IAEA, it has repeatedly confirmed the non-diversion” of nuclear materials in Iran.

Israel

The Israeli nuclear programme was generally discussed this year in the context of the 2012 conference on the Middle East, which the international community hopes will help initiate the establishment of a zone free of mass destruction in the region. Several delegations, including most from the Middle East, called on Israel to accede to the NPT and to place its nuclear facilities under IAEA safeguards. Israel's delegation criticized the annual resolution on proliferation in the Middle East, arguing that it constitutes a declaration by its sponsors that they prefer to continue to try and alienate Israel. Egypt's delegation responded by saying the resolution “does not aim at the isolation or alienation of any country in the region,” but that it is meant to contribute to global security.

Syria

Few delegations addressed the more recent questions about Syria's nuclear intentions. Japan's delegation said it “hopes that Syria will fully cooperate with the IAEA and that the relevant facts will be clarified.” The Netherlands also voiced concern regarding the “outstanding questions about Syria's nuclear programme.” The Syrian delegation issued a right of reply to denounce suggestions that it was or is seeking to develop nuclear weapons. •

Nuclear disarmament (cont.)

may that states are continuing to call for the negotiation of a nuclear weapons convention (NWC), even though this was not decided upon in 2010.

However, Ambassador Cabactulan of the Philippines, who was president of the 2010 NPT Review Conference, said that his delegation gives particular importance to the negotiation of an NWC as an action emanating from the outcome document. Indeed, in the 2010 action plan, the Review Conference “calls on all nuclear-weapon States to undertake concrete disarmament efforts and affirms that all States need to make special efforts to establish the necessary framework to achieve and maintain a world without nuclear weapons.” In this context, the document “notes the five-point proposal for nuclear disarmament of the Secretary-General of the United Nations, which proposes, inter alia, consideration of negotiations on a nuclear weapons convention or agreement on a framework of separate mutually reinforcing instruments, backed by a strong system of verification.”

The Non-Aligned Movement was among those to clearly reiterate its demand for the negotiation of nuclear weapons convention, while the Association of South East Asian Nations indicated it would once again be tabling Malaysia's resolution on the follow up to the 1996 International Court of Justice opinion, calling for an NWC. The Norwegian delegation “acknowledges the need—and obligation—to negotiate” a nuclear weapons convention, “in good faith and in accordance with the advisory opinion issued by the International Court of Justice in 1996.” However, Ms. Mona Juul emphasized that such negotiations should not be left to the Conference on Disarmament, “a body that has been unable to deliver anything of substance in a decade and a half, that cannot even agree on a programme of work, and whose membership is limited to a third of UN member states.” •

Nuclear energy and the fuel cycle

Ray Acheson | Reaching Critical Will of WILPF

First Committee continued the largely stagnant debate between states that want to restrict the further spread of so-called “proliferation sensitive” nuclear fuel chain capabilities and those who demand access to technology and know-how for the development of nuclear power. Many delegations, including the Non-Aligned Movement, reiterated the “inalienable right” of states to develop nuclear energy for “peaceful uses” under article IV of the nuclear Non-Proliferation Treaty. Others, such as the Republic of Korea and the United States, emphasized that with this right comes the responsibility of non-proliferation.

Nuclear energy and nuclear weapons

The Ambassador Kim of the Republic of Korea insisted that states using sensitive nuclear technologies and fuel cycle activities must “demonstrate a higher level of commitment to non-proliferation in order to inspire international confidence.”

Yet, as Brazil’s President Dilma Rousseff pointed out at the high-level meeting on nuclear safety and security convened by UN Secretary-General Ban Ki-moon on 22 September 2011, the danger of nuclear weapons is by no means limited to possible future proliferation. She described the continued existence of nuclear weapons as part the “residual, asymmetrical world vision” of the post-war era and called for reform of the UN Security Council, which has been the bastion of logic of nuclear privilege for 65 years and has legitimized the accumulation of fissile materials by nuclear weapon states.

In this context, during First Committee Brazil’s Ambassador Viotti emphasized the importance of a “global endeavor to promote [nuclear] safety and security, which,

in its broadest sense, comprises a renewed commitment to nuclear disarmament.”

Nuclear safety and security

Several delegations, including those of the Caribbean Community (CARICOM), Brazil, Egypt, Israel, Jamaica, Mongolia, and Thailand noted that the disaster at the Fukushima Dai-ichi Nuclear Power Station brought questions of nuclear safety into sharp focus. Some of these delegations highlighted the Secretary-General’s high-level meeting as well as the ministerial meeting of the International Atomic Energy Agency (IAEA) and its action plan adopted on 22 September.

Egypt’s Ambassador Abdelaziz urged the IAEA to assist member states on emergency preparedness and response to nuclear accidents, “through capacity building in the field of crisis management, promoting transfer of technologies related to making nuclear stations resilient to natural disasters.” CARICOM likewise expressed support for strengthened safety standards and emergency response. Israel’s delegation emphasized that nuclear safety “should become a first order priority when countries consider the development and use of nuclear energy for peaceful purposes.” In addition, the Republic of Korea argued that there is “increased synergy between nuclear safety and nuclear security” and called for related measures to be “designed and implemented in an integrated manner.”

Fuel cycle controls

There was less attention this year to the concept of multilateral controls over the fuel cycle. Norway’s del-

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Costs, risks, and myths of nuclear power: NGO world-wide study on the implications of the catastrophe at the Fukushima Dai-ichi Nuclear Power Station

Costs, risks, and myths of nuclear power is a collaborative work of non-governmental researchers, scientists, and activists. It was released on 11 September 2011, six months after the disaster at Fukushima and in advance of the high-level meeting on nuclear safety and security convened by UN Secretary-General Ban Ki-moon. The report includes civil society analysis of nuclear power infrastructure and government policies from around the world. It also articulates arguments against the common myths of nuclear power in relation to safety, the environment, economics, and more.

Edited by Ray Acheson

Available at www.reachingcriticalwill.org



Nuclear weapon free zones

Thomas Garofalo | NGO Committee on Disarmament, Peace and Security

Ray Acheson | Reaching Critical Will of WILPF

Nearly all delegations speaking during the opening week of First Committee issued their support for the establishment of nuclear weapon free zones (NWFZs). Over half of all states in the world are currently encompassed by such zones. The representative from Denmark described NWFZs as integral to a comprehensive multilateral strategy to implement global nuclear disarmament and combat proliferation.

The establishment of a weapon of mass destruction free zone (WMDFZ) in the Middle East was a much-discussed topic last week. The 2012 conference on establishing such a zone, which was determined at the 2010 Review Conference of the nuclear Non-Proliferation Treaty (NPT), was welcomed by many governments, especially those of the Middle East, including Israel. Israel's delegation indicated that it wants to continue the dialogue on a WMDFZ in the Middle East and said that their representatives attended an EU seminar on the matter last July. However, the Israeli delegation also said, "The international experience has demonstrated that such a zone can only emanate from within a region, through direct negotiations between regional states." In other words, the states of the Middle East will need to work out the framework for the WMDFZ. Furthermore, the Israeli delegation expressed its concern with the Iranian nuclear and missile programmes, seeing these as complications to establishing regional peace and security.

The Egyptian delegation, along with several others, expressed concern that a facilitator and host country for the 212 conference have still not been designated by the UN Secretary-General and the NPT depositary states responsible. Egypt's Ambassador Abdelaziz welcomed the efforts of the European Union in convening a seminar in Brussels and appreciated the participation of both Israel and Iran in its deliberations. He suggested that the meeting, while limited in scope, "opened the door to frank discussions on all issues surrounding the establishment of the zone."

Furthermore, responding to oft-heard claims that the Arab Spring has somehow diverted attention of Arab states away from the WMDFZ issue, Ambassador Abdelaziz emphasized "that the democratic trend prevailing in our region today has further entrenched the interest and strengthened the will to establish the Zone."

Meanwhile, the existing NWFZs are thriving. The members of the Central Asian Nuclear Weapon Free Zone indicated that it has helped increase regional stability and cooperation. Despite being surrounded by nuclear weapon possessors, they have been able to maintain the provisions of the treaty and each country stressed its continued support for the zone. Uzbekistan's delegation also stated that its NWFZ Treaty will help enforce the

nuclear Non-Proliferation Treaty and strengthen the collective security of the region.

The states of the Association of Southeast Asian Nations (ASEAN) indicated that they are engaged in consultations with the nuclear weapon states on ratification of the relevant protocol of the Bangkok Treaty. Speaking on behalf of ASEAN, the Myanmar delegation said the Association is "encouraged by the frank and open consultations" held on this subject from 8–10 August 2011 in Geneva. Ambassador Danon of France noted that this meeting "should enable us to make considerable progress toward drafting a protocol to the Bangkok Treaty." •

Nuclear energy (cont.)

egation called for the development of "cooperative arrangements" for producing fuel for civilian nuclear reactors and Kazakhstan's delegation said it was ready to consider locating a nuclear bank on its territory. On 3 December 2010, the IAEA Board of Governors agreed to establish a nuclear fuel bank, which will set up a reserve of low-enriched uranium under IAEA control.

Other issues

The delegations of CARICOM and Jamaica highlighted the dangers of the transshipment of nuclear waste through their region. They pointed out that an accident or attack on a ship transporting radioactive material would result in severe harm to the lives and livelihoods of the Caribbean people and environmental devastation to the Caribbean Sea. Jamaica's delegation argued that the situation is "totally unacceptable" and called for a more viable alternative to be found.

In addition, Kyrgyzstan's delegation urged assistance from the international community in cleaning up the 36 uranium tailing ponds in its country, left over from uranium mining and the process of nuclear fuel production. Mr. Djusupov from the Ministry of Foreign Affairs pointed out that the Treaty on a Nuclear-Free Zone in Central Asia specifies "that every party should undertake any efforts to promote environmental rehabilitation of the territories contaminated in the result of past activities related to the development, production or storage of nuclear weapons or other nuclear explosive devices, in particular uranium tailings and nuclear test sites."

Finally, Mongolia's delegation refuted media reports that the Mongolian government is negotiating the establishment of an international spent fuel storage facility on its territory, pointing out that "importing foreign nuclear waste would be in gross violation of Mongolia's domestic laws and regulations." •

Nuclear testing

Daria Medvedeva | Reaching Critical Will
of WILPF

Nuclear tests have detrimental effects on the environment and people and, as Ambassador Macharia Kamau of Kenya argued, they are “politically immoral” regarding the consequences they effect on generations to come. In this respect, almost all delegates to First Committee expressed their unanimous will to bring the Comprehensive nuclear Test Ban Treaty (CTBT) into force without any further delay. The CTBT bans all nuclear explosions in all environments, for military or civilian purposes. It was adopted by the UN General Assembly on 10 September 1996 but it has not entered into force.

Many delegation expressed support for the Conference on Facilitating the Entry into Force of the CTBT that took place in New York on 23 September 2011. Ambassador Kim Sook of the Republic of Korea said the Conference “provided us with a fresh opportunity to renew our commitment to the CTBT and its objectives.” He further indicated that the issue of its entry into force is a matter of urgency to the Republic of Korea, since it has been alerted by “North Korea’s two nuclear tests each in 2006 and 2009”. Sin Son Ho, Ambassador of North Korea, did not address the issue of nuclear tests and their prohibition in his speech to First Committee.

Meanwhile, Ambassador Paul van den IJssel of the Netherlands underscored the “civil benefits of the CTBT verification system, including the International Monitoring System” and suggested that “the scope for expanding civilian use of the Monitoring System in other areas of early warning and emergency response should be explored.”

Mr. U Than Swe, Permanent Representative of Myanmar, on behalf of the Association of Southeast Asian Nations, expressed belief that the CTBT would be a crucial mechanism for the elimination of nuclear weapons by “constraining the development and qualitative improvement of new types of weapons and contributing to the prevention of nuclear proliferation.”

Ambassador Le Hoai Trung of Viet Nam suggested that it is the nuclear weapons states that should take a leading role in this matter of global peace and security. Through the maintenance of a moratorium on nuclear weapon test explosions, these states can set an example for the remaining Annex II states to follow suit. Ms. Rose Gottemoeller, Assistant Secretary for the Bureau of Arms Control of the United States, praised Ghana and Guinea for ratifying the Treaty in the last year and said that the Obama administration is “engaging the United States Senate and the American public on the merits of the Treaty” in order to seek its ratification. •

Negative security assurances

Tayyaba Khokhar | NGO Committee on
Disarmament, Peace and Security

The majority of delegations speaking on nuclear weapons issues during general debate called for the development of legally-binding negative security assurances (NSAs)—guarantees whereby the nuclear weapon possessors pledge not to use their nuclear weapons against non-nuclear weapon states. The Non-Aligned Movement stressed that “efforts for the conclusion of a universal, unconditional and legally-binding instrument on security assurances to all non-nuclear weapon states against the use or threat of use of nuclear weapons” should be pursued as an urgent priority. Among others, the Collective Security Treaty Organization, the African Group, and the New Agenda Coalition, as well as individual states such as Egypt, Indonesia, Kazakhstan, Mongolia, Lebanon, Venezuela, Ecuador, Thailand, Tajikistan, and Lao PDR also voiced support for NSAs.

The possibility of a nuclear attack looms as a major threat for non-nuclear weapon states. Venezuela’s delegation argued that the threat of nuclear weapons is persistent as some nuclear weapon states continue to blackmail other states with the use of these weapons. An instrument for NSAs would ease the latent threat of the risk of the use of nuclear weapons. However, all delegations calling for NSAs were equally firm that the only real guarantee against the use of nuclear weapons is their elimination.

Of all the nuclear weapon states, only China’s delegation issued support for a legal instrument on NSAs.

The New Agenda Coalition noted that a legitimate interest in negative security assurances could strengthen non-proliferation. Not only will the assurances lead to greater international peace and security, they can lead to better relations among nuclear weapon states and non-nuclear weapon states. Similarly, Egypt’s delegation stated in its address that NSAs will make non-nuclear weapon states feel more secure and reduce their interest in arming themselves, leading to a more peaceful and disarmed global community. •



Missiles and anti-missile systems

Gabriella Irsten | Reaching Critical Will of WILPF

The number of states that addressed the issue of missiles and anti-missile systems followed the same limited pattern as in recent years. Mr. Sergio Duarte, the High Representative for Disarmament Affairs, mentioned briefly in his opening statement to the First Committee that, together with other issues, it is necessary “to agree on norms governing missiles and missile defenses.” Most delegations that did mention the issue of missiles expressed their support of a universal, comprehensive, transparent, and non-discriminatory approach towards the issue.

According to all concerned delegations, the most appropriate forum to discuss all different types of delivery systems for weapons of mass destruction is the United Nations, since it is generally accepted to be an inclusive negotiation forum with equal participation of all states. The Russian delegation referred to the importance of the issue being discussed in a multilateral organ since the use of missiles cannot be confined in their effects in space and time. Not including all states would be to seriously undermine the efforts for global security and peace. The Non-Aligned Movement likewise highlighted the importance of addressing missiles in a global forum.

Mr. Mikhail Ulyanov of the Russian delegation emphasized that “if any party ... builds up its missile defense capabilities, the other party will inevitably have to fill up the gap by increasing the number of its offensive arms or taking some other asymmetric actions.” Ambassador Mohammad Khazaee of Iran voiced his delega-

tion’s concern regarding “one specific nuclear weapons state” that is expanding “its missile defense shield to get the upper hand in strategic stability over other Nuclear-Weapon States.” Meanwhile, France’s Ambassador Danon expressed concern with Iran’s and North Korea’s missile programmes.

While Russia, Iran, and France emphasized the issue of an arms race in missiles among states, other delegations voiced concern with missiles becoming accessible to terrorist groups. Ambassador Ertuğrul Apakan of Turkey stated that “proliferation of weapons of mass destruction and their means of delivery become all the more worrying in the context of terrorism.” Mr. Eyal Propper from Israel’s Ministry of Foreign Affairs also raised the issue of terrorism and exemplified the Man Portable Air Defense System (MANPADS) as a great threat to civil air traffic if terrorist groups would in any way gain access to them.

Russia, Turkey, and Kyrgyzstan highlighted the Hague Code of Conduct against Ballistic Missile Proliferation (HCCOC) as a good first step forward to a legally-binding instrument on a global missiles non-proliferation treaty. Some have critiqued the Code for being exclusive, however, and suggest that it should be accessible by all missile-capable states.

The Iranian delegation announced that it will be introducing only a draft decision on missiles in this session of First Committee, since 2012 will be a busy disarmament year. •



Outer space

Michael Dolmatch | Global Security Institute

During First Committee's opening week, many states declared their ongoing support for efforts to preserve outer space for exclusively peaceful purposes. As in previous years, though there seemed to be widespread agreement among speakers about the importance of space security, delegations placed varying emphasis on non-binding transparency and confidence-building measures (TCBMs) relative to formal treaties as methods of confronting the issue.

Belarus, speaking on behalf of the Collective Security Treaty Organization (CSTO), emphasized the importance of TCBMs, such as a code of conduct for space-faring nations, as measures to help prevent states from using outer space for military purposes. Russia's delegation, which along with China was the lead sponsor of last year's resolution on TCBMs, agreed on the importance of such measures. That resolution established a Group of Governmental Experts (GGE) on the subject, which will convene its first meeting in July 2012 (see article on the GGE for further details).

Russia and China are also the joint authors of a draft treaty on the prevention of placement of weapons in outer space (PPWT), which they submitted to the Conference on Disarmament (CD) for consideration in 2008. The Russian delegation reminded First Committee that the PPWT still requires work in the CD, and called on all states concerned "to join our efforts in a more active way."

However, as many delegations have expressed their frustration about this week, the CD has been deadlocked for 15 years, preventing any substantive work on preventing an arms race in outer space (PAROS) or its other core issues (see the article on Disarmament Machinery for details on the deadlock in the CD).

Many delegations welcomed the establishment of the GGE but also highlighted the importance of negotiating a legally-binding treaty on PAROS. India's delegation declared its support for efforts to establish a legal framework on PAROS and endorsed TCBMs as useful when combined with legally-binding measures, but emphasized that TCBMs alone would be insufficient to maintain space security. China's delegation said that TCBMs are "not at odds at all with efforts to prevent an arms race in outer space, and such TCBMs are useful supplement[s] to the legal instrument on prevention of weaponization of and an arms race in outer space." •

Regarding the GGE on outer space

Tiffany Chow | Secure World Foundation

In last year's preview edition of the *First Committee Monitor*, Mr. Ben Baseley-Walker authored an article outlining the importance and dynamism of the space domain and the growth using it as a resource environment. In doing so, he pointed to some of the unique aspects of outer space with respect to security and disarmament issues. To reiterate, the number of space actors and their diverse ways of using and relying upon outer space and space assets are growing rapidly. With this explosion of space activity comes numerous opportunities for increased benefits on one hand and risks on the other.

This is because the space environment is dual-use. It is used for national security and military power while also absolutely necessary for communications, financial and economic market functionality, and human and environmental security. Simultaneously, it is expensive and risky to operate in space. The potential for damage from space debris, space weather, unintentional misbehavior, or an intentional attack, combined with the aforementioned traits, means the space environment is extremely fragile and vulnerable to being used in an unsustainable fashion.

This reality makes space security an urgent issue, one that is being addressed at the international level by various elements of the United Nations system. Within the disarmament field, some countries have pushed for a formal treaty negotiation process. Specifically, the Russian Federation and the People's Republic of China have tabled a draft treaty known as the PPWT, formally called the Treaty on the Prevention of the Placement of Weapons in Outer Space, the Threat or Use of Force against Outer Space Objects. However, due to gridlock within the Conference on Disarmament and a number of other political difficulties, this push toward a binding international agreement has not been able to gain much traction.

In the meantime, a step toward ensuring our long-term, sustainable use of space is through transparency and confidence-building measures (TCBMs) in outer space activities. Last year's First Committee decided to establish a Group of Governmental Experts to examine the usefulness of TCBMs in outer space activities. The GGE set to convene for its first of three meetings in the northern hemisphere summer of 2012.

Given the growing importance of space and of its long-term sustainable use, it is absolutely essential that the international community commits its best efforts to this GGE initiative. Through this GGE, real progress can be made in identifying and establishing norms of responsible behavior in space and perhaps even addressing some of the national security concerns of spacefaring nations, so that they no longer feel the need to explore the possibility of weaponizing this fragile environment.

A similar effort was undertaken nearly 20 years ago, when a GGE met from 1991–1993 and issued a report on

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GGE on outer space (cont.)

“confidence-building measures in outer space, including the different technologies available, possibilities for defining appropriate mechanisms of international cooperation in specific areas of interest,” to the General Assembly in its forty-eighth session (A/48/305). It is important that the international community build on the lessons learned and provided by that GGE.

Some of the key conclusions and takeaways from that report are provided in brief below in the hope that they can serve as a solid foundation for the coming GGE effort and, as such, help spur progress on the critical issue of ensuring the long-term sustainability of outer space activities.

- a. Considerable political change had brought about a new international context in which new opportunities for international cooperation and confidence-building measures arose.
- b. These changes had also “created an environment conducive to” the implementation of such measures.
- c. The GGE concluded that space applications were ever more “meaningful in both strategic and civilian aspects of life on earth.” The use of space, consequently, could play a role in both creating and mitigating tension between States.
- d. Weaponization, growing militarization, and ensuring access to space were the main concerns for a “vast majority of States.”
- e. However, the rights of all States to access space “for the benefit of and in the interest of all humankind is a universally accepted legal principle” that should be preserved and safeguarded.
- f. The Outer Space Treaty is still the “cornerstone of international space law,” but is increasingly insufficient given the rapid advances in space activities.
- g. Therefore, the GGE concluded that new legal norms may need to be developed to address the current space environment.
- h. Our ability to continue benefitting from space activities depends on stewardship of the space environment.
- i. Both regional and global confidence-building measures should be considered. At the global level, all States should be involved.
- j. Dual-use technology should be evaluated as harmful by the way in which it is used.
- k. Transparency measures should be designed in such a way as to protect national security interests.
- l. Methods of ensuring implementation of and compliance with confidence-building measures should be considered, including any appropriate monitoring and verification provisions.
- m. “The differences in space capabilities among States should be taken into account” when considering possible confidence-building measures.

- n. Even though States have differing capabilities and some may rely on external actors for their access to and activity in outer space, all have a legitimate interest in the domain.
- o. The GGE concluded that these varying capabilities may contribute to the lack of trust among States with regard to outer space. This should be addressed in order to promote cooperation and confidence among States.
- p. The GGE also noted that it is economically and technologically unfeasible for all States to be fully autonomous in their space activities and, thus, international cooperation is necessary.
- q. Some countries without military space capabilities may be concerned about other States with them. Increased transparency and confidence-building measures may help allay those concerns.
- r. Confidence building measures that specifically address dual-use technologies may promote further international cooperation.
- s. The GGE report recommended that States continue to adhere “strictly” to the Outer Space Treaty and its supplemental treaties and also look at other UN resolutions as possible confidence-building measures.
- t. Remote sensing data should be made as widely available and affordable as possible.
- u. “Rules of the road” for space, as a concept and proposal, should be considered.
- v. Given the dual-use nature of much space technology, the GGE noted the possibility of establishing working contacts between COPUOS and the Conference on Disarmament to further the discussion.
- w. The GGE concluded that confidence-building measures for outer space activities are “potentially important steps towards the objective of preventing an arms race in outer space and ensuring the peaceful use of outer space by all States.”

The 1991–1993 GGE concluded its report by expressing its hope that it would serve as a useful reference to the international community. That is our hope as well as we move into 2012 and the promise of a new GGE effort. •

Disarmament machinery

Ray Acheson and Gabriella Irsten | Reaching Critical Will of WILPF

Virtually every delegation addressing the opening week of First Committee expressed concern with the current state of the UN disarmament machinery. While most focused on the stalemate in the Conference on Disarmament (CD), some states also referred to the similar situation in the United Nations Disarmament Committee (UNDC), which has also failed to produce substantive results in more than a decade. Some delegations, including those of the Non-Aligned Movement and the African Group, continue to insist that only a fourth special session on disarmament (SSOD IV) can address the complications of all elements of the UN disarmament machinery and the international disarmament agenda at once. However, the issue of the CD took precedence with most.

All states taking the floor were unanimously disappointed with the lack of progress in the CD, which has not engaged in substantive work in 15 years. As Lesotho's Ambassador Ramafole said, "This paralysis is inexcusable, particularly because the modernization of nuclear weapons is on the rise." However, as has been made clear through discussions in the CD, as well as at the UN Secretary-General's high-level meeting in September 2010 and at the UN General Assembly plenary meeting in July 2011, there is no consensus among CD member states regarding the source of the problem or the most appropriate solution.

Many states argue that the problem is one of political will, not procedure. Brazil's Ambassador Viotti said, "The difficulties that confront the CD stem neither from its rules of procedure, nor from its consensus rule. In the past, those same rules did not prevent us from agreeing to launch negotiations, even when certain substantive differences remained."

Others argue that political will is not really the problem either. China's delegation rejected the idea that there has not been work undertaken at the CD over the last decade and half, saying, "All countries have translated their political will into the specific work of the Conference, and they have all come to the CD meetings, both formal and informal, in a serious and constructive manner."

It is undeniable that the CD has held many meetings. According to calculations by Magnus Løvold of the International Campaign to Abolish Nuclear Weapons (ICAN), the CD has held 509 plenary meetings and 301 informal meetings from 1997–2010, which has meant 80 months, or 2025 hours, or 4.5 million words of discussion on the issues on the CD's agenda.

After all these millions of words, however, many states and civil society actors believe it is now time for action.

Speaking from the perspective of the host country of the CD, Swiss Ambassador Fasel said, "We need to agree on how the CD can be put back on track and find

ways to better use the outstanding human and intellectual resources available in Geneva." He indicated that "Switzerland is committed to upholding and preserving the institutions which have served us well in the past. But it is also ready to contribute to the revitalization and the reform of existing mechanisms and to explore new avenues in order to develop the instruments necessary to cope with current and future challenges."

A few key states, however, have expressed resistance to change. In order to preserve the CD's mode of operation—which allows its rule of consensus to be used as veto—several delegations firmly reject attempts to reform the CD or initiate negotiations on its agenda items in other fora. These objections come from nuclear weapon possessors, which for obvious reasons do not want to see their veto capacity diminished. The French and the Russian delegations therefore claimed that negotiations outside the CD would be counter-productive and would not enjoy a multilateral approach. China's Ambassador Qun likewise cautioned against going outside the CD, saying, "To climb a tree will not help catch fish, to make it worse, such an approach may only delay the process with the precious time lost."

However, it is not just the nuclear weapon possessors that want to maintain the status quo. Strangely, many non-nuclear weapon states are resistant to change as well, even those that speak out so eloquently about the dangers of militarism and excessive military spending and who have been demanding the elimination of nuclear weapons since 1945. It would seem to be against their interest to allow the stalemate in the CD to continue, as it prevents any progress on issues vital to their security. Yet they reject suggestions to reform the CD or to initiate negotiations elsewhere.

Not all states feel this way, however. Many are ready to engage in concrete action to resume substantive work on the CD's agenda items. "If the CD itself cannot fulfil its mandate as a negotiating body," said Ambassador Dell Higgie of New Zealand, "then the gravity of the issues in question demands that other ways are found to pursue negotiations." Most states would prefer to start negotiations in the CD, but because of the current situation they would be willing to engage in any initiative that is aimed at ensuring negotiation. Peru's delegation, for example, said it will not be an impediment for any such initiative, arguing that the world's need for safety and security does not allow for any more delays.

The delegations of Austria, Mexico, and Norway have put forward what may be the only realistic and viable proposal to resume work on the CD's agenda items. As discussed in this week's editorial, the initiative would establish open ended working groups in Geneva on the four core issues in 2012 if the CD does not adopt a pro-

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Biological and chemical weapons

Harry Smith | Lawyers Committee on Nuclear Policy

During the first week's general debate, many states commented on the issues to be faced by the upcoming Seventh Biological and Toxin Weapons Convention (BTWC) Review Conference, to be held in Geneva in December. The President of the Conference, Ambassador Paul van den IJssel of the Netherlands, stated that the Conference "will be of vital importance for further work of State Parties to improve the implementation of and strengthen the Convention."

Unlike the Chemical Weapons Convention, the BTWC lacks verification procedures to monitor compliance with the obligation of non-possession. In 2001, the Bush administration scuttled negotiations on a verification protocol. Many states parties continue to call for or would prefer such a protocol. On behalf of the Non-Aligned Movement, Indonesian Permanent Representative Hassan Kleib stated that "NAM States Parties recognize the particular importance" of negotiating a protocol.

Brazil's Permanent Representative, Maria Luiza Ribeiro Viotti, tied together verification and another contested issue, access to non-military biological technology and products under BTWC Article X, stating that "discussions held so far have fallen short of expectations to reconcile verification and enhanced cooperation." She added that "Brazil believes that the resumption of negotiations on a protocol to strengthen the BWC should continue to deserve serious consideration."

The topic of confidence-building measures (CBMs) was addressed by Mona Juul, Director General of the Norwegian Ministry of Foreign Affairs. One CBM she identified is that "national reporting should be considered as an obligation, not a matter of choice."

The United States, France, and India referred to the need for the Review Conference to address bioterrorism. US Assistant Secretary of State Rose Gottemoeller stated that "we need to work together, moreover, on measures to counter the threat of bioterrorism, and to detect and respond effectively to an attack should one occur."

Another issue for the Conference was raised by Gary Quilan, Australia's Permanent Representative, who called for an outcome which "strengthens this valuable Convention by making it more able to respond to the increasingly rapid advances in life sciences." Alexandre Fasel, Swiss Permanent Representative to the Conference on Disarmament, similarly suggested that working groups need to be established to "ensure the Convention responds to rapid scientific developments."

Regarding the Chemical Weapons Convention (CWC), many states commented on its success, including Vietnam, Myanmar, Russia and the United States. Other representatives, including those of the Non-Aligned Movement, Brazil, Iran, and Cuba, described the difficulties the CWC continues to face. One

concern is the 2012 final extended deadline for the total destruction of chemical weapons by all states party to the Convention, which will not be met by Russia and the United States. Brazil's Ambassador Viotti stated: "As we near the deadlines for the final destruction of chemical weapon stockpiles, States Parties will have important decisions to make, in order to ensure the credibility of the CWC regime and to avoid precedents that could have a negative impact on the efforts in other areas." •

Disarmament machinery (cont.)

gramme of work. This proposal is the most promising initiative seen in years on getting down to work.

A few delegations have expressed vague caution about the proposal. For example, the Egyptian delegation argued that all efforts to revitalize the work of the CD "must be geared in the direction of reinforcing the capability of the CD to deal effectively with disarmament issues within its substantive and procedural frameworks." Transferring negotiations on issues on CD's agenda, even to the General Assembly, would "sharply erode the credibility of the CD".

Many states appear to believe, however, that the only way for the CD to regain its credibility is by engaging in substantive work that fulfills its mandate. The proposal by Austria, Mexico, and Norway is the clearest way to do this at this time. And the proposal is not at all at odds with Egypt's conception of the necessary solution, which Ambassador Abdelaziz indicated lies "in addressing all the issues on the agenda of the conference through an integrated approach that most importantly includes negotiation on nuclear disarmament, negative security assurances as well as on a possible treaty on fissile material including stockpiles for military purposes." The working groups proposed by Austria, Mexico, and Norway integrate these issues in exactly this manner, ensuring that disarmament is the central object of any activities undertaken.

As Reaching Critical Will wrote in the last CD Report of the 2011 session of the Conference, states need to dare to begin substantive work on the CD's issues and that the General Assembly must take responsibility for the CD's failures and initiate work through a resolution during the remaining three weeks. •

Arms trade treaty

Katherine Prizeman | Global Action to Prevent War

An overwhelming majority of states made reference to the ongoing process to develop an arms trade treaty (ATT), showcasing a strong interest in fulfilling the call of the General Assembly in 2009 to negotiate such a treaty. However, variances in views of the strength and purpose of the potential treaty remain.

Many states expressed confidence and support for the ATT process under the leadership of Ambassador Moritán of Argentina, including Ecuador, Switzerland, and Denmark. Denmark and Switzerland's delegation both said that the Chair's papers serve as a useful starting point for negotiations. Support for these papers will go a long way to ensuring the success of the negotiating conference. Other strong calls for a robust arms treaty came from CARICOM, Australia, and New Zealand. The New Zealand delegate indicated that next year must see a "comprehensive and legally-binding international treaty which establishes global standards for all transfers of conventional arms" and supported the link between such a treaty and international and regional stability and development. Likewise, Norway's representative referred to the human costs on civilians of the irresponsible transfer of conventional weapons as well as the negative impact on long-term development. Thailand's delegation also referred to the humanitarian impacts of illegal flows and Mexico's representative called for an ATT that respects human rights. The representative of Nepal, although not referring explicitly to the ATT, expressed support for a legally-binding instrument to regulate transfers with transparency and accountability. Lesotho and Nigeria's delegations also made an important contribution to the debate by making specific reference to the risk of diversion, which is a key issue in the arms trade debate.

Other delegations although referring positively to the ATT process and expressing support for it, made explicit their view of the ATT as a narrower instrument of trade regulation. Russia's representative stated, "We consider its main goal to cut off the channels of illicit arms trafficking," rather than wider humanitarian and disarmament goals. Egypt, Israel, and the Non-Aligned Movement (NAM) were clear that any ATT must respect the principle of sovereignty such that all decisions for arms transports remain under the full responsibility of states. The Association of Southeast Asian Nations argued that the issue of regulating the trade in conventional weapons must respect article 51 of the UN Charter stressing the inalienable right to self-defense. Tanzania likewise stated that states "should not possess more weapons than those types and amounts acceptable and justifiable under Article 51 of the Charter." Indonesia, Lebanon, the Philippines, and Uganda agreed that a future ATT must ensure the "right of all states to territorial integrity" and

not be subject to abuse to the right of self-defense. Libya warned of the "particularities of each country and the need for self defense."

Another important linkage was the issue of criminality and terrorism. Israel and Senegal made explicit reference to the linkage between terrorism and illicit trade in conventional arms. Senegal explained that conventional arms are truly the 'weapons of mass destruction' perpetuating conflict, promoting criminality, and the increasing risk of terrorism. Algeria called the transfer of illicit arms a major supplier for terrorist groups and crime networks.

The debate over the inclusion of small arms and light weapons (SALW) and ammunition in the treaty's scope, which has been a focus of the preparatory committees, was upon touched briefly. Jamaica called for their inclusion under the ATT's scope, while the NAM states reiterated that the UN Programme of Action on small arms remains the primary framework for addressing illicit trade in these weapons.

Some delegations expressed caution about the ATT process. India's delegation warned member states that a viable and effective ATT should take into account the interests of all stakeholders through a process that does not impose artificial deadlines. Likewise, Cuba and China reiterated the absolute necessity of a consensus-driven process. The Republic of Korea spoke of consensus insofar as the ATT should "reflect well-balanced deliberations in terms of feasibility, scope, and parameters so as to attract the largest possible amount of members."

The context in which the ATT was discussed was assorted, although the lion's share of states spoke positively of the preparatory process and the opportunities for next year's negotiating conference. States should seize this momentum as the ATT process heads into its final stage and work to establish the very highest possible standards for a treaty with as wide a scope as possible. Hopefully, First Committee discussion will continue to encourage a fusion of the dual purposes of a robust ATT—to regulate trade in conventional arms, with the widest possible scope, as well as prevent their proliferation in illicit markets that lead to human rights abuses and criminality.

It is also worth noting that the conversation inside the UN has been accompanied, interestingly, by the trial of notorious arms dealer Viktor Bout here in New York this month. This media-charged trial has helped to underscore the desperate need for an international norm to curb illicit trafficking in conventional arms with a real-time example of the dangers of irresponsible trade in conventional arms. For more information on the Bout trial, please see <http://trackingbout.posterous.com/>. •



Small arms and light weapons

Jill Carney and Chaitanya Sonar | International Action Network on Small Arms

The opening statements by delegations to First Committee were dominated by an emphasis on issues related to nuclear weapons. However, a sizeable portion highlighted the international community's role in enhancing international security through the prevention of the illicit trade in small arms and light weapons (SALW). Thailand's Ambassador Srivali stated that SALW, in relation to weapons of mass destruction, are "much more common and widespread" and "linked more closely with armed violence, transnational crimes and terrorism." For the delegations of the Netherlands and Norway, the violence and casualties caused by illicit SALW constituted a "humanitarian crisis". The delegate from Nepal noted, "Conflict is an antithesis to development and illicit SALW aids conflict." Many African states, including Lesotho, Libya, Morocco, South Africa, and Uganda even referred to SALW as the real weapons of mass destruction and described SALW as a disarmament priority.

Most states expressed concern about the devastating effects of the illicit trade and proliferation of SALW as it threatens peace and security, hinders economic and social development, perpetuates fear and crime, accounts for human rights violations, impacts inter- and intra-state conflicts, and helps in terrorist activities. Sudan's delegation also highlighted its ill effects on climate change, drought, and scarcity of water resources, as well as its link to drug trafficking. Many African states noted that SALW is of particular concern to Africa and that the widespread proliferation of illicit SALW has been extremely detrimental to this continent.

In this regard, all concerned delegations concluded that it is very important to implement fully and effectively the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects (UNPoA). The Non-Aligned Movement and Jamaica described the UNPoA as the main framework and a primary multilateral mechanism for addressing the issue of illicit trade in SALW and ammunition. Colombia's delegation called it an international reference standard for progress against this fight. The Association of Southeast Asian Nations, Russia, Tunisia, and Yemen called for improving the UNPoA's practical effectiveness, while others called for its further strengthening. Delegates from Senegal, Peru, and Venezuela noted the need to make the International Tracing Instrument legally-binding.

Many states also called for greater international and regional cooperation and international assistance in continuing to address this urgent and critical issue. They advocated for improved regional and international cooperation and assistance for building national capacities, enhanced communication and information sharing, and increased financial and technical support, particularly to developing countries. Clearly, governments view these

measures as critical to full and effective implementation of the UNPoA. For Venezuela's delegation, the UNPoA is a political instrument to channel these cooperative efforts.

Many countries, including Azerbaijan, Colombia, Malaysia, and Uganda, also declared that they have made significant progress in implementing the UNPoA and reported improvement in regional cooperation. Sudan's delegation announced that its government is working through its national bureau in combating SALW and also with African Union and League of Arab states through bilateral agreements to improve border control and strengthen customs practices. Yemen's government has introduced a bill to parliament, which will criminalize the carrying of weapons in major cities and facilitate confiscation of unlicensed weapons. Colombia has constituted a national coordinating committee to combat SALW and reaffirmed its commitment to the Inter-American Convention against Illicit Manufacturing of and Trafficking in Firearms and the Andean Plan to Prevent, Combat and Eradicate Illicit Trade in SALW. Uganda's delegation noted the destruction of large numbers of illicit SALW, ammunition, and unexploded ordnance, while Australia's delegation reported its assistance to neighboring countries, including building high-security armories for Papua New-Guinea and destroying illicit firearms and ammunitions.

A handful of delegations, including those of Cuba, Egypt, and Libya, reaffirmed the right of states to manufacture, import, and possess conventional weapons for self-defense and internal security, often referring to the UN Charter. While most of the concerns discussed regarding SALW referred to the illicit trade, some governments offered different perspectives. For South Africa and Peru, states that acquire such an amount that surpasses the "requirement" for legitimate self-defence also pose a threat to security and stability. Morocco and Qatar's delegations referred to the threat posed by uncontrolled, yet legal, SALW proliferation. For Egypt and Sudan, weapons-producing states have the primary responsibility of regulating the illicit production, trade, and brokering in SALW nationally and preventing "leakages" into conflict zones and to non-state actors.

Many states recognized that the upcoming 2012 Review Conference (RevCon) on the UNPoA will serve as an excellent opportunity to evaluate the progress made on the implementation of UNPoA and further strengthen it. Mexico and New Zealand's delegations said they look forward to the RevCon to see whether the present UNPoA is relevant and sufficient to deal with the threat posed by the proliferation of SALW. As Switzerland's Ambassador Alexandre Fasel noted, it is "high time to significantly accelerate and improve the implementation of the PoA." •

Cluster munitions and antipersonnel landmines

Katherine Harrison | Action on Armed Violence

During the discussions on conventional weapons in the opening week of First Committee, cluster munitions and antipersonnel mines featured prominently as issues of urgent humanitarian concern.

Cluster munitions

A number of delegations, including the Non-Aligned Movement, the Association of Southeast Asian Nations, Australia, Colombia, France, Kenya, Lao PDR, Lebanon, Mexico, New Zealand, Norway, the Philippines, and Switzerland spoke out in support of the Convention on Cluster Munitions (CCM), noting its entry into force on 1 August 2010 and the significant progress made in the first year of its implementation and universalization.

New Zealand and Switzerland emphasized the advancement of implementation over the past year, including through the Second Meeting of States Parties (MSP) to the CCM held in Beirut in September 2011. New Zealand's delegation called attention to the strong international reaction against the use of cluster munitions this year, saying it demonstrates the stigmatization that cluster munitions have now widely attracted. France's ambassador noted the "perfect organization" of the Second MSP by the Lebanese government and welcomed the increasing number of states parties to the convention. Norway's representative added that the CCM and the Mine Ban Treaty (MBT) are proof that it is possible to negotiate multilateral disarmament instruments with immediate humanitarian impact strengthening the protection of civilians. These successes were made possible through a "common sense of purpose across traditional groupings," building on facts from the ground, and "when the representatives of states recognise, acknowledge and make use of the undisputed expertise and competence of humanitarian organisations," said Ms. Mona Juul, Director General of Norway's Ministry of Foreign Affairs.

Mexico's delegation reaffirmed its continued support for and promotion of the standards of the CCM while Kenya called support for both the CCM and MBT "crucial." Australia pledged to continue to work constructively to support the convention while Colombia proudly announced that it had completed its stockpile destruction obligations even prior to the entry into force of the CCM. Ecuador's delegation said its country is committed to the destruction of its cluster munitions and is willing to share its experiences with other states wishing to pursue similar initiatives. Lao PDR and Lebanon, key countries as hosts of the First and Second MSPs, along with the Philippines, joined others to voice support for the Convention.

Lao PDR, host of the First MSP, expressed appreciation for the "invaluable support and assistance from state parties and nonstate parties, the United Nations system, in particular UNDP, international and civil society orga-

nizations," during its tenure presiding over the Convention. The Lao delegation called on all states to "consider becoming party to this humanitarian Convention which is of particular importance for countries and innocent victims suffering from the destructive consequences of cluster bombs." Lebanon, host of the Second MSP, called on all users and producers of cluster munitions to cease their activities immediately and to join the CCM. The delegation also requested assistance to help clear Lebanese territory of the cluster munitions dropped by Israel in southern Lebanon.

The Association of Southeast Asian Nations highlighted the important work of both MSPs. The Non-Aligned Movement (NAM) raised concerns over the "adverse humanitarian impact" caused by the use of cluster munitions and noted the entry into force of the CCM.

Non-signatory Mongolia noted the entry into force of the convention as a "welcome step forward". Another non-signatory, Qatar, referred to the fact that it signed the Wellington Declaration on cluster munitions, remarking that landmines and cluster munitions continue to kill civilians, especially in south Lebanon.

The ongoing negotiations on an additional sixth protocol to the UN Convention on Certain Conventional Weapons (CCW) on cluster munitions also featured heavily during the conventional weapons debate. Delegations' positions reaffirmed that there is clearly no consensus on the draft Chair's text under consideration and participating states remain polarized over an acceptable outcome. Norway's delegation forcefully stated that it is not acceptable that disarmament fora and existing international humanitarian law instruments are used to take steps in the wrong direction, diminish protection of civilians, and "attempt to re-legitimize weapons banned by a majority of states because of their documented humanitarian detrimental effects," which it said was exactly what states were doing in the CCW on cluster munitions. Ms. Juul of Norway stated resolutely that her country cannot accept a result in the CCW contradictory to the CCM and without added humanitarian value. She referred to Norway's joint proposal with Austria and Mexico as evidence of the lack of consensus on the Chair's protocol text. Switzerland's Ambassador Fasel echoed concerns over the draft text's failure to have an immediate impact on the ground. Switzerland called on "users and producers" to provide information on the implication of the protocol's provisions on their stockpiles.

States supportive of a CCW protocol, seemingly at any cost, spoke out in support for the conclusion of a protocol at the upcoming 4th Review Conference of the CCW in November. Brazil's delegation reiterated its hope for the conclusion of a Protocol VI in November and stated

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Cluster munitions and landmines (cont.)

that in its view, a ban on cluster munitions similar to that of the MBT, “that does not allow for exceptions in terms of certain sophisticated devices in the hands of a few, developed countries, has not been attained.” Indonesia, on behalf of NAM, referred to “NAM’s principled position on the central role of the UN in areas of disarmament and arms control” and noted the CCW negotiations on “proposals” regarding the draft protocol on cluster munitions. Israel called on all states “working in parallel processes” not to hold out on the possibility of achieving consensus at the Review Conference and stated that “from the humanitarian viewpoint, further delay in the adoption of this Protocol cannot be justified.” Turkey noted its active participation in the CCW process out of its shared humanitarian concern behind international efforts to “limit use” of cluster munitions. China stated that it “attached major importance to the humanitarian concerns caused by cluster munitions” and for a protocol to be reached on the basis of the Chair’s text. Russia and India also joined in expressing support for the CCW’s efforts on a protocol on cluster munitions.

Two states which have joined the CCM that are also strongly supportive of a CCW protocol on cluster munitions also spoke out in favor of reaching agreement on the basis of the Chair’s text in November. Australia expressed its support, noting the need to build on the already extensive preparatory work done for a protocol to be concluded at the 4th Review Conference. France said it would like to see substantial progress on the Chair’s text, notably on improving provisions relating to the immediate impact of the protocol, compatible and complementary to the CCM.

Landmines

On the issue of antipersonnel mines and the MBT, states parties Brazil, Cambodia, Colombia, Ecuador, Kenya, Libya, Malaysia, the Philippines, Tajikistan, Tunisia, and Turkey all voiced strong support for the treaty’s universalization and implementation. Cambodia reported on its continued efforts to clear antipersonnel mines and other explosive remnants of war from its territory and announced it will host the 11th MSP of the MBT in November–December of this year. Tajikistan appealed for a mine-free-zone in Central Asia. Libya said that the continued impact of WWII-era mines on its territory have been exacerbated by recent use by the previous regime which planted “thousands” of mines across the country. Libya appealed for aid for demining and comprehensive victim assistance.

Non-state party Israel noted its efforts to “reduce” the “potential adverse consequences that may be associated with the use of antipersonnel mines,” including the enactment in March 2011 of the Minefield Clearance Law, which provides a framework for clearance of non-essential minefields. Azerbaijan, another non-state party, was highly supportive of the objectives of the MBT but said that it was not able to be a state party due to “occupation” and therefore a need to use landmines. It noted however its compliance with the treaty’s provisions not to produce or transfer antipersonnel mines.

Mongolia’s delegation said it has “invariably supported the purposes and principles of the Ottawa Convention on Anti-Personnel Mines. Yet, a range of security and economic concerns have prompted us to pursue a step-by-step policy towards the issue of acceding to this landmark treaty.” Last year, however, the Prime Minister “reaffirmed Mongolia’s commitment to an early accession to the Convention.” •



Photo by Mary Wareham: Beirut, Lebanon at the Second Meeting of States Parties to the CCM



Disarmament and development

Gabriella Irsten | Reaching Critical Will of WILPF

The linkage between disarmament and development was highlighted by numerous delegations during the general debate of First Committee. It was clear throughout the week that this topic is of grave concern, especially for many developing states. Delegates questioned the priorities of the international community when engaging in military expenditure, weapons trade, proliferation, and armed violence instead of spending their resources on development, humanitarian needs, and peace and security.

Two main points of criticism raised were that military expenditure is increasing globally and that resources are being diverted from development programmes and human security. The Nepalese delegation drew attention to the fact that disarmament is not only a moral issue but also an economic one, especially in the light of the global financial and economic crisis. The Kenyan delegation noted that increasing military expenditure would not lead to a more secure world; the only path to peace is “through deliberate and targeted investment in the human person”. States raising the issue of development all agreed that investment in development instead of arms is a more logical and clear way towards disarmament. There seems to further be a consensus, amongst concerned states, that there is no legitimacy in military expenditure while the world is facing challenges such as poverty, marginalization, and denial of basic human rights.

Mr. Alfredo Chuquihuara from the Peruvian delegation pointed out that investment in weapons and the military only limits social development and increases poverty and insecurity. It is clear that today’s humanitarian threats cannot be solved with the help of an exaggerated military budget. However, military doctrines today still follow the same traditional approach as during the cold war. Ambassador Alexandre Fasel from the Swiss delegation emphasized the need to complement the traditional hard security approach with the above-mentioned development and human rights approach. He also called for more “cross-sectoral approaches and more cross-regional alliances.”

Tanzanian Ambassador Ombeni Y. Seftue said that the best way for First Committee to contribute to development is by making progress on disarmament. Ambassador Daffa-Alla Elhag Ali Osman of Sudan expressed his hope that the Committee will take the opportunity to debate disarmament in light of a financial global recession and prioritizing development instead of military programmes.

In addition to making critiques of bloated military budgets, many delegations from developing states called for financial and

technical assistance and support for the expensive exercise of disarmament and fighting proliferation. Instead of expanding military expenditure, states could reallocate resources to these programmes, while at the same time implementing international disarmament obligations.

The Nepalese delegation highlighted article 26 of the UN Charter, which demands redirection of resources away from military security and towards human security. In spite of this clear-cut article, the Security Council, whose members are by the five biggest military spenders, have failed in meeting their obligations. The Nepalese statement also reminded First Committee that the General Assembly, back in 1987 in the final document of the International Conference on the relationship between disarmament and development, already urged states to devote greater resources to economic and social development while keeping military expenditure low. In this light it can also be mentioned that the UN machinery has since 1981 tried to find ways to monitor and reduce states’ military expenditure, though back in 1919, the League of Nations published, on a regular basis, information on states’ military expenditure.

The Non-Aligned Movement (NAM) stated it would be submitting its annual resolution on the relationship between disarmament and development. The delegation of Nepal emphasized that while this resolution is adopted every year by consensus, military expenditure continues to rise and the international community continually fails to keep its commitment to the resolution.

Considering these statements and the agreed commitments states have made to disarm and to uphold development obligations and human rights law, First Committee has broad support for discussing the issue of disarmament and development. •



Global Day of Action on Military Spending, 12 April 2011: MDGs vs. militarism