

FIRST COMMITTEE MONITOR

*NGO Reporting on the United Nations General Assembly
First Committee on Disarmament and International Security
3 October–1 November 2011*

24 October 2011

Third Edition

No. 4



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:

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



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Correction

Last week's nuclear disarmament article incorrectly indicated that the Czech Republic called for further action on tactical nuclear weapons.

FIRST COMMITTEE MONITOR
2011 Number 3 | October–November 2011

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Editorial: Time to act on commitments to multilateralism

Ray Acheson | Reaching Critical Will of WILPF

As the time gets closer to taking action on draft resolutions, First Committee delegates will soon have an opportunity to demonstrate their commitment to advancing multilateral disarmament. It is clear through the statements delivered over the past three weeks and the character of most of the resolutions tabled that the vast majority of member states, at least in words, support multilateralism. Any hesitancy to adopt the resolutions seeking to advance multilateral disarmament negotiations will stand in stark contrast to these stated commitments.

If one looks, for example, at the Non-Aligned Movement (NAM)'s annual resolution "Promotion of multilateralism in the area of disarmament and non-proliferation," one finds a call upon all states to "renew and fulfil their individual and collective commitments to multilateral cooperation as an important means of pursuing and achieving their common objectives in the area of disarmament and non-proliferation."

The draft expresses the conviction that arms control and disarmament are "the concern of all countries in the world, which are affected in one way or another by these problems and, therefore, should have the possibility to participate in the negotiations that arise to tackle them." It bears in mind the existence of many agreements that have resulted from "non-discriminatory and transparent multilateral negotiations with the participation of a large number of countries, regardless of their size and power," and recognizes that the proliferation and development of weapons of mass destruction "are among the most immediate threats to international peace and security which need to be dealt with, with the highest priority."

The draft resolution put forward by Austria, Mexico, and Norway this year (A/C.1/66/L.21) meets these demands. It resolves that, if the CD does not adopt a programme of work in its 2012 session, the General Assembly could establish open-ended working groups to begin substantive work on the core issues on the CD's agenda. This would allow for broader multilateral engagement than the CD currently permits, with its 65 members representing only one-third of UN member states. It would ensure the inclusion of any country that wished to participate, "regardless of size and power" and regardless of whether or not they possess weapons of mass destruction. It also ensures the highest priority for nuclear disarmament and non-proliferation, as well as transparency. The draft resolution tabled by the Netherlands, South Africa, and Switzerland (A/C.1/66/L.39) also meets the standards for multilateralism set forth in the NAM resolution, as it encourages the exploration and consolidation of proposals from all member states over the next year. Thus, one would expect that delegations that do not oppose the resolution on multilateralism should have no

problem voting in favour of both L.21 and L.39 this year.

The stalemate in the CD is not the only critical multilateral issue on the disarmament agenda, however. As was made clear during the conventional weapons cluster last week, the ongoing negotiation of a cluster munitions protocol in the context of the Convention on Certain Conventional Weapons (CCW) is cause for grave concern for the international community. As Norway's delegation argued last week, some states are trying "to move backwards and to regress existing standards" and "to take steps that would diminish the protection already afforded to civilians" through the Convention on Cluster Munitions (CCM). Norway's Ambassador Terje Hague argued that it is unacceptable to adopt a new protocol on cluster munitions in the CCW that does not provide added value in terms of humanitarian considerations. During the general debate, Mr. Fülleman of the International Committee of the Red Cross emphasized that this would be the first time that states would be adopting weaker protections for civilians in an international humanitarian law (IHL) treaty than those contained in a treaty already in force.

The CCM is widely considered a multilateral victory. Its negotiation met the standards called for in the NAM resolution—they included the participation of many states, large or small, possessors and non-possessors; they were also completely transparent. 111 states have signed, ratified, or acceded to the CCM and have already begun engaging in clearance and victim assistance programmes. Thus, attempting to negotiate a protocol that would undermine the CCM is in complete contradiction to states' professed commitment to multilateralism (let alone IHL), for it undermines the hard work and commitment of 111 states (and counting).

Multilateralism is at the core of the UN's methods and ethic of work. As both nuclear and non-nuclear weapon states have pointed out repeatedly, disarmament and non-proliferation are not just the responsibility of those states that possess the weapons. They are the concern of the entire international community. Thus ensuring that each member state has the opportunity to participate in negotiations to develop collective security arrangements that enhance human security is imperative. This First Committee has the opportunity to make inroads to beginning substantive work on the issues the international community has deemed to be of the highest priority and the upcoming CCW Review Conference has the opportunity to preserve and support the successful product of multilateral negotiations that have already taken place. We sincerely hope these opportunities will not be squandered. •

Disarmament machinery

Ray Acheson | Reaching Critical Will of WILPF

With a total of five resolutions on disarmament machinery this year, First Committee is at the very least taking an interest in resolving the Conference on Disarmament (CD)'s fifteen year paralysis. While it remains to be seen what action will be taken on the three drafts that are aimed at revitalizing multilateral disarmament negotiations, the fact that three different groups of states have proposed options is a good sign.

That said, action speaks much louder than words. The situation in the CD is dire and requires immediate attention, not procrastination. As the Chair of the UN Secretary-General's Advisory Board on Disarmament Matters, Professor Olga Pellicer of Mexico cautioned, as states and civil society lose trust in the UN machinery's ability to conduct substantive work, the UN could become an irrelevant actor in disarmament. This would be extremely detrimental to disarmament and to multilateral diplomacy in general, as highlighted by Theresa Hitchens, Director of the United Nations Institute for Disarmament Research (UNIDIR).

The boldest option currently on the table for beginning substantive work in the near-term is the draft resolution from Austria, Mexico, and Norway "Taking forward multilateral disarmament negotiations" (A/C.1/66/L.21), which aims to initiate substantive work on the CD's four core issues. Urging the CD to adopt and implement a programme of work during its 2012 session that would enable the immediate commencement of negotiations, the draft resolution resolves that if this does not happen, the General Assembly will next year consider "alternative ways of taking forward multilateral disarmament negotiations." One method it suggests is the establishment of open-ended working groups on nuclear disarmament (including the achievement of a world without nuclear weapons; negative security assurances; and "the elaboration of elements" of a fissile materials treaty) and the prevention of an arms race in outer space. The working groups would operate in Geneva and would not exclude the possibility of beginning negotiations on any of the above issues.

As an attempt to build a bridge between those that do not want any change to the status quo of paralysis and deadlock and those who want to begin substantive work as soon as possible, the Netherlands, South Africa, and Switzerland tabled draft resolution A/C.1/66/L.39, "Revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations". The draft invites states to "explore, consider and consolidate options, proposals and elements" for a revitalization of the UN disarmament machinery as a whole, including the CD; urges the CD to adopt a programme of work in 2012; and recognizes the need to "regularly take stock" of "all relevant efforts" to initiate negotiations

over the next year. It does not provide a mechanism for initiating work this year or next but instead seeks to garner consensus along the lowest common denominator.

Finally, the Canadian delegation has tabled a draft text that deals exclusively with initiating work on fissile materials. "Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices" (A/C.1/66/L.40) resolves to consider options for negotiation of a fissile material cut-off treaty (FMCT) if the CD doesn't adopt a programme of work by the end of 2012. To this end, it requests the UN Secretary-General to establish a group of governmental experts in March 2012 "to consider options, including the necessary legal and procedural requirements" for a fissile materials treaty on the basis of the Shannon mandate. It indicates it will consider options, including those generated by the GGE, for negotiation of the treaty and further encourages states to continue preparatory work on definitions, scope, and verification procedures. The draft does not include a mechanism to begin substantive work on any of the CD's other core issues, nor does it "trigger" the commencement of negotiations on a fissile materials treaty at any particular time.

Meanwhile, draft resolution A/C.1/66/L.13, "Report of the Conference on Disarmament," does not offer any new suggestions for moving forward. It contains only mild adjustments from the 2010 version, dropping most of the language referring to the 2010 high-level meeting on the CD convened by the UN Secretary-General and it adding two new operational paragraphs. One calls on the CD to "further intensify consultations and explore possibilities with a view to adopting a balanced and comprehensive programme of work at the earliest possible date during its 2012 session." This seems compatible with, though more specific and less all-encompassing than, the Dutch-South African-Swiss resolution. The other new operational paragraph recognizes the importance of continued consultations regarding the expansion of the CD's membership, which last year was only mentioned in the preamble.

Only one resolution addressed machinery other than the CD: A/C.1/66/L.20, "Report of the Disarmament Commission," recommends that the UN Disarmament Commission (UNDC) "intensify consultations with a view to reaching agreement on the items on its agenda" before the start of its substantive session of 2012; and sets the dates for that session as 2–20 April 2012. After the failure of yet another three year cycle in 2011, the Chair of the UNDC, Ambassador Hamid Al-Bayati of Iraq, suggested that the next cycle focus only on two agenda items—nuclear and conventional weapons—and that the chairs of the working groups should commit to whole cycle to ensure continuity.

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Gender mainstreaming in disarmament

Gabriella Irsten | Reaching Critical Will of WILPF

For the first time last year the General Assembly formally addressed the fundamental links between women and disarmament when Trinidad and Tobago tabled resolution A/C.1/65/L.39, “Women, disarmament, arms control and non-proliferation”. The resolution adopted by the General Assembly without a vote as resolution 65/69 included several changes from the original draft. The main conflict among states concerning the resolution was that some delegations believed that gender mainstreaming and UN Security Council resolution 1325 are human rights issues and should therefore be dealt with within the UN human rights machinery instead of in disarmament fora. However, many other delegations believe that disarmament and gender equality are interconnected issues in the pursuit of global peace and security.

Although resolution 65/69 will not be tabled this year, since it is a biennial resolution, some states have raised in First Committee the significant role that a gender perspective has on disarmament. During the thematic debate on conventional weapons, Nigeria’s delegation identified that the issue of a gender-based approach to disarmament issues is vital in reaching a sustainable and equal peaceful society. Germany’s Ambassador Hoffman spoke on the importance of placing small arms and light weapons proliferation in a broader human rights context with an emphasis on gender issues. Ms. Kazragiene from the Lithuanian delegation expressed Lithuania’s conviction that security and development programmes should include gender aspects, with specific attention given to resolution 65/69 and UNSCR 1325.

During the thematic debate on regional disarmament and security, Ms. Agnès Marcaillou, Chief of the UN Office for Disarmament Affairs’ Regional Disarmament Branch, spoke on the work done in relation to resolution 65/69 and the impact of gender as a cross-cutting issue. Meanwhile, the resolution tabled by the Peruvian delegation, A/C.1/66/L.16 on the “United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean,” welcomed the initiative of the Regional Centre’s first programme specifically focusing on women to promote gender mainstreaming in the field of disarmament non-proliferation and arms control, as called for in resolution 65/69. Ms. Imelda Smolcic from the Uruguayan delegation showed appreciation to the Regional Centre’s efforts on behalf of MERCOSUR and Associated States. She stated, “We welcome the initiative of the Centre to carry out the first course specifically for women working in the area of firearms control in the Andean region.... We understand that gender perspective has a crosscutting dimension, so that the role of women in disarmament must be promoted and encouraged.”

Moreover, the representative of the Mozambique delegation addressed the important role that the UN Programme of Action on small arms and light weapons plays as a legal framework in the prevention of use of arms in domestic violence. Finally the representative of Trinidad and Tobago noted that last year’s resolution was created to reaffirm and recognize the importance of women in disarmament.

Reaching Critical Will believes that disarmament and gender equality are both tools for moving towards the same goal: universal sustainable peace. The UN bodies where these two issues are being discussed need to strengthen the linkages between these issues in order to develop a more inclusive approach to peace. All UN organs are required to develop and implement a gender action plan, which aims to mainstream gender into its structure and programs. This should also be the case for the relevant UN disarmament fora. The General Assembly officially adopted gender mainstreaming in 1997 (A/RES/ 52/100) as the main tool to reach gender equality. In short this means ensuring a gender perspective in all policies and programmes and to be considered at every stage of a programme cycle.

On 7 March 2011, the Women’s International League for Peace and Freedom focused its annual International Women’s Day seminar on resolution 65/69. To read more on the topic of integrating a gender approach in disarmament, please see <http://www.wilpfinternational.org/events/IWD2011/index.html>. •

Disarmament machinery (cont.)

Lamenting both the failures in the UNDC and the CD, the South African delegation emphasized the importance of ensuring that institutions serve the purpose for which they are created. It argued that the conception of weapons as providers of security has paralyzed the disarmament machinery and that the answer lies in collective solutions that take into account individual security needs but that reflect shared security interests. Indeed, the stalemate in the CD and the UNDC privileges the interests of those states that possess nuclear weapons and 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. Delegates to First Committee must then seize this opportunity to overcome the deadlock and work for true collective security that comes through arms control and disarmament, rather than through accumulation and threatened use of weapons of mass destruction. •

Nuclear disarmament

Ray Acheson | Reaching Critical Will of WILPF

Once again, nuclear disarmament or nuclear weapon issues are the subject of several draft resolutions tabled at this First Committee. Most of these texts remain the same from year to year, and 2011 is no different—with the exception of the New Agenda Coalition's "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments" (A/C.1/66/L.31). While the 2010 version, adopted as resolution 65/59, also reflected the outcome of the 2010 nuclear Non-Proliferation Treaty (NPT) Review Conference and encouraged states to implement its provisions, L.31 sharpens its approach to draw out and demand action on the key commitments and responsibilities related to nuclear disarmament.

The preamble expresses anticipation that the first meeting of the preparatory process for the 2015 Review Conference "will begin to lay the groundwork for monitoring the fulfilment by all States parties of their commitments in the 2010 Review Conference action plan, including those by the nuclear-weapon States to accelerate concrete progress on the steps leading to nuclear disarmament."

A new operative paragraph (OP) 12 notes that the nuclear weapon states met in Paris in June "to consider progress on the commitments they made at the 2010 Review Conference," but also stresses the importance that they fulfill the commitments they made "to accelerate concrete progress on the steps leading to nuclear disarmament" at both the 2000 and 2010 Review Conferences in advance of 2015. In this vein, the resolution outlines these concrete steps and calls for their implementation "in a manner that enables States parties to monitor them regularly during each review cycle" and for the nuclear weapon states to report regularly on their progress. OP 16 also calls on them to regularly report on their efforts "to diminish the role and significance of nuclear weapons in all military and security concepts." Furthermore, in its OP six, the new draft calls on the nuclear weapon states to constrain "the development and qualitative improvement of nuclear weapons and to end "the development of advanced new types of nuclear weapons," referencing the related language in the NPT outcome document.

During the nuclear weapon cluster, Ambassador Danon of France argued that the NAC resolution tries to "reopen compromises reached with great difficulty" and that it modifies and amplifies certain commitments in the action plan. Complaining that this "doesn't seem to be very productive," Ambassador Danon called instead on the NAC delegates to "try to preserve the spirit that allowed us to strengthen multilateralism and to focus on the effective implementation of the 2010 Action Plan." Of course, this is exactly what the NAC resolution is intended to do. The vast majority of delegations at First Committee this year have made it very clear that they

expect comprehensive and complete implementation of the action plan and a robust programme for nuclear disarmament by 2015. The NAC resolution seems oriented toward expressing this anticipation and encouraging fulfillment of the relevant obligations contained in the 2010 outcome document.

Of course, the NAC resolution is not the only text on nuclear disarmament this year. There are some similarities between it and the Japanese-led "United action towards the total elimination of nuclear weapons" (A/C.1/66/L.41)—both call for universality of the NPT, reaffirm the unequivocal undertaking by the nuclear weapon states to disarm, and recognize the importance of the 2010 Review Conference's recognition of the devastating humanitarian consequences of the use of nuclear weapons and the need for compliance with international humanitarian law, for example.

However, L.41 expresses less concern with the lack of progress on multilateral nuclear disarmament. It welcomes the P5 meetings as the NAC resolution does but does not overtly encourage implementation of their obligations (though it does, in operative paragraph 6, call on the nuclear weapon states to report on the implementations of their commitments to the preparatory committee in 2014). Of any of the omnibus disarmament resolutions, this draft has in recent years drawn the most support. It was adopted as resolution 65/72 in 2010 with the support of four of the five NPT nuclear weapon states and with only the DPRK voting against.

Meanwhile, the co-sponsors of the draft, "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.42), did make any substantive changes to their draft. It continues to note the UN Secretary-General's five-point proposal for nuclear disarmament, including "the consideration of negotiations on a nuclear weapons convention or agreement on a framework of ... instruments" and calls on states to commence multilateral negotiations on such a convention.

There is also little substantive change in the Non-Aligned Movement's "Nuclear disarmament" (A/C.1/65/L.49) draft resolution. The draft lists NAM's disarmament priorities including a halt to qualitative improvements in warheads and delivery systems, diminishing the role of nuclear weapons in military doctrines, establishment of nuclear weapon free zones (with a new paragraph addressing the Southeast Asian zone), de-alerting, a legally-binding instrument against the first use of nuclear weapons, a fissile materials cut-off treaty, and the establishment by the Conference on Disarmament of an ad hoc committee on nuclear disarmament.

Iran's resolution A/C.1/66/L.3, "Follow-up to nuclear disarmament obligations agreed to at the 1995, 2000 and

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Nuclear proliferation

Ray Acheson | Reaching Critical Will of WILPF

Three resolutions this year deal directly with matters related to proliferation. The Arab Group's annual resolution "The risk of nuclear proliferation in the Middle East" (A/C.1/66/L.2) is nearly identical to the 2010 version, which was adopted as resolution 65/88 with a vote of 172-6-8 abstentions. The resolution deals exclusively with Israel and has thus previously received criticism for failing to address the full scope of proliferation issues in the region. During the general debate this year, Israel's delegation criticized this resolution, 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.

Offering another controversial resolution, the US delegation tabled its draft resolution "Compliance with non-proliferation, arms limitation and disarmament agreements and commitments" (A/C.1/66/L.47). This text has interesting history—in 2002, it was adopted without a vote, but in 2005, the US delegation hardened its language to bring its tone in line with the views of the Bush administration. These changes resulted in the loss of consensus, with several states including Russia abstaining and China not participating in the vote. In 2008, as reported in the *First Committee Monitor*, the US delegation only made minor changes to the controversial 2005 text, and it picked up about a half dozen more abstentions than in 2005, all from Arab states.

The key concern expressed by delegations in 2008 was that the resolution is heavily weighted toward non-proliferation; many would have liked it to have made a clear reference to compliance with "the entirety of all provisions," as Indonesia's delegation noted. A number of delegations felt the resolution went too far in supporting unilateral assessment or enforcement of treaty obligations, which could be based on "politically motivated assumptions," as Iran's delegation pointed out. Furthermore, as reported in 2008, "Some emphasized that they would have preferred language reflecting methods for dealing with compliance that are contained within the texts of pertinent treaties and for verification by competent international organizations."

In this year's text, a new operative paragraph 3 welcomes efforts by all states "to pursue additional areas of cooperation, as appropriate, that can increase confidence in compliance with existing non-proliferation, arms limitation and disarmament agreements and commitments and reduce the possibility of misinterpretation and misunderstanding." This change is likely in response to some of the comments received in explanations of vote in 2008. It remains to be seen whether this is sufficient to satisfy the 18 delegations that abstained in 2008.

The final text related to proliferation, A/C.1/66/L.48, "Measures to prevent terrorists from acquiring weapons of mass destruction," contains only one technical update from its 2010 version. A new preambular paragraph notes the high-level meeting on nuclear safety and security held in September 2011. The operative portion of the text remains the same; it urges states to participate in international efforts to prevent WMD terrorism and calls for a report from the UN Secretary-General on measures undertaken by international organizations and the views of member states on the subject. Last year this resolution was adopted by the General Assembly as resolution 65/62 without a vote. •

Nuclear disarmament (cont.)

2010 Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons," also only contains minor adjustments, even though it was last issued in 2009, prior to the 2010 Review Conference. The draft continues expressing determination to pursue practical steps for implementing article VI of the NPT and gives the same list as in 2009.

The Philippines, as President of the 2010 NPT Review Conference, tabled a new resolution on the "2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and its Preparatory Committee" (A/C.1/66/L.15). The draft simply takes note of the decision of states parties to hold the first preparatory committee for 2015 in Vienna from 30 April to 11 May 2012 and requests the UN Secretary-General provide the necessary assistance and services to the meeting.

Other nuclear weapon-related resolutions

The Indian delegation tabled its two annual resolutions, "Reducing nuclear danger" (A/C.1/65/L.45) and "Convention on the Prohibition of the Use of Nuclear Weapons" (A/C.1/65/L.46). Neither text has substantive updates from last year. L.45 calls for review of nuclear doctrines and for urgent steps to reduce the risks of unintentional and accidental use of nuclear weapons. The draft resolution also requests the UN Secretary-General to intensify efforts and support initiatives that would implement the seven recommendations of the Advisory Board on Disarmament Matters that would significantly reduce the risk of nuclear war. Meanwhile, L. 46 underlines that the use of nuclear weapons poses the most serious threat to humankind's survival and highlights the advisory opinion of the International Court of Justice from 1996 on the Legality of the Threat or Use of Nuclear Weapons. The draft reiterates the need for an international convention on the prohibition of use of nuclear weapons and requests the Conference on Disarmament to commence negotiations in order to reach such an agreement. •

Negative security assurances

Tayyaba Khokhar | NGO Committee on
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While states did not mention negative security assurances (NSAs) during the thematic debates last week, a group of states tabled the annual resolution “Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons” (A/C.1/66/L.25), which reaffirmed states’ commitment to the need for NSAs. The draft text is nearly identical to last year’s resolution, adopted as resolution 65/43 with a vote of 119 in favour, none opposed, and 58 abstentions.

The resolution addresses five main issues. First, it reaffirms the need to agree on an international agreement to “assure non-nuclear weapon states against the use or threat of nuclear weapons.” Second, it notes that this affirmation is in accordance with the Conference on Disarmament which assures non-nuclear states against the threat of such weapons. Third, most importantly, the resolution appeals to nuclear weapon states to work towards a common approach to NSAs and include such a provision in a legally-binding instrument. Fourth, it recommends that “further intensive efforts be devoted to the search for such a common approach or a common formula” or an alternative approach be found to ensure NSAs. Fifth, it stipulates that the Conference on Disarmament should actively continue negotiation to work on an international convention giving assurances to non-nuclear states.

In the past, states have generally abstained because they do not wish to “prejudge” the discussions or activities on this issue in the CD, which has not adopted a programme of work since 1998. •

Nuclear testing

Ray Acheson | Reaching Critical Will of WILPF

Only one resolution this year deals directly with nuclear testing. A/C.1/66/L.37, “Comprehensive Nuclear-Test-Ban Treaty,” promotes the universalization, entry into force, and implementation of the CTBT. The only substantive change to this year’s version is in operative paragraph six, which urges all states that have not yet signed the Treaty, “in particular those whose ratification is needed for its entry into force,” to sign and ratify as soon as possible. It was adopted last year as resolution 65/91 with a vote of 179-1-3. The DPRK voted against as usual, while Syria, India, and Mauritius abstained. •

Nuclear weapon free zones

Thomas Garofalo | NGO Committee on
Disarmament, Peace and Security

Although there was very little discussion on nuclear weapons free zones (NWFZ) last week, three draft resolutions concerning NWFZ were introduced in the First Committee.

Egypt tabled A/C.1/66/L.1 on the establishment of the Middle East NWFZ, with only minor technical updates from last year’s version, which was adopted without a vote as resolution 65/42. This resolution has been in play since 1974 and, as Israel indicated in its explanation of vote last year, it does not object to its adoption by consensus because it is “committed to the vision of” a WMD free zone in the Middle East. As the resolution was tabled before the announcement of the facilitator and host of the 2012 conference on developing a weapons of mass destruction free zone in the Middle East, the resolution does not mention either.

A second NWFZ-related resolution was introduced by Indonesia. A/C.1/66/L.38, regarding the South East Asian Nuclear Weapons Free Zone (SEANWFZ), reiterates what was agreed upon in the Bangkok Treaty in 1995. This resolution upholds all of the same provisions as that Treaty, but most importantly the resolution “Welcomes the resumption of direct consultations between the States parties to the Treaty and the five nuclear Weapon States, and encourages the States parties to the Treaty to continue direct consultations with the five nuclear-weapon States.” The renewed possibility of the P5 states signing the additional protocol of the Treaty has been a topic of great optimism since the talks in New York and Geneva. This resolution was last tabled in 2009, when it was adopted as resolution 64/39 with a vote of 174 in favour and 6 abstentions.

The third resolution was introduced by Nigeria: A/C.1/66/L.51 on the African Nuclear Weapons Free Zone Treaty. The resolution emphasizes that the member states party to the Treaty of Pelindaba need to adhere to the provisions of that Treaty, especially regarding International Atomic Energy Agency safeguards. The resolution also calls upon the member states that have not signed it to do so as soon as possible. Many of these countries have signed but not ratified the Treaty. There are no substantive changes to the draft resolution from last year’s version, which was adopted as resolution 65/39 without a vote. •



Outer space

Dean Granoff and Rhianna Tyson Kreger | Global Security Institute

During the thematic debate on outer space last week, a substantial number of delegations took the floor on the issue, mainly to note the importance of the Committee on Peaceful Uses of Outer Space (COPUOS) and/or to positively endorse the General Assembly's decision to establish, in 2012, a Group of Governmental Experts (GGE) on space. Australia, Romania, Italy, Republic of Korea, China, the United States, and Norway all noted complimentary cooperative measures outside the UN system, such as through the European Union International Code of Conduct for Outer Space.

Beyond mere cooperation, many countries explicitly emphasized the need to prevent the weaponization of space, such as Romania, Kazakhstan, Italy, Republic of Korea, Canada, Democratic People's Republic of Korea, Brazil, China, the Russian Federation, and Sri Lanka. Countries like Norway and Sri Lanka, the latter of which tabled the annual prevention of an arms race into outer space (PAROS) resolution, noted that it is easier to prevent the weaponization of space than to disarm it post facto. The PAROS resolution, A/C.1/66/L.14, is identical to last year's text, which was adopted as resolution 65/44 with only the United States and Israel abstaining.

PAROS was additionally referenced by Romania, Republic of Korea, Brazil, China and Norway while other countries like Australia echoed the widespread disappointment with the Conference on Disarmament to cooperatively and substantially address space. Brazil recommended a subsidiary body in the CD to allow direct discussions in order to advance PAROS. The Austria, Norway, Mexico proposal for moving forward with multilateral disarmament negotiations suggests an open-ended working group on PAROS.

Another swathe of countries used the thematic debate to voice their opinion that transparency and confidence-building measures (TCBMs) are necessary but not sufficient in creating an international regime for space. Brazil strongly suggested that it was in the best interest of international community to start negotiations on a legally binding instrument to prevent the placing of any kind of weapon in outer space. They suggested that the draft Treaty on the Prevention of the Placement of Weapons in Outer Space tabled by Russia and China might be a good start. Romania, Kazakhstan, and the Democratic People's Republic of Korea additionally referenced the proposed treaty.

While the US delegation stated a need for a cooperative international regime in space, it emphasized that the US National Space Policy affirms the consideration of space-related arms control concepts and proposals, provided they meet criteria of equitability effective verifiability, and enhance the national security of the US. These criteria, the US specified, included TCBMs.

While the Canadian delegation did not directly reference any specific proposals or agreements on space weaponization, it noted that its government has consistently opposed weaponization of space and proposed measures that ban weapons in space, prohibit the use of satellites as weapons, and prohibit the testing and use of weapons on satellites so as to damage or destroy them. •

Missiles and anti-missile systems

Gabriella Irsten | Reaching Critical Will/WILPF

The Democratic Republic of Korea, France, Iran, Israel, Kazakhstan, Republic of Korea, United Kingdom and United States mentioned missiles or missile defense in their statements during the third week of First Committee debates.

Iran together with Egypt and Indonesia presented the draft decision A/C.1/66/L.10 on Missiles. The text simply places the issue on the agenda for next year. Previous iterations of the missiles resolution have been met with some controversy. In 2008, the main disagreement concerning resolution 63/55 (which was adopted with a vote of 120 in favour, 10 against, and 50 abstentions), was that the resolution called for the UN Secretary-General to seek the views of member states on his previous report on missiles. During the preparation of his previous report, the Secretary-General established a Panel of Governmental Experts to assist him, however, convening another panel or study on missiles did not have consensus back in 2008, as the US and UK delegations argued in their joint explanation of vote.

Meanwhile, last year's biennial resolution on "The Hague Code of Conduct against ballistic missiles" (adopted as resolution 65/73 with 162 in favour, 17 abstentions, and one [Iran] opposed) was also given some attention during the third week of First Committee debates. The United Kingdom supported the work of the Missile Technology Control Regime and reiterated its support of the HCOC, saying, "The risks caused by the proliferation of missiles that could be used to deliver weapons of mass destruction are significant." Moreover, Mr. Israil Tilegen of Kazakhstan reiterated that his country has actively been working in accordance with the Missile Technology Control regime, although it is not a formal member.

US Ambassador Laura Kennedy explained that the United States supports and works to "counter the proliferation of MANPADS" (man-portable air-defence systems). Mr. Eran Yuvan from the Israeli delegation reiterated Israel's concern of MANPADS ending up in unauthorized and irresponsible recipients. •

Biological and chemical weapons

Harry Smith and John Burroughs | Lawyers Committee on Nuclear Policy

On 17 October, Ambassador Paul van den IJssel, President-designate of the Seventh Review Conference of the Biological and Toxin Weapons Convention (BTWC) and the Dutch Ambassador to the Conference on Disarmament, outlined areas in which a result will be necessary for the Review Conference to be considered a success: a new work programme; annual exchanges of information; a way to monitor advances in science and technology; evolution of the Implementation Support Unit; cooperation and assistance; compliance and verification; and universalization of treaty membership.

Regarding cooperation and assistance, Ambassador van den IJssel said the question for the Review Conference is “how can we improve the way States Parties work together and with their international partners in building capacity and promoting the peaceful uses of biological science and technology?”

Regarding verification, his question is “what, if anything, can be done to ensure that States Parties are complying with their obligations and properly implementing the treaty? Given the difficult history, how do we approach this issue in a practical, de-politicized way that produces tangible security benefits for all the international community?”

States including China, the Netherlands, Switzerland, and the United States addressed the topic of scientific developments. Ambassador Alexandre Fasel of Switzerland stated that “it is vital that the [BTWC] does not lose touch with the rapid developments of biological sciences. To this end, States Parties should consider conducting more regular and systematic reviews of scientific and technological developments. The current five-year rhythm is clearly insufficient.”

Delegations such as Switzerland, Spain, India, the United States, and Australia praised the BTWC inter-sessional work from 2007 to 2010. Deputy Permanent Representative of Australia Paul Wilson stated that the inter-sessional programme was “valuable in maintaining the active engagement of States Parties in the work of the [BTWC] and in related biosecurity issues.”

Meanwhile, US Ambassador Laura Kennedy observed that “over the last several years, the States Parties to the [BTWC] have come together to share information and foster progress in important areas such as biosafety and pathogen security, professional responsibility in the life sciences and codes of conduct surrounding dual-use issues, assistance with disease surveillance capacity building and national implementation measures.”

The Implementation Support Unit (ISU) of the BTWC, which provides administrative support for the BTWC and facilitates confidence-building measures, also received positive attention. Ambassador Wang Lei of China stated that the ISU is “operating smoothly.”

Mr. Hussein Hirji of Canada said that the ISU is “one of the Sixth Review Conference’s great success stories.”

As in the previous two weeks, several states commented on ongoing risks posed by the potential for acquisition of biological weapons, especially by non-state actors. Mr. Hirji of Canada stated that “the risk of biological weapons proliferation, either by rogue states or non-state actors, remains as real today as it was when the [BTWC] was adopted in 1972. Since then, the rapidly advancing pace of science and technology and dual-use risks associated with biological science has increased the danger of such weapons.”

During a 17 October side event hosted by the University of Exeter, panelists discussed a recent report released by the US National Academies, “Life Sciences and Related Fields: Trends Relevant to the Biological Weapons Convention.” The report has both negative and positive messages. It describes the potential for new forms of biological weapons arising out of advances in synthetic techniques, materials science, and nanotechnology. But it also observes that developments in biosensors, surveillance systems, and microbial forensics could contribute to detecting instances of acquisition and use of a biological agent as a weapon.

Reinforcing a central theme in the BTWC context, the report calls for the scientific community to foster a “culture of awareness, self governance, and responsible conduct.” To this end, panelists underlined the importance of embedding education on the ethical and legal dimensions of biological research in university curricula.

Hungary introduced a draft resolution on the BTWC (A/C.1/66/L.32), which urges all states parties to work together to achieve a consensus outcome of the Seventh Review Conference. It includes several updates from last year’s resolution, which was adopted without a vote as resolution 65/92. L.32 welcomes measures to update the mechanism for transmission of information, recalls the decisions reached at the Sixth Review Conference, and notes with appreciation the work of the ISU from 2007–2010.

Regarding chemical weapons, states including Switzerland and Australia stressed the need to keep abreast of scientific developments. Australia’s Paul Wilson noted that “globalisation, rapid scientific developments, the availability of increasingly sophisticated production techniques, and new procurement channels mean that we need to be constantly vigilant and proactive.”

Poland introduced a draft resolution on the Chemical Weapons Convention (A/C.1/66/L.19). The resolution states “that implementation of the Convention makes a major contribution to international peace and security.” It does not include any changes from last year’s version, adopted without a vote as resolution 65/57. •



Arms trade treaty

Katherine Prizeman | Global Action to Prevent War

The debate on conventional weapons included a robust discussion of next year's arms trade treaty (ATT) negotiating conference as well as a review of the preparatory process thus far. Ambassador Roberto García Moritán addressed First Committee in his capacity as Chair of the ATT Preparatory Committee (PrepCom). He offered a briefing of the three previous sessions of the PrepCom and, in particular, the current proposals regarding scope, criteria, and parameters, international cooperation and assistance, and implementation. Final preparations for next year were also taken up as the UK delegation put forward a resolution, A/C.1/66/L.50, seeking to extend the final PrepCom in February from three to five days.

Ambassador Moritán recognized the divergent views that surround the ATT, stating, "it is clear that there is a wide variety of perspectives and priorities among delegations, including in that range those who highlight the importance of a robust, comprehensive effective instrument with regards to its purposes and provisions and those who still consider that it would not be necessary to adopt a legally-binding instrument." This lack of consensus is seen by many as the main challenge of the ATT process. Identification of common ground on the ultimate purpose of an ATT is critical and requires vigorous attention during the final PrepCom. The Spanish delegation encouraged member states to recognize a "two-level approach"—a treaty regulating the legal business of trade in conventional weapons, but also combating illegal weapons transfers that find their way into the illicit market prompting devastating insecurity across nations and regions. The Uruguayan and Liberian delegations noted the latter in their general comments, expressing concern over the negative effects on the socio-economic well-being of regions due to illicit transfers. Panama's delegate also rightly underscored the danger of diversion.

An encouraging trend was the reference by several delegations to the utility and importance of the Chair's papers as a "reference guide," as noted by New Zealand's delegate. The Georgian, Costa Rican, and Japanese delegates expressed support for the draft papers as a useful launch of discussions. Germany's delegation stated that although the Chair's papers have been subject to continued improvements and development for the sake of cohesion, they must be further refined over the course of the next year.

In stark contrast to supporters of an expansive humanitarian instrument, the US delegation indicated that the United States does not view the ATT as a disarmament or arms control treaty, but rather, a trade treaty regulating a legitimate industry. Furthermore, the US delegation noted that national implementation of such a treaty should not be subject to international regulation, a view also reiterated by India. The US delegation

explained such decisions are strictly a national prerogative, although a legal requirement of all member states to regulate transfers at the national level is appropriate and welcome. Other delegations emphasized state sovereignty issues, including Pakistan and Eritrea, whose delegations both referenced the oft-noted UN Charter article 51 right of self-defense. The Non-Aligned Movement called for a "step-by-step" process that is transparent and non-discriminatory.

Detailed discussions of elements of the future ATT were limited, with a focus instead on the negotiating process as a whole. Nonetheless, the delegations of Liechtenstein, Senegal, Democratic Republic of the Congo, Jamaica, and CARICOM expressed support for the 7+1+1 formula for the scope of the treaty, which includes SALWs and ammunition in addition to the seven categories in the UN Register. Likewise, the Philippines' delegation also expressed support for a scope that includes the seven categories and SALWs, while also encouraging an ATT provision that prevents arms transfers to those states under UN Security Council embargoes. Iran called for the entry-into-force of the ATT to be conditional on the ratification of ten major producer states.

As Australia noted, there is near universal recognition for the need to better regulate the arms trade. Despite conflicting objectives and perspectives, the intensity with which delegations have expressed their views on the ATT is indicative of what will be a rich negotiating process next year. Many states made it clear that they hope everyone will continue to commit to an ATT process that takes into account the many elements included in the Chair's latest draft paper in a broad international security context. Although all the elements presented in the paper will likely not be included in the final text due to the consensus provision, it is widely hoped that delegations will be as comprehensive as possible, especially regarding the dangers of diversion and the need for sufficient implementation capacity. As Slovenia's delegation noted, an ATT that demands evaluation of diversion risk in light of human rights, in addition to proper transparency and reporting requirements, is possible. It's time to clearly define the arms trade and close legal loopholes that allow illicit trade to continue. •

Cluster munitions

Katherine Harrison | Action on Armed Violence

Building on the tempo of positive statements in support of the Convention on Cluster Munitions during the first week of First Committee, the continuation of the debate on conventional weapons during the First Committee's third week was equally encouraging. Delegations also continued to express their views on the future of negotiations on a protocol on cluster munitions within the Convention on Conventional Weapons (CCW), reinforcing that positions remain widely polarized on the current Chair's text under consideration.

Convention on Cluster Munitions (CCM)

Numerous delegations emphasized the importance of the CCM and its already demonstrable impact in its first year of its implementation. States parties and signatories including Albania, Australia, Austria, Jamaica, Japan, Lesotho, Lithuania, New Zealand, the Philippines, Senegal, Slovenia, South Africa, Switzerland, and the United Kingdom noted their support for the Convention in their statements.

Austria, New Zealand, Norway, and Switzerland gave strong statements welcoming progress made over the past year, including in the growing number of ratifications and accessions, evident progress in implementation, and the successful and excellently organized Second Meeting of States Parties.

Contributing to the sense of achievement in the implementation of the convention, Slovenia announced that it had completed the destruction of its entire stockpile of cluster munitions in July this year. The UK delegation reaffirmed that it will complete destruction of its 38 million submunitions in advance of its four-year deadline, by 2013, and stated that 65% of its stocks have been destroyed thus far. The adoption of the Vientiane Action Plan and Beirut Declaration were also highlighted by a number of delegations. Lithuania, Slovenia, and Switzerland also indicated their support for the establishment of an implementation support unit (ISU) within the Geneva International Centre for Humanitarian Demining in Geneva (GICHD).

The Non-Aligned Movement, Albania, Australia, Japan, Lesotho, Lithuania, and Slovenia appealed for support for universalization and called on all states that have yet to do so to ratify or accede to the Convention. The UK delegation said it makes use of all appropriate opportunities, bilateral or multilateral, to promote the universalization of the CCM and noted that it hosted a meeting last month with the International Committee of the Red Cross (ICRC) and Cluster Munitions Coalition in London to promote the Convention with Commonwealth countries.

Senegal referred to its recent ratification of the Convention, in August 2011. Signatories Switzerland and Jamaica indicated continued engagement towards rati-

fying the convention. Switzerland stated its ratification process is moving forward, while Jamaica said that it hopes to complete ratification "at the earliest possible date." Other signatories which spoke during the week, such as the Philippines, South Africa, and Australia did not include updates on the status of their ratifications in their statements.

Non-signatory Thailand gave a positive statement towards acceding to the Convention. Thailand's delegation said that although it had not yet joined the CCM, it is continuing its "serious engagement" on the issue and that it supports the principle of the Convention "of which humanitarian concerns caused by cluster munitions remains at its heart." Thailand noted the workshop on the CCM recently held in Bangkok to raise awareness and understanding about the convention across Thai agencies and civil society. Thailand also noted its participation as an observer in the Second Meeting of States Parties in Beirut and its efforts towards risk education and victim assistance.

Convention on Certain Conventional Weapons (CCW)

Statements intensified considerably in both tone and substance during the First Committee's third week on the controversial issue of the future of negotiations on a protocol on cluster munitions during the upcoming Fourth Review Conference of the CCW in November. A growing number of states, including Austria, the Democratic Republic of Congo (DRC), Mexico, New Zealand, Norway, South Africa, and Switzerland, spoke out to condemn the serious humanitarian harm risked by loopholes and weak provisions in the current Chair's draft protocol text. On the other hand, a number of CCM states, including Australia, France, Germany, Lithuania, the Netherlands, and the UK continued to actively support a protocol on the basis of the Chair's text.

The good:

Austria's Ambassador Kmentt stated that Austria considers the approach of the CCW negotiations thus far to be "flawed" and that the restrictions proposed in the Chair's draft text would "mean in fact a legitimization of all cluster munitions not covered by the proposal, all of which are known to cause terrible humanitarian problems." He also raised Austria's serious reservations to establishing an adverse precedent for the development of IHL.

Mexico stated that it would be unfortunate to make new rules to justify a standard below that of the prohibition in which 111 countries have invested political and human resources, or much worse, to conceive of a regression to authorize the use of cluster munitions in some circumstances. In line with its positive Article 21 obligations to actively discourage use of cluster munitions and promote the norms of the CCM, Mexico called on all

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Cluster munitions (cont.)

states that produce, stockpile, and use cluster munitions to stop these activities and reiterated its commitment to the increasing universalization of the Convention.

Austria and Mexico emphasized the lack of consensus on the Chair's text and referred to their joint proposal with Norway as a viable alternative and one which could help to achieve an outcome in the CCW that does not diminish the accomplishments of the CCM in stigmatizing and delegitimizing these inhumane weapons.

Norway's Ambassador Hague said that while progress implementing the CCM is now "undisputable," what is "disputable" is the effort of some states "to go against progress," to "abuse existing instruments of international humanitarian law to move backwards and to regress existing standards," and "to attempt to take steps that would diminish the protection already afforded to civilians through another established international instrument."

Ambassador Hague reiterated Norway's view that it is unacceptable to adopt a protocol that does not provide added humanitarian value that states and humanitarian organizations can vouch for. He urged those states not party to the CCM willing to address the humanitarian impact of cluster munitions to take interim national steps against this harm, rather than to adopt new norms "that would contradict and attempt to undermine the Convention on Cluster Munitions and core principles of IHL."

South Africa's delegation emphasized that latest Chair's text "continues to raise concerns, particularly in relation to definitions, prohibitions and restrictions, deferral periods and technical annexes that will, if adopted, reverse the gains made under the CCM." The delegation also highlighted as a particular concern for South Africa the "implicit legitimisation of the continued use and production of cluster munitions that have been banned under the CCM."

New Zealand's Ambassador Higgie maintained that the CCM is the "gold standard" for any effort by the international community to address the issue of cluster munitions. She echoed the words of the ICRC that in the field of IHL, it would be "regrettable if new norms were adopted that would contradict rather than complement the CCM and would allow the development and use of specific types of cluster munitions that are likely to perpetuate the humanitarian problem." In November, CCM states will have to undertake an important evaluation process to determine whether or not there is "an important humanitarian dividend from the adoption of a Protocol VI," she said.

Switzerland's Ambassador Fasel stated there are grounds to fear that the end result in the CCW "will not sufficiently meet the humanitarian concerns at stake." He reiterated his delegation's position centered on concrete humanitarian impacts and again called on all us-

ers and producers of cluster munitions to increase transparency and provide information on the qualitative and quantitative impact of the Chair's draft protocol on their stockpiles.

The DRC, while not a state party to the CCW, stated its view that the CCW is seeking to regulate weapons already outlawed and would be seriously compromised if states parties were to adopt an instrument which would have the effect of legitimizing use of weapons known to have an unacceptable humanitarian impact. A solution needed to be found to convince major producers and users of the importance of a strong instrument that reinforces and guarantees the security of civilians and members of international missions, the DRC said.

The bad:

CCM states Australia, France, Germany, Lithuania, the Netherlands, and the UK, however, did not appear to share these humanitarian concerns and were vocal in support a protocol on the basis of the Chair's text.

Australia was amongst the strongest supporters of concluding a CCW protocol at the Fourth Review Conference on the basis of the Chair's text. Australian Ambassador Gary Quinlan said that in his delegation's view, the draft Chair's protocol would "prohibit and require the destruction of large quantities of old, unreliable and indiscriminate cluster munitions." The Chair's draft text also "contains useful commitments on stockpile destruction, clearance, victim assistance, and international cooperation and assistance," Ambassador Quinlan said. At the same time, he added that Australia is seeking an outcome which maintains the integrity of the CCM.

France's Ambassador Danon stated that France considered the draft Chair's protocol to stipulate "a stringent ban" on "all of the deadliest weapons produced before 1980," which he said "could represent more than 40% of the world's stockpile of these weapons." He said it was the "pragmatic and conscious choice" of France to support a sixth CCW protocol on cluster munitions, so long as two essential criteria are met: compatibility with the CCM and an immediate and critical humanitarian impact. He pledged that France would make proposals to improve the immediate humanitarian impact of the protocol.

Ambassador IJssel of the Netherlands stated that his delegation "considered a future Protocol VI as an intermediate step towards universalization of the CCM." He indicated clear support for an agreement on an instrument, which he said would need to contain "meaningful prohibitions and restrictions" on cluster munitions for those not yet in a position to join the CCM. Germany's Ambassador Hoffman stated that a new CCW instrument needed to make "a significant humanitarian contribution, containing an immediate prohibition on the use, production, or transfer of cluster munitions." Furthermore, it should lead to substantial improvements on the ground and be compatible and complementary to the CCM, he



Cluster munitions (cont.)

said. Lithuania's delegation said it is convinced that an agreement on a protocol that would have significant humanitarian effects and strengthen IHL at the Fourth Review Conference would be an "important additional step in the ongoing restriction of the use of cluster munitions that would eventually lead to their total prohibition."

The UK's delegation vaguely said that it would "like to see a satisfactory outcome emerge from the negotiations of a Protocol VI on Cluster Munitions" in the context of the 4th Review Conference.

Uruguay on behalf of MERCOSUR and Associated States (the Southern Common Market, which includes non-signatories Argentina and Brazil) noted both the importance of the CCM and continuing the work of the CCW towards the adoption of a protocol on cluster munitions. The Non-Aligned Movement also acknowledged the continuing discussions in the CCW along with the CCM.

The ugly:

Non-states parties to the CCM China, Cuba, India, Iran, Israel, Pakistan, the Republic of Korea, and the United States continued to actively push for a protocol on the basis of the Chair's text.

India's delegation repeated its support for the conclusion of a protocol balanced between military and humanitarian concerns at the 4th Review Conference, on the basis that it is the "irresponsible use" of cluster munitions which causes humanitarian concern and that cluster munitions are a legitimate weapon if used in accordance with IHL. Pakistan echoed its support for a protocol but, along with Cuba, added that a protocol mandating technological improvements to cluster munitions (read: anything that means costly adjustments to higher-tech weapons) cannot be seen as a solution to the problem.

The US delegation urged all parties to the CCW to conclude a protocol in November and said that the Chair's draft text reflected the "real and immediate humanitarian benefits" that can be achieved with a CCW protocol. The US called on states "not to settle for a purely aspirational document that is unlikely to have any impact on the ground." In this particular statement, the US said the draft protocol would affect "85-90%" of the world's cluster munition stockpiles and "would extend a set of binding norms, rules, and regulations to the major users and producers of cluster munitions." (It is unclear how this figure exactly relates to previously mentioned claim by France that the draft protocol could represent a ban on 40% of the world's stockpiles.)

Israel's delegation was more acerbic in its position, indicating that it believes that "[u]nfortunately some member states are working actively to thwart the efforts to conclude a legally binding instrument that will have a real impact on the ground and advance in a significant manner the humanitarian cause." China's delegation re-

iterated its support for the Chair's draft protocol and appreciation for the work of the Chair to push forward the issue while the Republic of Korea stated it looked forward to a successful outcome in November on a protocol balanced between military and humanitarian concerns.

Rather unexpectedly, Iran stated that it shared international humanitarian concerns on cluster munitions and said that its presence in Beirut for the Second Meeting of States Parties to the CCM was testimony of its support for the Lebanese people, referring to the use of cluster munitions by Israel and the suffering caused in the country. Iran emphasized, however, its view that regulating cluster munitions must include major users and producers to be effective.

Bulgaria, incoming President of the 4th CCW Review Conference, and Sweden co-sponsored draft resolution A/C.1/66/L.17 on the CCW and its universalization. Operational paragraph 10 of the resolution welcomes the preparatory work of the GGE on cluster munitions and notes the issue will be further addressed at the Review Conference.

In the busy weeks of the First Committee, affirmation of commitment to the CCM from a number of states parties and signatories was a positive sign. Indication of political will from one non-signatory, Thailand, a recent user of cluster munitions, to join the convention was highly welcomed, along with signs of engagement from Mongolia and Qatar.

Somewhat preoccupying and a source of frustration and anxiety however was the polemic around the future of the CCW negotiations on cluster munitions. For many in the room looking to focus all efforts on advancing the implementation of the CCM and achieving concrete benefits on the ground, the CCW issue was an increasingly unwelcome distraction and worse, a very real threat to setting back the cluster munition agenda. The 4th Review Conference in November will be a critical time for CCM states and states committed to meaningfully addressing harm caused by these weapons to uphold the Convention's humanitarian standards and ensure that standards for the protection of civilians are not weakened. •



Landmines

Katherine Harrison | Action on Armed Violence

During the third week of First Committee, the level of support voiced for the Mine Ban Treaty's (MBT) implementation and universalization remained strong.

A large number of states including the Non-Aligned Movement, MERCOSUR and Associated States, Albania, Australia, Austria, Cambodia, Democratic Republic of the Congo (DRC), Ethiopia, Japan, Lesotho, Lithuania, Mexico, New Zealand, Nigeria, Norway, the Philippines, Senegal, Slovenia, South Africa, Switzerland, Thailand, and the United Kingdom made statements in support of the Treaty and its implementation and universalization.

Cambodia, Nigeria, and DRC were amongst affected states to detail progress in their national implementation of clearance and victim assistance obligations and to affirm their commitment to increasing national ownership. The DRC specifically noted its recent achievement of enacting national implementation legislation. The UK announced that in January 2012, phase II of its demining program would begin on the Falkland Islands. The UK also referred to its funding contribution of 30 million pounds between 2010 and 2013, with an additional 5 million across 5 years for Afghanistan, and current support for emergency clearance in Libya. Australia also mentioned its mine action funding contribution of A\$100 million from 2010 to 2014. MERCOSUR and Associated States referred to progress in demining and victim assistance in the region, noting cooperation between countries such as joint clearance efforts of Peru and Ecuador.

Amidst many statements in support of universalization, Albania and Slovenia were among those to highlight the recent accession of Tuvalu to become the 157th state party to the MBT. Albania also strongly condemned the recent instances of use of antipersonnel mines, and called on those countries, as well as all others, to refrain from ever using landmines due to their devastating effects on civilians and their long-lasting impediment to development.

Cambodia's delegation invited all states to participate in the upcoming 11th Meeting of States Parties (MSP) in Phnom Penh from 28 November to 2 December 2011. There was a resounding amount of support expressed across the statements of many delegations for Cambodia's offer to host the 11th MSP and confidence that the meeting will bring about substantial progress in the work of the Treaty. As outgoing President of the 10th MSP, Albania also spoke at length on its efforts to promote the universalization and implementation of the Treaty, including victim assistance, which was a particular focus of its presidency.

Non-signatories Cuba, Finland, India, and the US also mentioned the MBT in their statements.

Finland's delegation reaffirmed its commitment to join the MBT in 2012 with the update that its Parliament is currently "processing the issue." Finland also noted its continued provision of support for humanitarian mine action globally.

The United States gave an update that its landmine policy review is still ongoing, but in the interim, highlighted its commitment to address "potential" humanitarian consequences caused by landmines, such as ending the use of persistent antipersonnel and antivehicle landmines at the end of 2010.

India's delegation stated that it supports the "vision of a world free of the threat of landmines," and that it is "fully committed to the eventual elimination of anti-personnel landmines." India noted that since 1997 it has discontinued the production of non-detectable anti-personnel mines and enacted a moratorium on transfer. India said that it will be participating in the upcoming 11th MSP in Cambodia as an observer, in line with its tradition of attending MBT meetings since 2004.

Cuba pointedly said that it is not a party to the Mine Ban Treaty due to the policy of hostility and aggression of the biggest military superpower and its subsequent perceived need for mines.

Albania, Cambodia, and Norway co-sponsored this year's resolution on the implementation and universalization of the Mine Ban Treaty, A/C.1/66/L.4. The text contains only technical updates to last year's version, which was adopted as resolution 65/48 with a vote of 165 in favour and 17 abstentions. The abstentions primarily come from states that are not party to the MBT that either support the Treaty but claim a need for the continued use of landmines or that do not support the Treaty because it was negotiated outside the auspices of the United Nations.

The only real change this year is contained in operative paragraph 8, which reiterates its invitation to all interested parties to attend the 11th MSP in Phnom Penh from 28 November to 2 December 2011.

As the 11th MSP approaches, the level of support for the MBT expressed during First Committee is a clear sign of continued progress ahead to advance the implementation of the Treaty and 2012 looks to be a promising year with the anticipated accession of two states, Finland and Poland. •

Small arms and light weapons

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

As this week focused on the thematic debate on conventional weapons, many states discussed issues pertaining to the proliferation of illicit small arms and light weapons (SALW). It was evident that the trade in illicit SALW and its devastating effects on peace, security, social and economic development, terrorism, and human rights were at the forefront of concerns expressed by numerous delegations. For example, Botswana noted that the use of SALW in robbery, transnational organized crime, and piracy is a major concern. This was the case for many other African states, some of which called SALW “the real weapons of mass destruction.”

The coming year will be important for addressing this agenda, as the Review Conference of the UN Programme of Action to prevent, combat and eradicate the illicit trade of arms in all its aspects (UNPoA) will be held in August 2012. Many states consider the UNPoA and the International Marking and Tracing Instrument (ITI) to be important tools, as well as the cornerstone of efforts to address the issue of illicit SALW.

The Fourth Biennial Meeting of States (BMS4) in 2010 and the Meeting of Governmental Experts (MGE) held in May 2011 have provided a stimulus for discussions at the Review Conference. Many delegations welcomed the recommendations made by the MGE, as they included information pertaining to marking; record keeping; international cooperation for the successful use of the ITI; and other practical measures in the UNPoA. South Africa’s delegation even expressed support for the MGE becoming a biennial event.

Delegations indicated that they are looking forward to the opportunity presented by the Review Conference and noted that it will be critical to assess the past achievements of the UNPoA, as well as identifying areas in which it can be improved and strengthened. Mexico’s delegation went a step further, connecting developments in the area of illicit SALW to the need to assess and update the UNPoA. As ten years have passed since implementation began, those dealing with illicit SALW have had an opportunity to evaluate the strengths and weaknesses of the UNPoA and use that knowledge to their advantage in circumventing its measures. Therefore, it is imperative that the UNPoA be a living document able to address the evolving nature of the “industry” that its implementation was intended to eliminate. Iran’s delegation further noted that the UNPoA should be strengthened rather than having the international community create new treaties to combat illicit SALW.

From all the statements made in the course of the week it is clear that important measures requiring focus at the Review Conference should include marking and tracing, international cooperation, matching needs with resources, and border control. The Ambassador Dell

Higgie of New Zealand stated, “The international community could do much better at providing targeted assistance and support. We have yet to find a way to address sensitive yet important areas such as border controls and the application of the UNPoA in conflict settings.” Trinidad and Tobago, speaking on behalf of CARICOM, emphasized the need for illicit SALW to be combated using a coordinated and concerted effort, and suggested that instituting cross-border controls should be assessed at the Review Conference. Jamaica believes that finding a way to better deal with the issue of porous borders can be a tangible outcome of the Review Conference. For Senegal, the destruction of surplus weapons should also be discussed. Several states mentioned actions taken by regional actors in controlling the proliferation of conventional arms and the support given by the international community.

While most delegations focused on improving the practical aspects of UNPoA, a few other delegations stated their belief that the UNPoA should go further in addressing the issues associated with the illicit SALW trade. For Cuba, the UNPoA should not only address illicit SALW, but also the underlying factors contributing to demand for SALW, which it links to poverty and social unrest. The German delegation stated it would like to see related issues addressed in the UNPoA, such as gender issues, protection of children, social and economic aspects of SALW proliferation, and links to conflict prevention.

The lack of participation in the UN Register of Conventional Arms was mentioned by several delegations, who noted that increased reporting can serve to build confidence among states and reduce the threat of arms races. A possible cause for the lack of participation was that states may not perceive reporting as a contribution towards their own security. It was suggested that SALW, because of its pervasive and devastating nature, be added to the UN Register on Conventional Arms during the next Group of Governmental Experts.

Most delegations are committed to a productive Review Conference focused on improving practical aspects of the UNPoA. One of the biggest challenges it must address is to ensure that states susceptible to the illicit SALW trade—due to conflict, porous borders, and/or are located in a region plagued by insecurity—receive adequate assistance so the problem can be addressed in a meaningful way. From the statements delivered this week, one can conclude that this must include improving border controls, international cooperation, and improving targeted assistance to enhance the capacity and capability of states.

Two draft resolutions have been tabled this year related to SALW. A/C.1/66/L.18, “Assistance to States for



Other conventional weapon issues

Katherine Prizeman | Global Action to Prevent War

Over 50 percent of delegations offered statements on conventional weapons, highlighting national priorities and presenting resolutions with regards to military expenditure and the UN Standardized Instrument for Reporting Military Expenditures and its Group of Governmental Experts (GGE), the UN Conventional Arms Register and other issues of transparency in armaments, and surplus stockpiling of conventional ammunition.

The Chair of the GGE on the continuing operation and further development of the UN Standardized Instrument for Reporting Military Expenditures, Ambassador Claus Wunderlich, provided a background on GGE deliberations and a review of the Instrument. The GGE has rightly noted the important role of regional and sub-regional organizations in the exchange of information on military expenditures and encouraged more interaction between the Secretariat and the AU, OSCE, UNASUR, and other regional groups. Germany and Romania presented their biannual resolution A/C.1/66/L.35 entitled, “Objective information on military matters, including transparency of military expenditures.” This year’s resolution, in response to shortcomings and a gradual decline of reporting, seeks to generate further cooperation with relevant regional organizations to raise awareness of the instrument and establish a process for periodic reviews. Like the previous iteration of this resolution from 2009, this draft resolution calls for improvements on the international reporting system.

Similarly, Pakistan’s delegation underscored the rise in global military expenditures to a staggering USD \$1.5 trillion in conventional arms trade and corresponding increase in sophistication of these weapons and associated technology. Pakistan presented its annual iteration of the resolution “Conventional Arms Control at the regional and sub-regional level” (A/C.1/66/L.27).

Several delegations referenced the UN Register on Conventional Arms and the need for its revitalization. Switzerland called it the “main transparency tool at the global level” and praised the GGE that is to meet next year to address further development of the Register. Also this week, the UN Office for Disarmament Affairs (UNODA) launched a new arms trade register entitled the “Global Reported Arms Trade”.

However, a number of delegation noted that participation in the Register has diminished. Slovenia lamented that the number of reports has been low and called for a goal of at least 2/3 of member state annual submissions as well as inclusion of SALWs and other new categories of conventional arms. Switzerland encouraged states to provide views to the Secretary-General prior to the start of the GGE on whether the failure of the Register to include SALWs has affected participation decisions, a question posed in the 2009 “Transpar-

ency in armaments” resolution. The same resolution was also presented this year and sponsored by a large number of states. A/C.1/66/L.29 praises the Register, welcomes the inclusion of SALWs by states in their reports, and invites the Conference on Disarmament to continue to address the issue of transparency. The Netherlands also presented its biannual draft resolution entitled “National legislation on transfer of arms, military equipment and dual-use goods and technology” (A/C.1/66/L.33) to encourage member states to submit reports to the Secretariat on national laws and regulation regarding arms export.

The delegations of Sweden and Bulgaria presented the annual resolution entitled “Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects” (A/C.1/66/L.17). Bulgaria addressed the Committee as the Chair of 2010 Meeting of High Contracting Parties on CCW Universalization with a particular focus on universalization of Protocol V on ‘Explosive Remnants of War’. Ambassador Ganev noted that for the first time in international humanitarian law does a treaty require that these explosive remnants be removed once war has ended.

France and Germany, whose delegations first presented a resolution on surplus ammunition in 2005, have presented the same resolution in this session to highlight the importance of stockpile management. The resolution is entitled “Problems arising from the accumulation of conventional ammunition stockpiles in surplus” (A/C.1/66/L.36). The last version of this resolution was presented in 2009 and endorsed the work of the GGE on accumulation of conventional ammunition in surplus and the development of recommendations. This year’s resolution seeks to underscore the implementation of the recommendations of the GGE to assist states in the reduction and destruction of conventional ammunition stockpiles in surplus, in particular noting the completion last month of the set of “Technical Guidelines for the stockpile management of conventional ammunition” and encouraging the implementation of these guidelines.

These critical issues of conventional weapons clearly draw much of their significance from the many cross-cutting elements included in these discussions such as transparency and other aspects of national reporting, which have a clear and wide-ranging effect on international security. A high level of transparency is a crucial element to any international process and should be prominent in all security discussions. •

Regional disarmament and security

Ray Acheson and Daria Medvedeva | Reaching Critical Will of WILPF

As in previous years, several draft resolutions related to regional disarmament and security have been tabled at First Committee.

A/C.1/66/L.9, "United Nations regional centres for peace and disarmament," also contains only technical updates from 2010, when it was adopted as resolution 65/78 without a vote. The text reaffirms the positive impact of the three regional centres in carrying out "dissemination and education programmes that promote regional peace and security."

A/C.1/66/L.16, "United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean," is updated to welcome the Centre's "efforts to implement gender mainstreaming in promoting disarmament, non-proliferation and arms control", thus welcoming "the initiative of the Regional Centre to conduct its first course specifically for women." In operative paragraph 2, the resolution also adds "armed violence reduction and prevention" to the Centre's activities. Last year's version was adopted as resolution 65/79 without a vote.

Ms. Mélanie Régimbal, Director of UN-LiREC, discussed the achievement the Centre has attained in training and capacity-building on issues related to small arms and light weapons. Speaking on behalf of MERCOSUR and Associated States, Mrs. Imelda Smolic of Uruguay also highlighted the Centre's programmes on promotion of confidence-building measures; prevention and solution of conflicts; support to the states in the region for complying with weapons control commitments; and education on problems that affect this region.

A/C.1/66/L.22, "Strengthening of security and co-operation in the Mediterranean region," is virtually unchanged from resolution 65/90, adopted last year without a vote. The resolution was discussed by its drafter, Algeria, and keen supporter Malta. Malta's Ambassador Borg emphasized that security in the Mediterranean region is closely linked to European and global security.

A/C.1/66/L.23, "Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa," contains a few updates from last year's resolution 65/84. It expresses the Committee's concern "about the increasing impact of cross-border criminality, in particular the activities of the Lord's Resistance Army and increasing incidents of piracy in the Gulf of Guinea, on peace, security and development in Central Africa" and considers the "urgent need to prevent the possible movement of illicit weapons and mercenaries" from Libya to neighbouring countries. It welcomes the signing of the Kinshasa Convention by all member states of the Committee and calls on them to ratify and implement it; it also calls on interested states to provide financial support

for the implementation of the Kinshasa Convention. It likewise welcomes the São Tomé Declaration on a Central African Common Position on the Arms Trade Treaty, adopted by the members of the Standing Advisory Committee in March 2011, and calls for its implementation. Finally, it urges Committee members to "strengthen the gender component of various meetings of the Committee related to disarmament and international security," in accordance with UN Security Council resolution 1325.

A/C.1/66/L.26, "Regional disarmament," is unchanged from last year, when it was adopted as resolution 65/45 without a vote. It "affirms that global and regional approaches to disarmament are complementary and should be pursued simultaneously." It also "encourages the promotion of confidence-building measures to ease regional tensions."

A/C.1/66/L.27, "Conventional arms control at the regional and subregional levels," requests the Conference on Disarmament (CD) "to consider the formulation of principles that can serve as a framework for regional agreements on conventional arms control." Last year, resolution 65/46 was adopted by a vote of 175-1-2, with Bhutan and Russia abstaining and India casting a negative vote. India argued that "security concerns of States extend beyond narrowly defined regions," and that "the notion of preservation of a balance in defense capabilities in the regional or sub-regional context is both unrealistic and unacceptable to [India's] delegation."

A/C.1/66/L.28, "Confidence-building measures in the regional and subregional context," is also unchanged from last year, when it was adopted without a vote as resolution 65/47.

A/C.1/66/L.34, "United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific," only contains technical updates from the version adopted last year without a vote as resolution 65/83. Mr. Xiaoyu Wang, Director of UNRCPD, outlined some of the capacity-building activities that have been held by the Centre, including a training workshop series on combating illicit small arms and light weapons.

A/C.1/66/L.52, "United Nations Regional Centre for Peace and Disarmament in Africa" aims to continue and deepen cooperation between the Regional Centre and the African Union, in particular its institutions in the field of peace, security, and disarmament, as well as between the Centre and relevant UN bodies and programmes in Africa. The resolution contains some updates from 2009, when it was adopted as resolution 64/63 without a vote. L.52 welcomes the Regional Centre's undertakings to provide capacity-building and technical assistance programmes on small arms control, stockpile management and destruction, the arms trade treaty, and issues related to weapons of mass destruction. •



Information technology and international security

Daria Medvedeva | Reaching Critical Will of WILPF

While information and cyber networks contribute greatly to international interconnectedness, knowledge-sharing, and cooperation, they can also become a source of insecurity when a cyber dimension is included in conflicts. The stark fact illuminated by states at First Committee is that there is virtually no effective deterrence in cyber warfare since even identifying the attacker is extremely difficult and, adhering to international law, probably nearly impossible.

Ambassador Wang Qun claimed that China has become a major victim of cyber attacks. He called upon states to look at the cyberspace issue from the perspective of “a community of common destiny” and work together towards a peaceful, secure, and equitable use of information and cyber space. These principles imply “non-use of information and cyber technology to engage in hostile activities to the detriment of international peace and security, and to non-proliferation of information and cyber weapons and related technologies.” In the meantime, he continued, “countries have the right and responsibility to protect, in accordance with their respective national laws and regulations, their information and cyber space and critical information infrastructure from threats, disturbance, attack and sabotage.”

China considers the state government as the main responsible body to protect and regulate information and cyber space, whereas Australia foremost applies international law, including laws relating to the use of force and international humanitarian law, which addresses international security aspects of cyberspace. Australia “supports the existing multi-stakeholder governance framework for the internet and does not support control of the internet by governments. The private sector, which built and owns much of the internet, is critical to its continuing success.” The US delegation agreed that the cyber sphere is a public-private endeavour and called for a “step-by-step approach” to meeting the challenges and opportunities in the cyber sphere. Ambassador Kennedy stated that making a common glossary is a priority for moving forward.

The Russian Federation submitted an updated draft resolution co-sponsored by 24 states on Developments in the Field of Informational Telecommunications in the Context of International Security (A/C.1/66/L.30). This draft resolution is based on the resolution 65/41 of last year. In a new paragraph, it clarifies the mandate of the UNICT Group of Governmental Experts to be convened in 2012. The updated draft notes that the focus of the GGE’s work will be “to study existing and potential threats in the sphere of information security and possible cooperative measures to address them, including norms, issues and principles of responsible behavior of states and confidence building measures in information space.”

Furthermore, China, Russia, Tajikistan, and Uzbekistan launched an initiative to address at the international level the international information security (IIS) in all its dimensions—politico-military, counter-terror, and anti-crime. In September 2011, they submitted to the current session of the General Assembly the “International Code of Conduct for Information Security” (A/66/359) “with a view to launching an open and transparent process for developing, within the framework of the UN, international norms and rules for information and cyberspace security,” which, they hope, “will prompt countries to act responsibly and constructively in information and cyber space and address concerns of all parties in a balanced way.” •

Small arms and light weapons (cont.)

curbing the illicit traffic in small arms and light weapons and collecting them,” is mostly unchanged from last year. The text, inter alia, encourages governments, civil society organizations, and international organizations to facilitate or support relevant programmes and initiatives. A new preambular paragraph welcoming the entry into force of the ECOWAS Convention on SALW on 29 September 2009. It was adopted last year as resolution 65/50 without a vote.

A/C.1/66/L.43, “The illicit trade in small arms and light weapons in all its aspects,” includes several changes from last year’s version, adopted as resolution 65/64 without a vote. It has new preambular paragraphs welcoming the tenth anniversary of the UNPoA, the MGE, the designation of Nigeria as Chair of the 2012 UNPoA Review Conference, and the UNPoA Implementation Support System. The operational portion endorses the report adopted at the MGE and “takes note with appreciation of the chair’s summary of discussions”. It further decides that a preparatory committee for the UNPoA Review Conference will be held in New York from 19 to 23 March 2012, invites states to review progress made in the implementation of the UNPoA at the Review Conference, encourages states to “explore ways to strengthen its implementation” including considering another MGE, encourages states in a position to do so to provide financial assistance to states otherwise unable to participate in UNPoA meetings, and encourages states to make use of the UNPoA Implementation Support System. •



Disarmament and development

Gabriella Irsten | Reaching Critical Will of WILPF

During the thematic debates on conventional weapons, many states agreed that the proliferation, excessive accumulation, and (mis)use of these weapons have grave humanitarian and socioeconomic consequences.

In the context of antipersonnel landmines and cluster munitions, several states expressed concern with the impact that the proliferation of these weapons has on development, due to the lack of access to farmland. The Ethiopian delegation mentioned that development efforts are frustrated and even halted by un-cleared fields of landmines. Furthermore, these weapons can halt development long after any particular conflict is over. Côte d'Ivoire's delegation also brought up the negative effect that other conventional weapons have on development, since they can contribute to environmental deprivation, destroy infrastructure, and generate refugees and internally displaced people.



The Cuban delegation reiterated the importance of the final document of the International Conference in 1987 on the relationship between disarmament and development. It repeated its wish to create a UN-managed fund through which half of current military expenditure should be devoted to meeting economic and social development needs in developing countries.

Last week, the Non-Aligned Movement tabled its annual resolution "Relationship between disarmament and development" (A/C.1/66/L.6). Ever since 2009 the resolution has been approved without a vote, although France, the United Kingdom, and the United States have delivered explanations of vote to emphasize that they believe the linkage between the two topics is more vague than the resolution suggestions. The resolution stresses the symbiotic relationship between disarmament and development and encourages different international actors to incorporate development aspect into their disarma-

ment work.

A couple of other draft resolutions touch upon related issues, such as the resolution on "Objective information on military matters, including transparency of military expenditures" (see conventional weapons report) and the "United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean" (see regional disarmament and security report). The latter of these notes that the regional centre promotes economic and social development related to peace and disarmament.

Armed violence

During the thematic debate on conventional weapons, several states joined Costa Rica, Burkina Faso, and Botswana's distress regarding the impact that armed violence and the proliferation of weapons have on development. Côte d'Ivoire's delegation explained that uncontrolled circulation of small arms and light weapons leads to instability, poverty, and a culture of violence, while the Norwegian delegation illuminated that "strengthening efforts in the area of humanitarian disarmament will contribute to the reduction and prevention of armed violence." Ambassador Jo Adamson of the United Kingdom spoke on the importance of controlling small arms and light weapons "in the broader context of conflict prevention, armed violence reduction and development strategies and interventions."

Meanwhile, Slovenia and Austria expressed support for the Geneva Declaration on Armed Violence and Development and welcomed the initiative as a tool to incorporate armed violence reduction into development programmes and to fulfill the Millennium Development Goals (MDGs). Swiss Ambassador Fasel described the Declaration's goal as raising awareness of the negative effects of armed violence and promoting "the close linkage between preventing and reducing armed violence and advancing human security and development." He noted that 109 states have signed the Declaration so far, thus committing to "take tangible and demonstrable steps to reduce the incidence and causes of armed violence by 2015" that are consistent with and in support of achieving the MDGs. He also noted that the Second Ministerial Conference will be held on 31 October–1 November 2011. •