

# FIRST COMMITTEE MONITOR

NGO Reporting on the United Nations  
General Assembly First Committee on  
Disarmament and International Security  
7 October–5 November 2014

**NO. 4**  
27 October 2014



## FIRST COMMITTEE MONITOR

2014 No. 4

Reaching Critical Will is a programme of the Women's International League for Peace and Freedom

777 UN Plaza, 6th Floor, New York, NY 10017  
ph. +1 212 682 1265  
email: [info@reachingcriticalwill.org](mailto:info@reachingcriticalwill.org)

Editor: Ray Acheson

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

Reaching Critical Will is the disarmament programme of the Women's International League for Peace and Freedom (WILPF), the oldest women's peace organization in the world. Reaching Critical Will works on issues related to disarmament and arms control of many different weapon systems; militarism and military spending; and gendered aspects of the impact of weapons and of disarmament processes.

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

On [www.reachingcriticalwill.org](http://www.reachingcriticalwill.org) you can find:

- A calendar of events for this First Committee;
- All editions of the *First Committee Monitor*;
- Statements, documents, and analysis from meetings of the First Committee, Conference on Disarmament, nuclear Non-Proliferation Treaty, Arms Trade Treaty, Programme of Action on small arms, and more;
- Research and analysis of critical issues related to disarmament and arms control; and
- News and information about civil society engagement on disarmament and arms control.

## In this edition:

Editorial . . . . .	3
Nuclear weapons . . . . .	4
Biological and chemical weapons . . . . .	7
Fully autonomous weapons and drones. . . . .	7
Depleted uranium weapons . . . . .	8
Cluster munitions . . . . .	8
Landmines. . . . .	9
Explosive weapons in populated areas . . . . .	10
Interview with Ambassador May-Elin Stener of Norway about the use of explosive weapons in populated areas. . . . .	11
Small arms and light weapons . . . . .	12
Arms Trade Treaty. . . . .	12
Outer space . . . . .	14
Disarmament machinery . . . . .	14
Disarmament and development . . . . .	15
Gender and disarmament . . . . .	16
2014 Humanitarian Campaigns Forum explores links between gender and arms . . . . .	17
Side event report: Behind the curve: new technologies and small arms control. . . . .	17
Side event report: Depleted uranium weapons: new research from the laboratory and the battlefield . . . . .	18
Side event report: Addressing concerns over fully autonomous weapons . . . . .	19
Side event report: Nuclear Zero cases in the International Court of Justice . . . . .	20
The Marshall Islands' Nuclear Zero Initiative in the International Court of Justice . . . . .	20
Side event report: Building blocks approach to a world without nuclear weapons. . . . .	21
Side event report: Effective measures for nuclear disarmament . . . . .	22
Side event report: The impact of explosive weapons in populated areas . . . . .	22
Side event report: How to strengthen international peace and security in cyberspace? . . . . .	23



Reaching Critical Will

# EDITORIAL: HOW WE LEARNED TO STOP PLAYING WITH BLOCKS AND BAN NUCLEAR WEAPONS

Ray Acheson | Reaching Critical Will of WILPF

**“It is in the interest of the very survival of humanity that nuclear weapons are never used again, under any circumstances.”** This is the view of the 155 states that endorsed the joint statement delivered by Ambassador Dell Higgie of New Zealand. “The only way to guarantee that nuclear weapons will never be used again is through their total elimination.”

The majority of states and their publics share this view. It is only a handful of states, generally among the most wealthy in the world, that have consistently resisted progress in this area.

Another 20 countries signed onto a separate statement calling on states to address the “important security and humanitarian dimensions of nuclear weapons.” Delivered by the Australian delegation, this statement suggested that working “methodically and with realism” is the way to “attain the necessary confidence and transparency to bring about nuclear disarmament.”

By this, the 20 countries refer to the “step-by-step” or “building blocks” approach. As outlined by an all-male panel hosted by Japan and the Netherlands last week, the blocks include, among other things, entry into force of the Comprehensive Nuclear Test Ban Treaty, negotiation of a fissile materials cut-off treaty, reducing the role of nuclear weapons in security doctrines, increasing transparency of and de-alerting nuclear forces, and arsenal reductions.

Yet as the Irish delegation pointed out, these actions—while welcome to the extent that they lead to concrete disarmament—do not constitute implementation of article VI of the nuclear Non-Proliferation Treaty (NPT). Article VI calls for an effective multi-lateral framework for nuclear disarmament and the end to the nuclear arms race. “Until we put in place the framework,” argued Breifne O’Reilly of Ireland, “we all stand accused of failing to implement our NPT obligations.”

It is the responsibility of all NPT states parties to pursue effective measures for nuclear disarmament. Yet supporters of the step-by-step or building blocks approach seem unwilling to put these “blocks” in place themselves. Some of them host US nuclear weapons on their soil, without acknowledging their presence. Most of these states include nuclear weapons in their security doctrines via NATO, which has not taken a collective decision to reduce the role of this weapon of mass destruction in its military doctrine.

So far, none of these states have been open to articulating a clear legal prohibition against nuclear weapons, even though, as Costa Rica noted, the prohibition of weapons with unacceptable humanitarian impacts has typically preceded their elimination. The Irish delegation pointed out that without the clear prohibition against chemical weapons, these weapons would probably not now be so universally condemned and subject to a specified programme of elimination.

Maritza Chan expressed Costa Rica’s willingness to join a diplomatic process to negotiate a treaty prohibiting nuclear weapons, even if the nuclear-armed states are unwilling to participate. She argued that such a treaty would establish a strong legal norm against the use, possession, and deployment of nuclear weapons and represent a significant step towards their complete elimination.

Palau’s delegation agreed with the utility of this approach, noting that such a treaty could compel states to reject any role for nuclear weapons in their military doctrines, prevent nuclear sharing, and prohibit investments in nuclear weapons production. The Thai delegation, among others, expressed a firm conviction that is time to “initiate negotiations on a legal instrument to comprehensively ban nuclear weapons.”

The countries resisting this approach argue that the “security context” is not ripe for pursuing such an effective measure. Australia continues to demand that “we” need to address the security dimensions of nuclear weapon possession. The nuclear-armed states of course want to focus on their own perceived security interests. France asserted that disarmament cannot move forward if it “ignores” the “strategic context.” The UK argued that “we do not yet have the right political and security conditions for those without nuclear weapons to feel no need to acquire them, nor for those who do have them to no longer feel the need to keep them. Nor is it possible to identify a timeframe for those conditions.” The UK even argued that “nuclear weapons are not *per se* inherently unacceptable” and that they have “helped to guarantee our security, and that of our allies, for decades.”

This is a dangerous narrative, noted Ireland. In effect, it makes an argument in favour of proliferation. “Every state on earth has a strategic context,” noted Mr. O’Reilly. Arguing that nuclear weapons are good for some is the same as arguing they are good for all. They either provide security or they don’t. Their consequences are either acceptable or unacceptable.

The majority of states, international organisations, and civil society groups have articulated clearly that nuclear weapons do not provide security and that the consequences of their use are wholly unacceptable. There is no ambiguity here. But the narrative of “conditions” ensures that nuclear disarmament is perpetually punted down the road to some unknown, possibly unattainable future state of affairs in which the world is at peace and security is guaranteed through some other imagined means.

Most states reject this utopian view. The majority considers the prohibition and elimination of nuclear weapons to be a key step in the pursuit of peace, global justice, and security for all.

Some states have already put this approach into practice. Sweden’s delegation explained that it discontinued its nuclear weapons research and development programme in the 1960s because it believed that abolition was the safest option both for its people and for the rest of the world. Focusing on preconditions, Sweden argued, will not help overcome challenges nor uphold commitments.

At the 2000 NPT Review Conference, Sweden noted, the nuclear-armed states committed themselves unequivocally to eliminate their nuclear arsenals without any preconditions. Today, however, the nuclear-armed states and their allies have retracted from this commitment and from any other that rejects the legality or utility of nuclear weapons. They continue to pursue a

path that has proven incapable of addressing the core obligation to eliminate nuclear weapons.

The continued stalemate in pursuing the “building blocks” specified by nuclear weapons dependent governments suits their interests only. It supports and even seeks to legitimise the continued possession of nuclear weapons by a select few. These states reject the most feasible, practical, and meaningful “building block” available under current circumstances—the prohibition of nuclear weapons—precisely because it would be an effective measure for nuclear disarmament.

Yet at the same time, they insist they do not have a predetermined course for action. “Each step builds on past steps and provides a foundation for future action,” argued the US delegation. “The temporary inability to make progress in one area does not preclude progress in others or prevent us from putting in place the building blocks for a comprehensive approach to disarmament.”

This is a compelling argument for pursuing a treaty banning nuclear weapons. While the nuclear-armed states and their allies resist negotiations on the comprehensive elimination of these weapons, the rest of the world can begin to establish the framework for this by developing a clear legal standard prohibiting these weapons for all. This will take courage. But it is a logical, feasible, achievable, and above all, effective measure for nuclear disarmament. •

## NUCLEAR WEAPONS

Mia Gandenberger | Reaching Critical Will of WILPF

The nuclear weapons debate saw further pressure on the nuclear-armed states over their continued failure to meet their disarmament obligations. Many delegations stressed their concern with the lack of progress on nuclear disarmament, while applauding renewed efforts to that end led by non-nuclear-armed states, such as the conferences on the humanitarian impact of nuclear weapons.

Building on previous statements on this matter, on Monday, 20 October 2014, 175 states expressed their deep concern with the humanitarian consequences of nuclear weapons. For 155 states endorsing the statement delivered by Ambassador Dell Higgie of New Zealand, this led them to conclude that nuclear weapons should not be used “under any circumstances.” An additional 20 states signing on to the statement delivered by Ambassador John Quinn of Australia shared

the humanitarian concerns, but somehow managed to avoid reaching that conclusion. Despite recognizing the humanitarian consequences of nuclear weapons, they apparently felt the need to leave room for their potential use because of the so-called “extended nuclear deterrence” agreements that they believe are relevant to their security.

The United States shared a two-page fact sheet as an attempt to demonstrate willingness for transparency about their nuclear arsenals. The “[u]nrealistic calls for immediate and total disarmament distract from and ignore more achievable and sober efforts,” we were told. While they could understand the concern with the humanitarian consequences of nuclear weapons, “any call to move nuclear disarmament into international humanitarian law circles” could only distract from the “practical agenda set forth in the 2010 NPT





Action Plan.” Similarly, the UK expressed its concern with the humanitarian consequences of the use of nuclear weapons, but went on to stress that nuclear weapons, in its view, are not “per se inherently unacceptable.”

France stressed that nuclear disarmament could not move forward if it did not consider the strategic context. Russia, while respecting the decision of some to discuss the humanitarian consequences of nuclear weapons, thought these discussions diverted attention away from practical debates on the matter. China did not comment on the humanitarian consequences debate and reiterated previously expressed positions on nuclear disarmament.

Pakistan recognized the importance of nuclear disarmament and stressed the need to take into consideration the security concerns of all states in order to enable progress on that matter. India recalled its minimum-deterrent strategy for its nuclear arsenal and highlighted the need for the humanitarian consequences discussion to be inclusive, not harm the non-proliferation regime or “impede genuine progress towards the goal of nuclear disarmament,” or harm the establish disarmament machinery. Israel cautioned that NPT-membership was not a goal in itself and expressed concern with the failure to adequately address violations.

Ireland self-critically acknowledged that the international community’s record of implementing nuclear disarmament obligations was so poor that “questions must soon be asked about the seriousness of our collective commitment to Article VI, to the NPT and to the goal of a world without nuclear weapons.” Sweden, as a country that gave up its nuclear weapons research and development programme, believed that its people would be “more secure without nuclear weapons, and that the people of the world would become safer if we all worked together to abolish these weapons.” Many states, including members of CARICOM, the African Group, and UNASUR, expressed their support for an international legally-binding instrument to prohibit nuclear weapons.

## **Resolutions**

Most resolutions contain technical updates and include references to the developments of the past year. However some include more substantive updates, including those discussed below.

Draft resolution L.2 entitled “The risk of nuclear proliferation in the Middle East” includes an additional preambular paragraph (PP) taking note of the UN Secretary-General (UNSG)’s report on the letters of

member states declaring support for the establishment of a zone free of weapons on mass destruction contained in document A/68/781. Operational paragraph (OP) one of last year welcoming the 2010 NPT Review Conference outcome document and calling for its speedy implementation was substituted by two new OPs, added to stress that the resolution on the Middle East of the 1995 NPT Review Conference is an essential element for the indefinite extension of the treaty (OP2) and to express regret that little progress has been made with regard to implementation of the resolution (OP3).

Draft resolution L.12 submitted by the New Agenda Coalition entitled “Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments” includes many changes. Additional PP4 notes with satisfaction the growing awareness of the humanitarian impact of nuclear weapons in multilateral disarmament forums. Other additional PPs reflect the developments of the past year on the humanitarian consequences discussion and new conclusions reached within these discussions (PP6); recalls the High-Level Meeting of 26 September 2013 and UNGA resolution 68/32 in that connection (PP7); recalls the historic opportunity the 2015 NPT Review Conference will represent to advance nuclear disarmament (PP 8); welcomes the report of the UNSG pursuant to resolution 68/46 on member states activities to promote multilateral nuclear disarmament; reaffirms that transparency, verifiability, and irreversibility are cardinal principles applying to nuclear disarmament and nuclear non-proliferation, which are mutually reinforcing processes (PP 11 modified former PP 8); welcomes the third Preparatory Committee for the third Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia (PP 16) and the signing of the protocols to the Central Asian nuclear weapons free zone (PP 17); recognizes the value of unilateral, bilateral and regional initiatives, and the importance of compliance with the terms of such initiatives (PP 21 modified former PP 10); and takes note of the reports submitted by the nuclear-armed states to the third session of the Preparatory Committee for the 2015 Review Conference of the NPT (PP 23).

The new OP 3 calls upon the 2015 Review Conference to give due prominence to the humanitarian imperatives and to the urgency of achieving and maintaining a world free of nuclear weapons. New OP 8 (former OP 7 and 8) now notes efforts undertaken to implement the decisions on the establishment of a zone free of weapons on mass destruction in the Middle East to date, but continues to expresses its serious concerns regarding the lack of implementation of those decisions. In OP 12 the resolution calls on nuclear

weapon states to supplement their May 2014 reports “with concrete and detailed information concerning their implementation of the undertakings set out in action 5 of the action plan on nuclear disarmament contained in the Final Document of the 2010 Review Conference.” The modified OP 15 urges member states to pursue multilateral negotiations without delay and in good faith on effective measures for the achievement and maintenance of a nuclear-weapon-free world. Furthermore it urges states parties to the NPT to explore, during the 2015 Review Conference, options for the elaboration of the effective measures envisaged in and required by article VI of the Treaty. Additional OP 16 calls on the 2015 Review Conference of the NPT to agree on an additional set of measures to build on the commitments made and actions agreed on in the past.

Draft resolution L.21 entitled “Taking forward multilateral nuclear disarmament negotiations” contains technical updates as well as welcomes the report of the Open Ended Working Group in PP 12. In OP 1 now welcomes the report of the UNSG containing the views of member states on how to take forward negotiations, including the steps that member states have already taken to that end, and requests the UNSG to transmit that report to the Conference on Disarmament and the Disarmament Commission for their consideration. The UNSG’s report was also included in OPS 4 and 5.

Draft resolution L31 entitled “Nuclear disarmament” includes, apart from technical updates, welcomes the proposal on follow-up measures to the 2013 high-level meeting of the UNGA submitted to the CD pursuant to UNGA resolution 68/32 (PP 20) and the efforts of the CD to agree on a programme of work (PP 21). Further it additionally welcomes the commemoration of 26 September as the International Day for the Total Elimination of Nuclear Weapons (PP 27); notes the successful convening of the conferences on the Humanitarian Impact of Nuclear Weapons and the upcoming third conference in Vienna (PP 28); welcomes the signing of the protocols to the Central

Asian Nuclear Weapons Free Zone (PP 29); as well as the proclamation of Latin America and the Caribbean as a Zone of Peace on 29 January 2014 (PP 30).

Draft resolution L.36 entitled “United action towards the total elimination of nuclear weapons” includes technical updates, recalls the 70 anniversary of the bombings of Nagasaki and Hiroshima, and updates language on the nuclear activities of the Democratic People’s Republic of Korea. Furthermore it includes an additional OP 2 stressing the importance of an effective review process of the NPT; expresses support for the zone in the Middle East free of nuclear weapons and other weapons of mass destruction (OP 17); and refers to UNSCR 1540 (OP 21). Former OP 6 was divided in two, OP 7 and OP 8, the latter now also welcoming the reports by the nuclear-armed states submitted to the 2014 NPT Preparatory Committee and calls on member states of the treaty to continue and further enhance their reports on implementation of the action plan adopted at the 2010 Review Conference. The OP on the fissile material cut-off treaty now includes a reference to document CD/1299.

Draft resolution L.44 entitled “Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament” includes technical updates and rearrangements of OP, as well as a new PP (11) taking note of the report of the Secretary-General submitted pursuant to resolution 68/32. Similarly OP 6 also takes note of member states submitted to this report. The resolution welcomes the commemoration and promotion of 26 September as the International Day for the Total Elimination of Nuclear Weapons (OP 7); expresses its appreciation for activities in promotion of the International Day; and it requests both the Secretary-General and the President of the General Assembly to make all the necessary arrangements to commemorate and promote the International Day, including by convening an annual meeting of the General Assembly to commemorate the International Day and to provide a platform for the promotion of these activities (OP 9). •

## CALENDAR OF SIDE EVENTS FOR 27-31 OCTOBER

When	What	Where	Who
<b>Tuesday, 28 October</b> <b>13:15–14:30</b>	The United Nations and a Nuclear-Weapon-Free World: New approaches and initiatives	Conference Building Conference Room A	Permanent Mission of Indonesia to the United Nations and UNFOLD ZERO



# BIOLOGICAL AND CHEMICAL WEAPONS

Sampson Oppedisano | NGO Committee on Disarmament, Peace and Security

During the thematic debate on other weapons of mass destruction (WMD), states continued to highlight concerns over the alleged use of chemical weapons in Syria as well as the lack of verification of the implementation of the Biological and Toxin Weapons Convention (BTWC). Some states also addressed concerns relating to what they perceive as a growing threat of terrorist use of WMD.

The Nordic states (Finland, Sweden, Norway, Denmark, and Iceland) expressed their deep concern over the findings of the Organisation for the Prohibition of Chemical Weapons fact-finding mission's investigation into alleged chemical weapon use in Syria. However, they commended the coordination and international collaboration to remove the chemical weapons stockpiles found in Syria.

The European Union and Japan both expressed support for the fact-finding mission in Syria, with the EU echoing concerns over the evidence recovered.

In relation to biological weapons, some states highlighted the urgent need for universalization of the BTWC. The Non-Aligned Movement recognized the importance of the BTWC but pointed out the challenges it faces without a verification system. To address this, the group called for the continuation of multilateral negotiations to develop a legally-binding protocol on verification.

The Caribbean Community and the Republic of Korea expressed concerns over the developing threat of terrorism. They pointed out the potential disastrous consequences of non-state actors acquiring WMD. The Republic of Korea pointed to the discovery of data on an ISIL laptop which laid out instructions on how to create potentially deadly toxins from castor beans. Both ROK and CARICOM called upon member states to take the necessary measures to prevent WMDs from falling into the hands of terrorist groups. •

# AUTONOMOUS WEAPONS AND ARMED DRONES

Mia Gandenberger | Reaching Critical Will of WILPF

During the debate on conventional weapons cluster, autonomous weapon systems received increased attention compared to last year's debate under this cluster.

All states speaking on the issue welcomed the informal expert discussion on autonomous weapon systems held this last May in the context of the Convention on Certain Conventional Weapons. They also stressed the need for further discussion of the legal, ethical, and policy questions around autonomous weapon systems.

Sweden stressed that humans should not delegate life-and-death decisions in the battlefield to machines. In this context, Ireland highlighted that debate on autonomous weapons reaches far beyond legal and technical complexities and raises fundamental questions about the role of humans in taking lethal decisions in armed conflict. The Netherlands expressed particular interest in the discussion of "meaningful human control" and suggested that states should deepen their understanding of the related ethical issues. Pakistan expressed concern with the potentially destabilizing effects for international peace and secu-

rity stemming from the introduction of autonomous weapon systems.

Bangladesh, Cuba, the European Union, Netherlands, and South Africa stressed the importance of international law in this context, in particular international humanitarian law. Pakistan and Cuba called for a preemptive ban on autonomous weapon systems. Pakistan called for an immediate moratorium on autonomous weapon production and use.

Only few states—Bangladesh, Costa Rica, Ecuador, Ireland, and Pakistan—raised the issue of armed drones. Pakistan reiterated some of the points it raised during general debate and stressed its concern with the implications and effects of extrajudicial killings using these weapons. Costa Rica highlighted concerns with possible violations of the right to life that could be caused by the use of armed drones inside and outside armed conflict. Speaking about the use of armed drones, Bangladesh, Costa Rica, and Ireland stressed the importance for respecting international humanitarian and human rights law. Ireland further welcomed discussion on this issue "both within the CCW and human rights sphere." •

# DEPLETED URANIUM WEAPONS

Doug Weir | International Campaign to Ban Uranium Weapons

As the state most affected by the wartime use of depleted uranium (DU) weapons, Iraq's intervention in the conventional debate this week was particularly welcome. Reflecting sentiments already expressed in its report to the UN Secretary-General on the effects of the use of DU weapons (A/69/151), Iraq stated that it is "highly concerned about using weapons and ammunition in wars and armed conflicts that contain DU, and also concerned about its negative effects on human beings and environment." Also reflecting that Iraq's DU contamination is far from resolved, Iraq urged "member states and relevant international organisations, especially the IAEA, WHO, UNEP, and research centres and academic studies to carry out in-depth studies about the environmental and health effects of DU and the ways to address these effects."

Mexico echoed this call, encouraging these groups "to perform studies into exposure from the use of such weapons and ammunition." While not singling out particular actors to undertake further studies, Austria and Ireland expressed support for continuing research in this area. Ireland also welcomed the inclusion of language on research in conflict settings in this year's DU resolution.

The new resolution, submitted by Indonesia on behalf of the Non-Aligned Movement, builds on previous texts with a call for more research on the health risks and environmental impact of DU weapons in conflict settings. It also encourages states to provide assistance to those affected by the weapons, particularly in the identification and management of DU-contaminated material.

To date, the majority of studies on DU have focused on military personnel from DU users and their allies. In its side event on 23 October, ICBUW argued that a greater focus should be placed on civilian studies, particularly efforts to determine the extent to which DU, a recognised carcinogen, is getting into people. This research will require much greater transparency on behalf of DU users over targeting coordinates. Beyond the lack of transparency, Costa Rica raised DU's post-conflict legacy, arguing that "DU weapons can contaminate soils and groundwater and their use creates large quantities of contaminated military scrap, which is costly and technically challenging to manage appropriately." It is for these reasons that Iraq has requested assistance from the international community. The situation speaks of a wider problem, again raised by Costa Rica, that the "current lack of obligations for assisting affected states exacerbates these problems further and places civilians at unnecessary risk."

ICBUW strongly urges the states to consider how obligations for the post-conflict management of DU contaminated material could be developed and how technical expertise and financial assistance might be made available to affected states.

The growing number of states in favour of resolutions on DU indicates that the international community finds its use to be broadly undesirable. Mexico summed up the feelings of many, arguing that "the use of DU should be limited to peaceful purposes ... thus avoiding the use of radioactive material in armaments." Costa Rica, which together with Belgium has banned DU weapons, went further in supporting Iraq's call for a global ban on these weapons. •

# CLUSTER MUNITIONS

Amelie Chayer | Cluster Munition Coalition

The international community came together once again to condemn with one voice the recent instances of use of cluster munitions, during this year's debate on conventional weapons. Several delegations condemned any use of cluster munitions by any actor (Austria, Australia, Bulgaria, Japan, Lao PDR, South Africa, and Turkey), expressed deep concern with ongoing use of the weapon in Syria (Costa Rica, Czech Republic, France, Ireland, the Netherlands, and the European Union) and with recent use in Ukraine (Austria, Costa Rica, Czech Republic, Ireland, the Neth-

erlands and the European Union), while some also mentioned instances of use in South Sudan (Czech Republic, Ireland, the Netherlands, and the European Union) and characterized ongoing use as "appalling" or "horrifying". In the context of recent use by ISIS, Ireland and the Netherlands called on non-state armed groups to refrain from using the weapon. The Russian Federation shared the view that the use of cluster munitions against civilians in Ukraine was a gross violation of international humanitarian law.



Austria, Costa Rica, Finland, Ireland, Japan, Lao PDR, the Netherlands, Mexico, Senegal, Spain, Sweden, and Switzerland emphasized the importance of universal adherence to the Convention on Cluster Munitions (CCM). Sweden extended a special call upon users and producers to join the instrument, while both Austria and Costa Rica said that the moral imperative to protect civilians from cluster munitions also applies to states not party. The UNASUR expressed support for the aim of significantly reducing the humanitarian consequences of the use of cluster munitions on civilians, in accordance with international humanitarian law.

In a strong expression of its commitment towards the elimination of cluster munitions, Mexico said the CCM is a solid, results-oriented, and innovative instrument

with a strong stigmatization power, and noted in particular the standard it establishes on assistance to victims. At the other end of the spectrum, and despite the 2011 failed discussions on a possible protocol on cluster munitions, Pakistan shared the view that the Convention on Conventional Weapons is the adequate framework to discuss the issue.

The landmark First Review Conference of the CCM will be hosted by Croatia in September 2015. Austria, Bulgaria, Ireland, Japan, Lao PDR, and the EU noted that it will provide an unprecedented opportunity to assess progress made and address any challenges related to universalization and implementation of the convention. The Cluster Munition Coalition urges states to view the Review Conference as a deadline for joining—for signatories to ratify and others to accede. •

## LANDMINES

Amelie Chayer | International Campaign to Ban Landmines

The international community's resolve to rid the world of antipersonnel mines is as strong as ever and the session on conventional weapons was marked by numerous expressions of support for the outcome documents of the recent Third Review Conference of the Mine Ban Treaty held in Maputo. Australia, Austria, Bulgaria, Chad, the Czech Republic, Ethiopia, Finland, Ireland, Japan, Kenya, Mozambique, the Netherlands, Slovenia, Spain, Sweden, Switzerland, Thailand, Turkey, the UK, the CARICOM, EU and UNASUR emphasized that the Maputo Action Plan and Maputo+15 Declaration is an ambitious and practical roadmap to address and eliminate the landmine problem. Japan in particular noted that the Maputo documents reflect the special spirit of cooperation that characterizes the Mine Ban Treaty, and that they are a testimony of states' "strong aspiration" to alleviate the suffering caused by landmines. A number of delegations called for further universalization of the treaty, while Bulgaria and the EU expressed deep concern with reports of landmine use by States Parties.

In a very positive development, the United States explained recent changes to its policy that bring it in closer alignment with key prohibitions of the Mine Ban Treaty outside the Korean Peninsula. It said it would continue to work to find ways that would ultimately allow accession to the treaty. Unsurprisingly, a small number of other states not party reiterated their long-held position that landmines serve their "legitimate defense requirements" (India) or that the

Convention on Conventional Weapons is an adequate framework for dealing with the weapon (China and Pakistan).

Cambodia, Colombia, Iraq, and Thailand, which are all especially affected by landmines and explosive remnants of war (ERW), spoke extensively about their efforts to address contamination and to strengthen assistance to victims. Delegations recognized that addressing the legacy of landmines and ERW requires the investment of important financial and technical resources, including the sharing of expertise. Cambodia, Japan, the Netherlands, Switzerland, Thailand, the UK, and the US reiterated that they would keep supporting mine action. Finland, the Non-Aligned Movement, and the UNASUR called for the necessary resources to be made available, while Austria promised to work towards effective cooperation and assistance.

Mozambique introduced this year's traditional resolution on the Mine Ban Treaty, co-sponsored by Algeria and Belgium, which "retains the spirit and essence of Resolution A/RES/68/30 ... and contains minor changes to reflect the results of the Maputo Review Conference." The International Campaign to Ban Landmines invites all states to support the resolution—each year about half of the states not yet on board the treaty do vote in favor of the resolution, thus showing their general support for the aims of the treaty. •

# EXPLOSIVE WEAPONS IN POPULATED AREAS

Thomas Nash | Article 36

During the conventional debate Austria, Costa Rica, and the Netherlands highlighted the humanitarian problem of the use of explosive weapons in populated areas.

Speaking for the first time on this issue, the Netherlands welcomed discussions and called for a “focus on concrete and practical measures in order to limit casualties and damage.” Austria reiterated its call to action, saying that the international community should explore ways in which states can more effectively implement the existing legal framework. Costa Rica added its voice to the growing call for work towards an international commitment to prevent harm from the use of explosive weapons in populated areas.

At a side event hosted by Austria on Wednesday, 22 October, Steve Goose of Human Rights Watch outlined their recent research on the impact of explosive weapons in populated areas in Ukraine, Syria, Gaza, and Iraq. Maya Brehm, author of the new PAX report *Unacceptable Risk*, made the case for new standards on use of explosive weapons in populated areas based on the treatment of this issue in three cases before the International Criminal Tribunal for the Former Yugoslavia. Richard Moyes of the International Network on Explosive Weapons provided views on the way forward towards an international commitment on this issue. During the discussion Norway reiterated its support for work on this theme, from a humanitarian perspective and reported on the outcome of its expert meeting last June. Mexico also indicated its support for work on the topic. The Office for the

Coordination of Humanitarian Affairs (OCHA) and the International Committee of the Red Cross (ICRC) both highlighted their ongoing work to push forward the agenda towards greater protection of civilians from the use of explosive weapons in populated areas.

Discussions on this issue look set to broaden and intensify in the period ahead. These discussions should have a humanitarian framing, recognising that this is not strictly a question of disarmament or arms control. In this regard, discussions on explosive weapons will require engagement from both the humanitarian and protection of civilians sector as well as the military, security, and arms control field. The role of the ICRC is likely to be crucial in this respect.

There are a number of important questions to be considered as this work moves forward. As the Netherlands noted, it will be useful to examine the circumstances and context in which these weapons are used. OCHA’s work to gather and compile UN member states’ views will provide a strong basis to consider existing practice and develop common understandings of the key weapons and practices of concern.

Human Rights Watch’s grim presentation at this year’s First Committee of the human impact of explosive weapons in 2014 underscores the urgency that should drive states efforts in this area. Against this background, 2015 should be the year in which states begin laying out the elements for an international commitment to prevent the use in populated areas of explosive weapons with wide area effects. •



*Smoke rises from Tuffah neighbourhood after Israeli air strikes in the east of Gaza City, 29 July 2014. EPA/MOHAMMED SABER*



# INTERVIEW WITH AMBASSADOR MAY-ELIN STENER ABOUT THE USE OF EXPLOSIVE WEAPONS IN POPULATED AREAS

The use of explosive weapons in populated areas represents a major source of humanitarian harm. These weapons use blast and fragmentation to kill and injure people in the area around the point of detonation. When used in public places, data indicates that between 80–90% of those killed and injured are civilians. Still more are affected when there is damage to vital infrastructure such as schools, hospitals, housing, and water and sanitation systems.

The International Committee of the Red Cross, the UN Secretary-General, and more than 40 member states have drawn attention to this issue in international forums. In June 2014, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and the Ministry of Foreign Affairs of Norway convened a second informal meeting of governmental, military, and other experts on strengthening the protection of civilians from the use of explosive weapons in populated areas in Oslo. Here we discuss this issue and meeting with Ambassador May-Elin Stener of Norway.

**RCW: With conflict ongoing in multiple parts of the world, the use of explosive weapons in populated areas has received increased attention. Could you briefly outline the main concerns with this practice?**

MES: The key concern with the use of explosive weapons in populated areas is that it is affecting civilians to a very large degree. Explosive weapons with wide area effects are killing and injuring civilians in urban areas. Sometimes these weapons miss their intended targets, which also affects civilians. Even if those using the weapons are trying to follow international law, the inaccuracy or indiscriminate nature of some weapons still affects civilians in way that goes against international law. This results in immediate death, injury, disability, and trauma. It also damages civilian infrastructure such as schools and hospitals. This has long-term effects on civilian life, such as preventing children from attending school.

**RCW: This past June Norway together with OCHA hosted a meeting on explosive weapons used in populated areas. What were the main conclusions of that meeting?**

MES: The main conclusion of this meeting was that we need to discuss the implementation of international law in order to apply it to this issue. So far this discussion has happened at the expert level in order to examine how to best address this problem. Another key conclusion is that we should look particularly at explosive weapons with wide-area effects such as heavy artillery, large aircraft bombs, and multiple launch rockets. We also need to look at the use of improvised explosive devices in populated areas, which is a problem often associated with non-state armed groups, and we need to examine the use of explosive weapons in law enforcement contexts. These discussions need to be taken forward by the international community. OCHA was at the meeting tasked to compile and analyse practices and policies in this area.

**RCW: What are your hopes for how to address this crucial issue?**

MES: We need to address the use of explosive weapons in populated areas with a view towards preventing civilian harm. •

# SMALL ARMS AND LIGHT WEAPONS

Joanne Mulligan | International Action Network on Small Arms

**D**uring the thematic debate on conventional weapons, delegations underscored that the unregulated trade in small arms and light weapons (SALW) fuels conflicts and poses a threat to the peace, security, and stability of regions. The representative of Pakistan stated that SALW have caused havoc by abetting crime, terrorist activities, narcotics trafficking, and deaths of civilians and that the easy availability of these weapons is facilitated by lack of or weak regulatory controls, excessive production, and transfers. Delegations of the Non-Aligned Movement (NAM), Pakistan, and Belarus stressed that the international community should ensure that SALW do not fall into the hands of unauthorized or non-state actors, and the UN Programme of Action (UNPoA) is a key instrument in ensuring this.

The majority of delegations reaffirmed their support to the UNPoA and underlined the importance of full and effective implementation of the instrument in combating the illicit trade and trafficking of SALW. The representative of Japan noted that the UNPoA remains an important tool because, along with the International Tracing Instrument (ITI), it covers a wider range of issues including marking, tracing, and stockpile management. Other delegations also reiterated the importance of the ITI. The representative of Kenya underscored the need for effective international cooperation and assistance in implementing the instrument, while the delegations of Cuba and China insisted that international cooperation needs to be strengthened in order to ensure the success of the instrument. The delegations of the Union of South American Nations (UNASUR), European Union (EU), Jamaica, Guatemala, and Spain reiterated concerns that the UNPoA must include ammunition. The UNASUR and Jamaican representatives also stressed that the non-legally binding nature of the UNPoA is an obstacle for its effective implementation. The representatives for Jamaica, Costa Rica, Finland, and Republic

of Korea underlined hopes for synergy between the UNPoA and the Arms Trade Treaty (ATT).

A large number of states welcomed the success of the outcome document of the Fifth Biennial Meeting of States (BMS5) on the UNPoA in June 2014. The Caribbean Community (CARICOM) delegation acknowledged the useful measures established during BMS5 for effective and practical implementation of the UNPoA. CARICOM, EU, and Jamaican representatives welcomed the inclusion of the provision on the role of women in disarmament processes. Various delegations underscored the critical nature of UN Security Council Resolution 2117 dedicated to SALW, the success of the Second Review Conference on the UNPoA in 2012, and the importance of the UN Register on Conventional Arms as well as the UN Report on Military Expenditures.

The Nigerian delegation noted that seven draft resolutions in the conventional arms cluster this year address SALW issues. Two key resolutions deal with the problem of illicit trade. Draft resolution A/C.1/69/L.4, "Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them," is closely linked to the UNPoA and aims to consolidate good governance and stability in the West African region and improve regional security by reinforcing the current regional initiatives and efforts for the reduction of the proliferation and circulation of SALW. It invites the international community to provide technical and financial support to strengthen the capacities of civil society in the fight against the illicit circulation and collection of SALW. A/C.1/69/L.35, "The illicit trade in small arms and light weapons in all its aspects," includes a technical update from last year and references to the successful conclusion of BMS5, the endorsement of its outcome document, and the holding of the Meeting of Governmental Experts (MGE) next year. •

## ARMS TRADE TREATY

Matthew Bolton | Control Arms and Pace University New York City

**T**he Arms Trade Treaty was a core subject of debate this week in the conventional weapons thematic discussion. Forty-six states commented on the ATT in their statements, as well as blocs and regional organisations such as the Non-Aligned Movement, ECOWAS, CARICOM, the EU, UNASUR, the African Group, and the Arab Group.

The UE welcomed the ATT's forthcoming entry into force in December. The Netherlands described it as "a wonderful Christmas present", as did Jamaica. ECOWAS and CARICOM similarly welcomed the ATT's adoption and entry into force, as did many states. South Africa said the ATT "fills a glaring gap in the global conventional arms control system." Djibouti





stated that its conclusion under UN auspices will “likely strengthen the architecture of multilateral disarmament.” The Union of South American Nations (UNASUR) expects the ATT to help provide an effective response to the diversion of arms to unauthorized non-state actors. The EU expects the ATT will make the arms trade “more responsible and transparent” and reduce illicit trafficking. Costa Rica also stated that the ATT would be an “effective tool for promoting accountability.”

Austria expects ATT implementation “will make an important contribution to human security, human rights and development, and also to contribute significantly to countering gender-based armed violence.” Finland, Ireland, Chile, and the EU also highlighted the provision on gender-based violence, as did Sweden, which cautioned that to implement it properly, “States need to update their risk assessment procedures and provide appropriate training for their licensing officers.” Several states paid tribute to civil society’s role in bringing the ATT to fruition and future implementation. Finland said states “owe a great debt to representatives of civil society who played an active role throughout the ATT process.”

Some states were less enthusiastic about the ATT. The Non-Aligned Movement called for “balanced, transparent and objective implementation” that would not affect states’ “sovereign right” to acquire arms for self-defense. UNASUR, Senegal, Pakistan, Djibouti, Guatemala, and Chad voiced similar concerns. Guatemala also noted that the ATT is “not a perfect treaty” and expressed regret that it did not include stronger provisions on “ammunition, parts and components.” Cuba stated that the treaty does not take into account the “just demands and needs of States,” is unbalanced in favour of arms exporters, and that the evaluation criteria are “subjective and thus easily manipulated”. Eritrea suggested the treaty could be more balanced. Ecuador stated that it would observe whether the treaty could be applied “avoiding politicization” before determining whether to accede. Iran described the ATT as “full of legal flaws, loopholes and other deficiencies” and decried the lack of provisions on the crime of aggression.

The EU stated that universalization of the ATT will be “essential for its success” and called on all states to sign and ratify the treaty. The US, like many other delegations, called on states that had not signed the Treaty to “consider doing so as soon as possible,” stating that the “more States Parties and Signatories the Treaty has, the stronger it will be.”

Ambassador John Quinn of Australia reminded delegates that “the Treaty is ultimately only an agree-

ment to do something” and “needs to be effectively implemented if it is to influence positively security, stability and economic development.” South Africa, Moldova and Finland called for the development of strong national controls and the building of national capacity.

Many states welcomed Mexico’s offer to host the first Conference of States Parties. The EU expressed its “gratitude” to Mexico for holding informal consultations in preparation for the CSP, which “will be of great importance in maintaining political momentum and assuring effective implementation.” France has translated the conclusions of the Mexico preparatory meeting into French for distribution. The EU, Austria, Ireland, Lithuania, Thailand, and Romania looked forward to further preparatory consultations in Berlin and Switzerland stated that it was preparing a final preparatory consultation in Geneva.

Jamaica and CARICOM called for “strong provisions on international cooperation and assistance” to “assist States with capacity and legislative challenges” as well “sharing of information, best practice and intelligence.” The EU, Netherlands, and UK announced their financial support for such measures.

CARICOM, Costa Rica, and the EU called for consideration of complementarity between the ATT and UN Programme of Action on SALW. Australia has given \$2 million to the UN Trust Facility for Supporting Cooperation on Arms Regulation (UNSCAR) to support ATT and PoA implementation. Sweden and the UK have also provided funds to UNSCAR.

In October, France organized a seminar in partnership with African countries to consider ATT implementation and will finance another seminar in Geneva in December. Costa Rica hosted a regional workshop on implementation also in October, United Nations Regional Center for Peace, Disarmament and Development in Latin America and the Caribbean (UNLiREC). Jamaica welcomed the “needs assessment workshop” organized by Trinidad and Tobago, with CARICOM and the ICRC.

Switzerland offered Geneva as the location for the ATT Secretariat, which France endorsed. Austria offered Vienna. CARICOM, Jamaica, and Guatemala endorsed the Trinidad and Tobago’s bid of Port of Spain. The UK welcomed all three city nominations. Sweden nominated its Ambassador Paul Beijer to head the Secretariat; the UK called for selection based on an “open and meritocratic process.” South Africa hoped that the implementation structures would appoint “African experts” to take into account the “special interest” of Africa in effective implementation. •

## OUTER SPACE

Gabriella Irsten | Reaching Critical Will of WILPF

Three draft resolutions have been tabled relating to outer space, including the new Russian Federation lead resolution A/C.1/69/L.14 “Prevention of an arms race in outer space (PAROS): no first placement of weapons in outer space”.

The Russian delegation explained that the resolution should serve as an intermediate step towards the negotiations on a Treaty on the Prevention of the Placement of Weapons in Outer Space (PPWT). The resolution itself urges member states to start substantive work on the PPWT in the Conference on Disarmament (CD). It argues that the current legal regime applicable to outer space does not guarantee PAROS and therefore new regimes are needed. It suggests that “other measures may contribute to ensuring that weapons are not placed in outer space” and thus encourages all states, “especially space-faring nations, to consider the possibility of upholding as appropriate a political commitment not to be the first to place weapons in outer space.”

The other two resolutions include the annual resolution on PAROS, A/C.1/69/L.3, and the one focusing on confidence-building measures in outer space affairs, A/C.1/69/L.15.

L.3 has been amended to reflect the updated PPWT draft presented to the CD by China and Russia earlier this year. It also highlights the convenience of ad hoc meetings of the Disarmament and International Security Committee (First Committee) and the Special Political and Decolonization Committee (Fourth Committee) to address possible challenges to space security and sustainability.

L.15 does not include any substantial changes.

No resolution has been presented on the European Unions (EU)’s International Code of Conduct on outer space activities, which was expected due to many members states call for the EU to anchor the code into the UN process. •

## DISARMAMENT MACHINERY

Gabriella Irsten | Reaching Critical Will of WILPF

Last week’s debate on nuclear disarmament saw some limited engagement with the topic of UN disarmament machinery. The Non-Alignment Movement (NAM) for example called for “the early commencement of negotiations in the Conference on Disarmament [CD], on a comprehensive nuclear weapons convention.” Pakistan highlighted the CD’s lack of work for the last 30 years, noting that efforts are long over due on nuclear disarmament.

Ambassador Elissa Goldberg of Canada stated in her own capacity as chair of the FMCT Group of Governmental Experts (GGE) that it is too early to talk about any results from the group, but that discussions in the GGE have complemented and informed the more general discussions that took place in the CD this year.

Three draft resolutions have been circulated so far in relation to the UN machinery. They are all familiar documents containing little new information. The NAM’s biannual resolution on the convening of the fourth special session of the General Assembly, A/C.1/69/L.37 calls for an organizational session to set a date for substantive sessions in 2015 and 2016.

The draft resolution ‘Revitalizing the work of the CD and taking forward multilateral disarmament negotiations’, A/C.1/69/L.19, introduced by the Netherlands, South Africa and Switzerland contained no new elements from last year’s resolution, simply placing the issue on the GA’s agenda for next year.

The CD report, A/C.1/69/L.8, raised many of the same concerns raised during last week’s debate on disarmament machinery. The draft highlights that no consensus on a programme of work has been reached and no substantive work was done during its 2014 sessions. It mentions the informal discussions that took place this year and welcomes the series of ‘structured’ and ‘substantive’ informal discussions on all items on the agenda of the CD.

The most concrete proposal from last year, the resolution “Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament,” A/C.1/69/L.44, calls on the convening of a high level international conference, no later than 2018, on nuclear disarmament to follow up on the progress made from the HLM held in September 2013. The resolu-



tion also established the 26 September as the first international day for the total elimination of nuclear weapons. This year's resolution includes small updates mostly commemorating the 26 September and welcoming the activities that took place. It also requests the Secretary-General to promote the day and provide a platform for the promotion of these activities.

Like last year the First Committee has seen very little action or concrete suggestions for how to move the

UN disarmament machinery forwards. This state of affairs—an absence of new resolutions, copy-pasting of old ones and national statements repeating well-rehearsed views—stands in stark contrast to the sense of possibility surrounding the humanitarian initiative and the emerging focus on pursuing effective measures through a new legally-binding instrument to prohibit nuclear weapons. While member states display little confidence in the UN machinery, these efforts continue to capture attention. •

---

## DISARMAMENT AND DEVELOPMENT

Nalinn Larsson | Reaching Critical Will of WILPF

---

This year's draft resolution on the "Relationship between Disarmament and Development" (A/C.1/69/L.42) has an identical content as last year. It encourages achievement of the Millennium Development Goals (MDGs), calls for consideration of the challenges that exist within the field of development and poverty eradication, and express concern over increasing global military spending that could be spent on development needs. It urges countries to devote part of "the resources available by the implementation of disarmament and arms limitation agreements to economic and social development" in order to reduce the gap between developed and developing countries.

This might be even more urgent than ever considering that global military spending exceeded \$1.7 trillion last year. South Africa stressed that the resources spent on nuclear weapons stand in stark contrast to the MDGs, as more than double is spent on nuclear arsenals than on development assistance given to Africa, something that is "neither acceptable nor sustainable in a world where the basic human needs of billions cannot be met."

The Non-Aligned Movement (NAM), the African Group, India, Ireland, and Mexico also spoke of the need to reduce military expenditure. Mexico pointed out that whilst the world is facing problems such as economic underdevelopment, food insecurity, and climate change, the fact that global military spending is growing means that it "consumes a large portion of both human resources and material." NAM stressed the need to reduce military expenditure and "devote resources made available from there to economic and social development, in particular in the fight against poverty." Ireland quoted UN Secretary-General Ban-Ki-

moon, who said that "the world is over-armed and peace is underfunded."

Many delegations also highlighted the negative consequences that conventional weapons have on development, especially the illicit trade of small arms and light weapons (SALW). Ethiopia stated conventional weapons to be "responsible for long-term negative effects on hard-won peace and security gains and in hampering many countries' socio-economic development efforts," while Nigeria stressed that over 600,000 people are killed annually by illegal conventional weapons. The UK delegation pointed out that the illicit trade of SALW causes more human rights violations than any other weapon and that it stunts development and increases poverty. Guatemala emphasized the correlation that exists between armed violence and development, citing the illicit trade of SALW as a problem that goes over borders and effects socio-economic development, human rights, health, and stability. The Union of South American Nations (UNASUR) stressed that the uncontrolled spread of conventional weapons in the hands of civilians has posed a challenge to the sustainable development in many of their countries, and that a limitation of these weapons would allow states to devote more resources to economic and social development.

NAM also noted that landmines continue to damage and obstruct development plans in various countries, something that also the European Union, Colombia, Ethiopia, Eritrea, and Ireland pointed out. Ethiopia stated that landmines left over in the country have negatively affected people's lives by preventing safe movement and hindering food security efforts and recovery in affected areas. •

# GENDER AND DISARMAMENT

Sofia Tuvestad | WILPF Sweden

As First Committee moved on to thematic discussions on conventional weapons, gender dimensions were highlighted in relation to small arms and light weapons (SALW), landmines, and other conventional weapons.

A number of states referred to the outcome document of the Fifth Biennial Meeting of States (BMS5) on the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons (UNPoA). Shorna-Kay Richards of Jamaica highlighted the increased attention to the participation of women as a key outcome, and the Caribbean Community welcomed this as well.

The European Union (EU) said it was pleased to see a number of their priorities reflected in the BMS5 outcome document, including references to the participation of women and UN Security Council Resolution (UNSCR) 1325 (2000) "Women, Peace and Security". The Netherlands said it is "pleased with the attention that was given in the final document to gender related aspects" at BMS5. Eritrea recognised the interrelationship between illicit trade and use of arms and violence against women, and Ethiopia said the irresponsible proliferation and illicit transfer of arms "is aggravating armed and gender-based violence." Ethiopia also spoke on efforts it has undertaken to include gender and culture sensitive awareness in mine risk education.

The Irish statement, presented by Patricia O'Brien, included a substantial section on gender, reminding delegates that "the roll call of women Nobel Peace Prize winners shows what can be achieved when women are empowered and gain agency in disarmament and peace making processes." Ireland declared its strong support to efforts to increase women's active participation in disarmament and Ms. O'Brien further welcomed the gender-based violence (GBV) provisions of the Arms Trade Treaty (ATT). She encouraged states parties to fully implement this aspect of the Treaty. She also referred to UNSCR 2117 (2013) on SALW, which also "recognizes the interrelationship between small arms and light weapons, women, peace and security, and human rights." Ireland welcomed Trinidad and Tobago's leadership on the First Committee resolution "Women, Disarmament, non-proliferation and arms control," adding that it is pleased to co-sponsor this resolution and looks forward to its adoption.

The Swedish delegation introduced some strong gender references in its statement as well. It declared that Sweden "especially welcomes" the inclusion of

the gender provisions in the ATT as a contribution to limiting the availability of arms "in areas where there is a serious risk that they could be used to commit or facilitate serious acts of gender-based violence." Sweden elaborated further on this criterion, pointing out the very important fact that efficient implementation will require states to "update their risk assessment procedures and provide appropriate training for their licensing officers."

Chile also highlighted the gender provisions of the ATT, and Finland emphasised that "the important inclusion of gender based violence in the Treaty must now be implemented." The EU, in addition to referring to the ATT, underscored the importance of UNSCR 2117 recognising that illicit or poorly regulated transfers of arms exacerbate GBV.

In responding to conventional weapons issues, our approach should be "people-centered, gender-sensitive, comprehensive, context-specific and prevention-oriented," said Ambassador Thomas Hajnoczi of Austria. Much remains to be done, he added, to ensure a gender perspective is incorporated in all efforts. Ambassador Hajnoczi rightly pointed to the issue of gender implications of specific types of weapons as an area of work "that deserve more attention and focus in research and in the political debate."

A number of states spoke about women and children as "vulnerable" or in special need of protection in armed conflict. While it is certainly true that efforts are needed to better protect people in armed conflict, grouping together women and children, and insinuating that women are inherently vulnerable, is as incorrect as it is patronising. Women and children are not one group—not legally, and not in reality. Women are not more vulnerable than men. Instead of saying "especially women and children," states should be acknowledging that while men constitute the majority of casualties of armed conflict and war, it is also true that gender-specific threats against women have been largely ignored, as have women's right to participate. The first step towards gender-aware disarmament policy is thus recognising that people are affected differently by weapons and war, and that we need security responses that benefit all groups better and much more equally. •



# 2014 HUMANITARIAN CAMPAIGNS FORUM EXPLORES LINKS BETWEEN GENDER AND ARMS

Allison Pytlak | Control Arms

Over 100 campaigners gathered from 17–19 October for the third annual Humanitarian Disarmament Campaigns Forum organised by Control Arms, Pace University, and the Women's International League for Peace and Freedom (WILPF). The forum focused on the link between gender and arms, highlighting issues of the gendered discourse around and impacts of weapons, as well as gender diversity in negotiations and discussions on disarmament.

The dynamic programme included high-energy speeches from Felicity Ruby of WILPF and Nobel Peace Prize recipient Jody Williams, which sharpened understanding of how exactly how gender and disarmament are related. These talks were supplemented by vibrant panel discussions that introduced practical ways in which gender can be better highlighted within humanitarian disarmament. The Forum also offered skill building and discussion break out groups, and provided the opportunity for participating global campaign coalitions (including the International Campaign to Abolish Nuclear Weapons (ICAN), the Campaign to Stop Killer Robots, Control Arms, the International Action Network on Small Arms (IANSA), International Campaign to Ban Landmines (ICBL), Cluster Munition Coalition (CMC), International Campaign to Ban Uranium Weapons (ICBUW), Toxic Rem-

nants of War campaign, and International Network on Explosive Weapons) to update on their activities over the last year.

The Forum produced an Action Plan including specific initiatives that connect gender and arms and which conference participants have committed to supporting over the coming year. This plan aims to help ensure that gender will not be marginalized or overlooked in campaign planning, research, and reporting. The initiatives span action at the UN and initiatives such that on "no more all male panels," which seeks to correct under-representation of women in panel discussions. The Action Plan also highlights the upcoming 100th anniversary of WILPF and the annual 16 Days of Activism Against Gender Violence.

The first Humanitarian Forum was convened by Human Rights Watch on the occasion of the 20th anniversary of the International Campaign to Ban Landmines, followed by last year's event organised by Article 36 and PAX.

Participants also recorded "It's Time" statements for a campaign video made over the weekend, which you can view online at <https://www.youtube.com/watch?v=Kd7IOAjGD54>. •

17

## SIDE EVENT REPORT: BEHIND THE CURVE: NEW TECHNOLOGIES AND SMALL ARMS CONTROL

Joanne Mulligan | International Action Network on Small Arms

On 20 October 2014, the Small Arms Survey together with the Permanent Mission of Germany to the UN held a side event highlighting an upcoming publication related to new advances on arms design. The panel consisted of Nic Jenzen-Jones, Matt Schroeder, and Benjamin King from Small Arms Survey and was chaired by Ambassador Peter Winkler of Germany. During the panel discussion, three main technologies and the threats they pose to arms control were addressed: 3D printing, smart technology, and firearms conversions.

On the issue of 3D printing, Mr. Jenzen-Jones stated that the illegal modification of arms and the fact that they are largely untraceable are the primary concerns of such printing. In recent years expiring patents and a decrease in costs of 3D printers have led to a boom

in the additive manufacturing sector. According to Mr. Jenzen-Jones, national, regional, and international controls should apply to 3D firearms in the same way as conventional firearms. However, new technologies will pose new challenges for law enforcement as regulation will become more difficult. There has been a call by some states for further controls on 3D printing and some states have already introduced legislation that targets 3D firearms specifically. Further, Mr. Jenzen-Jones emphasized that education and training of law enforcement personnel is essential. The limitations of 3D printing were also discussed, namely that such printing does not exist for ammunition for the time being and that the large cost and complex operation of such printers means that weapons found on the blackmarkets remain more appealing.

Mr. Schroeder spoke about smart technology. He acknowledged that largely incremental improvements have been made in the field of tracing hardware. Scanning technology and database software have been enhanced, in addition to physical security and stockpile management systems. Mr. Schroeder discussed electronically controlled safety mechanisms (ECSMs) and the potential they have in reducing weapon trafficking. The cost and budget limitations, infrastructure shortcomings, data stove-piping, technology maturity and reliability, political opposition, cultural resistance, limited selection of weapons, and human error are the main barriers to implementation that Mr. Schroeder detailed.

Lastly, Mr. King addressed the issue of firearms conversions, referring specifically to blank-firing firearms. Converted blank-firing firearms are less lethal than their real counterparts because they are less durable and potentially dangerous to the user. However, Mr. King underlined that the easy availability of replica weapons, the significantly lower cost of these weapons, and the fact that they are highly untraceable are reasons for conversion. Further, he noted that proliferation of these kind of weapons is aided by inconsistent regulation on ownership and manufacturing standards and stated that political will and understanding of the topics will ensure effective implementation of instruments relating to SALW and new technologies. •

---

## SIDE EVENT REPORT: DEPLETED URANIUM WEAPONS: NEW RESEARCH FROM THE LABORATORY AND THE BATTLEFIELD

Brooke Fisher | PAX

---

This side event was hosted by the Permanent Mission of Norway to the UN in cooperation with the International Coalition to Ban Uranium Weapons (ICBUW) and PAX. The speakers were Dr. Katsumi Furitsu (ICBUW-Japan), Doug Weir (ICBUW), and Wim Zwijnenburg from PAX. PAX's Alexandra Hiniker moderated the discussion.

Following an introduction by Halvor Sætre, Minister Counsellor of the Norwegian Mission, Doug Weir explained what depleted uranium (DU) weapons are and how a compelling body of research from peer-reviewed studies now demonstrates that DU can damage DNA and cause cancer. Increased rates of cancer and congenital birth defects have been reported in civilians living in proximity to sites contaminated by DU. Weir emphasized that while studies into the effects of DU have been performed in laboratories and in small groups of veterans exposed during deployment, there is a lack of studies dealing with civilian exposure to DU. This is in part due to the difficulty of locating contaminated sites because of lack of transparency regarding targeting.

Weir concluded by highlighting the need for full disclosure of targeting coordinates, funding, and support for civilian exposure studies. He also warned that the history of DU use and research demonstrates how precaution must guide future munitions development, and emphasized that the use of DU munitions must be stopped.

Dr. Furitsu, a medical geneticist and expert on radiation and health, welcomed the call for a precautionary approach to the weapons. She reiterated that as DU is a radioactive material that emits alpha radiation, it can be harmful to both the environment and civilian populations wherever it is utilized. The best practice moving forward is to prevent civilian exposure by ending the use of DU weapons.

Wim Zwijnenburg spoke about his experience mapping DU contamination and civilian health concerns in Iraq. He spoke of the challenges faced by post-conflict countries in marshalling the resources and expertise necessary to tackle DU contamination in a safe and effective manner. This included domestic political challenges, such as a lack of resources and expertise, and technological and logistical difficulties.

Zwijnenburg then discussed the impact that the presence of DU has on communities in contaminated areas, focusing on the interactions that civilians have with DU, such as through scrap metal collection or by playing on contaminated sites. Zwijnenburg ended his talk recommending efforts to support capacity building in post-conflict countries, the need for further research on civilian exposure, and the need for transparency regarding where DU has been used. •

# SIDE EVENT REPORT: ADDRESSING CONCERNS OVER FULLY AUTONOMOUS WEAPONS

Sofia Tuvestad | WILPF Sweden

Jody Williams, chair of Nobel Women's Initiative and co-founder of the Campaign to Stop Killer Robots; Ryan Gariepy, chief technology officer at Clearpath Robotics; and Miriam Struyk, programme manager at PAX spoke at a side event hosted by Croatia and the Campaign to Stop Killer Robots last week. Mary Wareham of Human Rights Watch and coordinator of the Campaign to Stop Killer Robots facilitated the discussion.

Croatia's representative opened the session by recognising the need for deeper understanding and conversation on autonomous weapons, including on what we mean by "autonomy" as well as "meaningful human control".

Jody Williams noted that the Campaign to Stop Killer Robots is not against technology or robotics, "but completely against robotic weapons systems that on their own can target and kill without meaningful human control." She highlighted the urgency of moving forward on this issue, rejecting the notion that the development of autonomous weapons systems is "inevitable". People decide, Williams said, and there is no "military necessity" for autonomous weapons.

The campaign expects this November's meeting of the CCW (the Convention on Certain Conventional Weapons) to deliver a renewed mandate for further, formal discussions on autonomous weapons next year. We should not drag out the CCW process until it is too late, she warned.

Miriam Struyk introduced a number of objections to killer robots as outlined in the Pax report "Deadly decisions—8 objections to killer robots". This issue is first and foremost an ethical one— "humans should not transfer decisions of life and death to machines, it is an issue of human dignity". Killer robots are by nature unethical. Such weapons will most likely lower the threshold of going to war as it will distance not only soldiers, but political leaders from the effects of conflict. The principles of distinction and proportionality cannot be implemented without meaningful human control. It might not be impossible to hold anyone accountable if killer robots are developed and used.

These were some of the key objections raised, but the full report provides elaboration on all eight objections. Underscoring again that the objection to killer robots is primarily ethical, Struyk pointed to the risk of too much focus on legal issues. We must remember that legality is only about the minimum standard, she

said, and moral and ethical issues cannot be reduced to a question of legality. Talking about "meaningful human control" is a good starting point, even if much discussion remains on possible criteria for what we understand by "meaningful" and "control".

Ryan Gariepy described Clearpath Robotics' stand against killer robots by vouching not to manufacture weaponised robots that remove humans from the loop. In an open letter to the public, Clearpath Robotics has declared its support to the campaign to stop the development of autonomous weapons. The company will continue to support military clients and provide them with autonomous systems in areas with direct civilian applications (such as logistics and search and rescue), but "no nation in the world is ready for killer robots—technologically, legally, or ethically".

Gariepy, an expert in military technology, said it would be fundamentally wrong, as well as a bad idea, to remove kill decisions from human hands. The concept of a credible ethical computer programme is a long way away and remains a firmly theoretical idea, he explained. There has been significant progress in the robotics area, notably in the development of self-driving cars. But their the only mission is to drive and not hit anything—this is clearly very different from what a weapon would have to be capable of, such as answering questions such as "is this a child or a soldier?" The current state of technology, said Gariepy, is that robots might be able to understand what a chair is. This is obviously not enough for taking decisions to kill. Against this background, Gariepy urged governments to take action against autonomous weapons, as with previous processes to ban landmines and cluster munitions. •

## Follow First Committee on Twitter!

@RCW\_  
@nuclearban  
@controlarms  
@bankillerrobots  
@IANSAnetwork  
@explosivewapon  
@4disarmament  
@minefreeworld  
@banclusterbombs  
@icbuw

#firstcommittee  
#goodbyenukes  
#thecourageto

# SIDE EVENT REPORT: NUCLEAR ZERO CASES IN THE INTERNATIONAL COURT OF JUSTICE

Sampson Oppedisano | NGO Committee on Disarmament, Peace and Security

On 24 April 2014 a small Pacific Islands state, the Republic of the Marshall Islands, surprised the international community when it submitted applications in the International Court of Justice (ICJ) against the nine nuclear-armed states (US, UK, France, Russia, China, India, Pakistan, Israel, and DPRK) claiming violations of nuclear disarmament obligations under the NPT and international law.

At the annual meeting of the NGO Committee on Disarmament, Peace and Security held on 21 October, John Burroughs discussed the history and potential of the initiative. He is Executive Director of the Lawyers Committee on Nuclear Policy and a member of the Marshall Islands' International Legal Team.

The Marshall Islands claims that the nine nuclear-armed states have not pursued negotiations in good faith on cessation of the nuclear arms race and nuclear disarmament as required by Article VI of the NPT. While India, Pakistan, Israel, and the DPRK are not members of the NPT, the Marshall Islands contends that they are bound by the obligations under customary international law.

Dr. Burroughs explained that the Marshall Islands does not seek from the ICJ monetary compensation arising out of the 67 nuclear explosive tests conducted there in the 1940s and 1950s by the United States. Rather

the request is for a declaratory judgment finding non-compliance coupled with an order to take steps to come into compliance within one year of the judgment. This includes pursuing, by initiation if necessary, of multilateral negotiations on a convention to prohibit and eliminate nuclear weapons.

The three active cases, Dr. Burroughs explained, are against the UK, India, and Pakistan. Those are the only states among the nine nuclear-armed powers that have accepted the compulsory jurisdiction of the ICJ. So far the other nuclear-armed states have not accepted the Marshall Islands' request that they come before the Court and explain their positions regarding the nuclear disarmament obligations.

The Court has set briefing schedules in the three cases. Hearings are anticipated by late 2015 or early 2016 on preliminary issues relating to whether the cases are suitable for adjudication on the merits.

The Marshall Islands is hoping that non-nuclear weapon states will participate in the initiative as well. There are two ways in which such participation is possible. First, states that have accepted compulsory jurisdiction of the Court can file their own cases, which will likely be handled in conjunction with the Marshall Islands' cases. Second, states can seek to intervene in the Marshall Islands' cases. •

## THE MARSHALL ISLANDS' NUCLEAR ZERO INITIATIVE IN THE INTERNATIONAL COURT OF JUSTICE

John Burroughs | Lawyers Committee on Nuclear Policy

The Marshall Islands' initiative in the International Court of Justice (ICJ) lays bare core issues of compliance with legal obligations of cessation of the nuclear arms race and nuclear disarmament. Three cases arising out of the applications filed against the nine nuclear-armed states are now in motion, those against the United Kingdom, India, and Pakistan. They are the states among the nine which have accepted the general ("compulsory") jurisdiction of the ICJ.

In the UK case, a central issue is simple and stark: Is the UK's opposition to General Assembly resolutions calling for commencement of multilateral negotiations on a nuclear weapons convention, and its refusal to participate in the 2013 UN Open-Ended Working Group on taking forward proposals for multilateral

negotiations, a violation of the NPT Article VI obligation to pursue negotiations in good faith relating to nuclear disarmament?

In the India and Pakistan cases, a threshold question is whether they are bound by customary obligations arising out of NPT Article VI as well as the long history of UN resolutions on nuclear disarmament. The framing of the nuclear disarmament obligation in the ICJ's 1996 advisory opinion and the Court's underlying analysis strongly suggest that the answer is yes, but the question remains to be explicitly determined.

In all three cases, the legality of modernization of nuclear forces and their technical infrastructure is at issue. Is qualitative improvement and, for India and





Pakistan, quantitative build-up and diversification of nuclear arsenals consistent with good-faith negotiation of cessation of the nuclear arms race at an early date? Are plans and spending for maintenance and modernization of forces and infrastructure over decades to come contrary to the fundamental legal principle of good faith in the performance of international obligations?

The Marshall Islands urges other states to join in this initiative. Doing so would underline to the Court the importance to the international community of clarifying the requirements arising out of the nuclear disarmament obligations. Those states that have accepted the compulsory jurisdiction of the Court can file parallel cases.

Each state party to the NPT can seek to intervene as a matter of right in the UK case under Article 63 of the Statute of the ICJ because the case involves interpretation of the NPT. Indeed, the Court sent a notice to that effect to each state party in late June.

States can also seek to intervene in the India and Pakistan cases under Article 62 on the ground that they have a legal interest at stake arising out of fundamental obligations owed to every state in the world.

Intervention of either kind can be a means for states to uphold their view of NPT Article VI and international law. It does not have to be viewed as taking the side of the Marshall Islands per se (though that would be welcomed!).

When the Marshall Islands filed applications in the ICJ on April 24 of this year, Foreign Minister Tony deBrum said: "Our people have suffered the catastrophic and irreparable damage of these weapons, and we vow to fight so that no one else on earth will ever again experience these atrocities." It's not only the Marshall Islands' fight; it's everyone's responsibility.

*For more information, see [www.icj-cij.org](http://www.icj-cij.org), [www.nuclearzero.org](http://www.nuclearzero.org), and [www.lcnp.org/RMI](http://www.lcnp.org/RMI). •*

## SIDE EVENT REPORT: BUILDING BLOCKS APPROACH TO A WORLD WITHOUT NUCLEAR WEAPONS

Tim Wright | International Campaign to Abolish Nuclear Weapons (Australia)

The "building blocks" side event hosted by Japan, the Netherlands, and the Global Security Institute on 22 October had too many metaphors and too many men on the podium. The seven-member all-male panel called for the pursuit of a range of traditional measures, but offered no new ideas on how to break through the deadlock to achieve them.

Hiro Yamamoto, a member of the Japanese delegation to the Conference on Disarmament, used the summit of Mount Fuji as a metaphor for the ultimate destination of a nuclear weapon free world. He outlined several possible "building blocks" to help us reach the summit, including universalization of the NPT, entry into force of the CTBT, and negotiation of an FMCT – the traditional "step-by-step" list.

"This is a search for common ground," declared Theo Peters of the Dutch Foreign Ministry, in an attempt to encapsulate the purpose of the "building blocks" approach. Many observers would note, though, that the dearth of common ground is precisely why these blocks have not yet been put in place.

Some panelists presented the "building blocks" approach as the "realistic," "practical" alternative to the "ban treaty" approach, which they see as "idealistic". It was not clear why the "ban treaty" was not considered suitable as a "building block". Indeed, Jonathan

Granoff of the Global Security Institute noted the "enormous momentum" for a ban.

It was also not clear that any of the proposed "building blocks" addressed actions that the states participating in this event could actually undertake themselves. Actions such as renouncing the doctrine of "extended nuclear deterrence" or ending the practice of "nuclear sharing" did not feature. Moreover, measures such as "increased transparency" seem to apply only to nuclear-armed states, and not their nuclear allies.

Australia's new Ambassador to the Conference on Disarmament, John Quinn, ended the event by observing that there appears to be "consensus around the room about abolishing sequentialism". Japan confirmed this position: there is no strict order for the steps, and no conditionality attached to them. However, under the "building blocks" approach outlined by the nuclear weapons dependent governments, a prohibition will be possible only on the final ascent. This seems to be the one explicit exception to their principle of "non-sequentialism". Relegating the ban to the final step in the process to eliminate nuclear weapons not only defies the history of weapons law, it would also conveniently allow these states to leave their security doctrines and policies unchanged in the meantime. •

## SIDE EVENT REPORT: EFFECTIVE MEASURES FOR NUCLEAR DISARMAMENT

Mia Gandenberger | Reaching Critical Will of WILPF

On Thursday, 23 October 2014, the Permanent Missions of Ireland and Mexico to the United Nations, together with Article 36 and Reaching Critical Will, hosted a side event exploring effective measures for nuclear disarmament.

Breifne O'Reilly, Director for Disarmament and Non-Proliferation of the Irish Department of Foreign Affairs and Trade presented the background of the New Agenda Coalition's (NAC) working paper submitted to the 2014 NPT Review Conference this last May. It had resulted from previous work of the Coalition during the open-ended working group in 2013 and discusses options of "effective measures" that are envisaged and required by article VI of the Treaty, namely, a nuclear weapons convention, a ban treaty, a framework agreement, and a hybrid.

While the NAC paper did not conclude which option would be the preferred one, Ray Acheson of Reaching Critical Will outlined the arguments for pursuing the ban treaty as the preferred option, as laid out in *Banning nuclear weapons: an effective measure for disarmament*. Pursuing a ban treaty could help circumvent the exciting stalemate in nuclear disarmament discussions. It could be undertaken now, even without the participation of the nuclear-armed states. And it would be consistent with existing instruments on nuclear weapons.

Recalling the joint publication by Article 36 and Reaching Critical Will, Thomas Nash of Article 36 outlined

the main contributions that a treaty banning nuclear weapons would offer to the existing nuclear disarmament and non-proliferation regime. It would offer the opportunity to formalise a categorical rejection of nuclear weapons, would enhance the already existing stigma against nuclear weapons and require states to position themselves as supporter or opponents of nuclear weapons, and would have wider implications for the nuclear weapons complex. These include prohibition of financial investment in nuclear weapons; pressures on military cooperation involving nuclear weapons; and the development of a stronger community of states and civil society working together towards elimination of nuclear weapons.

The final panelist, Greg Mello of the US-based Los Alamos Study Group, shared his views on how a ban treaty would affect nuclear-armed states, in particular the US. According to Mr. Mello, a nuclear weapon ban treaty would be not something partial, like the NPT, nor a regional commitment, like nuclear weapons free zones, but would complement all existing regimes.

The presentations were followed by an animated discussion between participants and panelists. The discussion touched upon the prospects of achieving a ban treaty in the near term future, its positive implications on the non-proliferation norm included in the NPT, the need to challenge existing security paradigms, and the underlying global injustice of having a small elite group possessing the capacity to destroy the world. •

## SIDE EVENT REPORT: THE IMPACT OF EXPLOSIVE WEAPONS IN POPULATED AREAS

Gabriella Irsten | Reaching Critical Will of WILPF

In partnership with the International Network on Explosive Weapons (INEW), Austria hosted a side event on 22 October to discuss the protection of civilians from the use of explosive weapons in populated areas.

Concern over the use of explosive weapons in populated areas has increased over the last few years, due to the severe harm caused to civilians and their communities. Three speakers from the INEW network presented: Steve Goose of Human Rights Watch (HRW), Maya Brehm on behalf of PAX, and Richard Moyes of Article 36 and joint Coordinator of INEW.

Steve Goose gave a comprehensive overview of HRW's research on the widespread use of explosive weapons during recent conflicts in Ukraine, Syria, Gaza/Israel, and Iraq. He also referred to the impact of explosive weapons in Pakistan, Afghanistan, Sudan, and South Sudan. Goose noted that the use of explosive weapons in populated areas is one of the biggest—if not the biggest—cause of harm to civilians in modern armed conflict. The effective curtailment of the use of explosive weapons in populated areas might be the most important step states could take to protect civilians from the horrors of war, he said.



Launching the new PAX report *Unacceptable Risk*, Maya Brehm recalled that the main principles of international humanitarian law regarding protection of civilians from attacks, reflected in Additional Protocol I to the Geneva Conventions and also underpinning international customary law, are “distinction,” “proportionality,” and “precaution”. The report makes the case for new standards on the use of explosive weapons in populated areas based on the treatment of this issue in three cases before the International Criminal Tribunal for the Former Yugoslavia. The report notes that while many experts considered weapons like unguided rockets and artillery inappropriate for use in a city, the existing legal rules for the protection of civilians leave much room for differing interpretations. In this way, a clear standard to prevent harm from the use of explosive weapons in populated areas would be welcome.

Richard Moyes outlined the INEW call for the development of stronger international standards and for states to revise national and international policies and

practices in order to limit the effects mentioned above and reduce harm to civilians. Moyes also discussed the concept of wide area effects, which could be caused by the size of the blast radius of a given weapon, the accuracy with which it is delivered, and numbers of munitions used. Moyes emphasized that while existing law provides guidance on this theme, we have not yet reached an end point of our efforts to protect civilians during armed conflict. An international commitment to prevent the use in populated areas of explosive weapons with wide area effects would thus be a useful progression of the general rejection of bombing and bombardment of towns and cities.

During the discussion Norway reiterated its support for work on this theme from a humanitarian perspective and reported on the outcome of its expert meeting last June. Mexico also indicated its support for work on the topic. OCHA and the ICRC both highlighted their ongoing work to push forward the agenda towards greater protection of civilians from the use of explosive weapons in populated areas. •

## SIDE EVENT REPORT: HOW TO STRENGTHEN INTERNATIONAL PEACE AND SECURITY IN CYBERSPACE?

Gabriella Irsten | Reaching Critical Will of WILPF

The Netherlands held a side event to promote increased dialogue on cyber space issues leading up to next year's Global Conference on Cyber Space to be held in The Hague on 16–17 April 2015.

Ambassador Karel van Oosterom highlighted the importance of dealing with cyber space in a sustainable way. With the increasing militarization of cyber space, it is important to acknowledge the many peace, human rights, and development aspects that need to be protected in the digital domain.

Following this, the Special Envoy for Cyber and former Minister of Foreign Affairs of the Netherlands Dr. Uri Rosenthal outlined the Dutch view on cyber security. He emphasized that the Netherlands is supporting a multilateral stakeholder approach whereby representatives from the corporate world, civil society, and states can discuss cyber security together. He noted that existing international law is applicable in cyber space and that the Convention on the Law of the Sea and outer space law can be instructive in this area. His view is that it is better first to investigate how these already existing instruments apply to cyber rather than starting new negotiations on a new legal framework.

Tim Maurer from the New America Open Technology Institute, talked about how to make progress in cyber

security and how to develop global cyber security norms. He supported the multi-stakeholder initiative and highlighted that a more diverse set of actors are becoming interested, concerned, and engaged in the cyber security issue.

During the discussion, participants, together with the all-male panel, exchanged views on the way forward. China, Egypt, and Russia suggested that the focus should be on banning military operations in cyber space. Estonia highlighted its work on developing the Tallinn 2.0 guidelines, including dealing with cyber threats below the threshold of armed conflict. Australia spoke about the value of developing models and scenarios for combating cyber threats of different kinds.

From a civil society perspective, Article 36 noted the importance of recognizing the potential humanitarian harm from cyber attacks and suggested that human rights, rather than humanitarian law is likely to be the appropriate legal framework for considering most cyber attacks given that they have predominantly taken place outside armed conflict. While an effective legal framework is being developed to prevent cyber attacks, states should provide much greater transparency about their cyber operations. •

# FIRST COMMITTEE MONITOR

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 coordinated and edited by **Reaching Critical Will** of the Women's International League for Peace and Freedom (WILPF).

*Contributing organisations and coalitions to this edition:*

Article 36

Cluster Munition Coalition

Control Arms

International Action Network on Small Arms

International Campaign to Abolish Nuclear Weapons

International Campaign to Ban Landmines

International Coalition to Ban Uranium Weapons

NGO Committee on Disarmament, Peace and Security

PAX

Reaching Critical Will of WILPF

WILPF Sweden

[www.reachingcriticalwill.org](http://www.reachingcriticalwill.org) | [info@reachingcriticalwill.org](mailto:info@reachingcriticalwill.org)



Reaching Critical Will