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NGO Reporting on the
General Assembly First Committee on Disarmament and International Security

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THE FIRST COMMITTEE MONITOR

Contributing groups to The First Committee Monitor include:

- Amnesty International;
- Global Action to Prevent War;
- International Association of Lawyers Against Nuclear Arms;
- International Action Network on Small Arms;
- Lawyers’ Committee on Nuclear Policy;
- Middle Powers Initiative;
- NGO Committee on Disarmament, Peace and Security;
- Quaker United Nations Office; and
- Women’s International League for Peace and Freedom.

*The Monitor* is a weekly report produced by the NGO Working Group on the First Committee, a collaborative effort undertaken by non-governmental organizations to make the work of the UN General Assembly First Committee on Disarmament and International Security more transparent. *The Monitor* is compiled, edited and coordinated by Reaching Critical Will, a disarmament project of the Women’s International League for Peace and Freedom.

RCW provides services to activists, diplomats, UN-staffers, academicians and others, including:

- Posting statements, draft resolutions, and First Committee information online at www.reachingcriticalwill.org;
- Coordinating an array of briefings, workshops and panels designed to educate diplomats and activists on issues of disarmament, peace and security;
- Serving as an information resource by email or phone; and
- Providing a link between the First Committee and NGOs who are not in New York.
“You have the floor Madame.”
“Thank you, Madame Chair.”
In less than ten words exchanged between two women, for the first time in First Committee history, NGOs took the floor to address the most controversial current issues with the universal disarmament consensus-creating body. While last year, NGOs presented from the side seats as experts on disarmament education, this year we addressed the Committee from the podium, testifying on issues relating to nuclear disarmament, nonproliferation and the Arms Trade Treaty.

After the speeches delivered by Merav Datan (Greenpeace International), Zia Mian (Woodrow Wilson School of International Affairs, Princeton University), Rebecca Peters (International Action Network on Small Arms), and Tom Mason (World Forum on the Future of Sport Shooting Activities), there was a significant, interactive debate, signifying member states’ willingness to engage in substantive, extemporaneous discussions with civil society. Hopefully, these discussions mark the beginning of an active, inspiring and qualitatively improved relationship between NGOs and the First Committee. After all, we are, as NGO presenter Merav Datan said, “your ambassadors to civil society,” your direct link to the public that cares about these issues, and we are an emerging middle power in the world.

Signs indicating new possibilities are here. Governmental participation in the First Committee has been so high that sessions are running overtime instead of ending early. Increased dialogue and activity is one step on the way to increased success. Of course, as Dr. Patricia Lewis of The UN Institute for Disarmament Research (UNIDIR) pointed out, activity does not necessarily equal output, especially if the activity is primarily an increase in running in place. We have to actually negotiate and compromise to find agreement and have a resultant increase in successful output.

Other speakers invited to the First Committee added value to the debates as well. As the Chair of the Weapons of Mass Destruction Commission, Dr. Hans Blix gave a provocative and engaging presentation, to which governments enthusiastically responded. (See nuclear disarmament and verification reports) The head of the Comprehensive Test-Ban Treaty Organization presented to the First Committee on the morning of the North Korean nuclear test. The Chair of the Group of Governmental Experts on Verification, created by the First Committee, reported back, adding an element of accountability. Dr. Lewis gave a fascinating presentation about how disarmament negotiations are affected by “the community of practice” in which they occur and the capacity of the human brain to handle complexity.

This coming week, the First Committee will begin taking action on resolutions, exhibiting the relative success of the last three weeks of negotiations. Although the most excitement is certainly buzzing around the new Arms Trade Treaty resolution, it will also be interesting to see what happens with the Fissile Materials Cut-off Treaty resolution, whether the US will again oppose the resolution on preventing an arms race in outer space, what will happen with the new resolution on confidence-building measures in outer space, and if there will be any changes in voting patterns on the nuclear disarmament resolutions.

-Jennifer Nordstrom, Reaching Critical Will (www.reachingcriticalwill.org)
The key nuclear disarmament resolutions are now all on the table of the First Committee, but the deliberations this week focused on other issues such as conventional weapons and disarmament machinery. The three pivotal resolutions - the Japanese draft on “Renewed Determination towards the Total Elimination of Nuclear Weapons,” (A/C.1/61/L.32*) the New Agenda Coalition’s “Toward a Nuclear-Weapon-Free World,” (A/C.1/61/L.13), and the Non-Aligned Movement’s “Nuclear Disarmament” (A/C.1/61/L.39) – are little changed from last year, making it unlikely the debate over the drafts will break much new ground.

“Renewed Determination” attracted the most support of the three in 2005. The draft endorses an agenda closely adhering to existing treaties, Security Council resolutions and decisions from Review Conferences of the nuclear Non-Proliferation Treaty (NPT). The draft also supports initiatives that have broad appeal, such as the universalization of the Additional Protocol of the International Atomic Energy Agency and negotiations for a Fissile Materials Cut-Off Treaty (FMCT).

Resolution L.13 from the New Agenda Coalition (Brazil, Egypt, Ireland, Mexico, South Africa, Sweden, New Zealand) is rooted in the decisions from the 1995 and 2000 NPT Review Conferences, including the “unequivocal undertaking by the nuclear weapon States to accomplish the total elimination of their nuclear arsenals” and the resolution on the Middle East. The first version of the draft called on North Korea to rescind its withdrawal from the NPT but was silent on the issue of the nuclear test. A revised text on Friday changed that paragraph so as to condemn all nuclear tests, including North Korea’s. In introducing the revision, Mexico said, “Any nuclear test is a deplorable action which undermines decades of work.”

The Non-Aligned draft L.39, introduced by Myanmar on October 18, is a near duplicate of the 2005 text. The long draft includes every concrete proposal on the table for achieving nuclear disarmament (de-alerting, legally-binding no first use pledges, a verifiable Fissile Materials Cut-Off Treaty, negotiations “on a phased programme of nuclear disarmament”), thus ensuring there is something in it to offend a solid minority of states. Traditionally, this text draws the most negative votes and abstentions of the three.

The draft resolution on the review process for the 2010 NPT Review Conference (A/C.1/61/L.21*) was issued with dates for the first preparatory committee – April 30 to May 11, 2007 – but no venue. The dispute over holding the session in Vienna (the European Union position) or New York (the US view) should be settled this week, according to delegates involved in the discussions.

Dr. Hans Blix, the head of the Weapons of Mass Destruction Commission (WMDC), addressed the First Committee in informal session on October 16, reviewing the most salient points of the WMDC report, Weapons of Terror: Freeing the World of Nuclear, Biological and Chemical Arms. He stressed the main themes of the report, namely that the arms control process “has stagnated in the last decade” and “must be revived and pursued in parallel with the efforts to prevent the spread of WMD to further states and to terrorists movements” and that current trends are going in the wrong direction thus “increase[ing] the risk of use.”

While noting that “the world is not replete with would-be violators” of the NPT, he said a “momentous problem” with the treaty is the “lack of implementation of Article VI, which enjoins the nuclear weapon States parties to negotiate toward nuclear disarmament.” Quoting the report, Blix said, “All parties to the treaty need to ‘revert to the fundamental and balanced non-proliferation and disarmament commitments that were made under the treaty and confirmed in 1995 when the treaty was extended indefinitely.’”

To address this state of affairs, Blix highlighted the recommendations in the report that call for systemic reforms – such as allowing the Conference on Disar-
During the thematic debate on disarmament machinery on October 18, Dr. Patricia Lewis, Director of United Nations Institute for Disarmament Research (UNIDIR), suggested that the impasse in disarmament may partly be due to the machinery itself. Acknowledging that the political climate for disarmament is currently difficult, Dr. Lewis stated, “The machinery that we have created to work for disarmament negotiations should be designed to work in all conditions.” She said the disarmament community needs an “all-weather machine” that would allow work to continue even in times of disagreement. Quoting a Russian proverb, Dr. Lewis asserted that the international community must “agree when we can; negotiate when we can’t.”

Some states continue to put the primary blame on political will. The European Union stated, “while there is room for further improvements, this machinery continues to have the basic potential to fulfill its functions… At the end, what is essential for any further machinery of this kind to work is the political will to use it in good faith, and to comply fully with the obligations and commitments produced.”

Canada did not think political will was the only reason for failures in disarmament negotiations: “Sometimes it is the machinery that is not responding properly, and in these cases, a proper tune-up can help get it going again.”

Pakistan believed the disarmament machinery was adequate and had huge potential for producing optimum results. “If the member states have deep divergences, they cannot shift the blame to the machinery,” said Ambassador Kahn. “Machinery will take member states where they want to go.”

Conference on Disarmament

Slovakian Ambassador Pinter, the final rotating president of the 2006 Conference on Disarmament (CD) session, disagreed with the First Committee’s critical views about the continued impasse in the Conference. Rather, he contended that delegations had developed mutual respect as a result of the structured debates, and the 2006 CD had an atmosphere of higher understanding amongst the members.

The six presidents submitted a non-paper called “The P6 vision non-paper”, intended not to be an instruction for next year’s presidents, but rather food for thought. The paper gives a snapshot of where the CD stands on a programme of work, and elaborates suggestions for moving forward. If governments are flexible, they could use some combination of the suggestions in the P6 non-paper to begin substantive work in 2007. In the informal discussion following the panel, delegates expressed the wish to discuss the non-paper further in the inter-sessional period before the 2007 session of the CD begins in January.

Ambassador Zdzislaw Rapacki from Poland, the first president of the 2006 CD, sometimes referred to as the “godfather” of the P6 initiative, suggested one possibility for beginning substantive work in 2007: “At the beginning of the 2007 session, the CD should contemplate making a formal decision or decisions on the establishment of subsidiary bodies (also working groups or expert groups) to negotiate issues that are ripe for it, along with accepting a ‘schedule of activities,’ which would provide for substantive discussion on all other issues under the CD agenda.”

This year, the six presidents tabled the draft resolution on the annual CD report together (A/C.1/61/L.45). The resolution takes note of the increased deliberation of the Conference, the structured debates, the participation of experts from capitals, and the cooperation among all six Presidents of the Conference.

Disarmament Commission

South Korean Ambassador Oh discussed the 2006 Disarmament Commission (DC) session from his perspective as Chair. The DC agreed on an agenda for its 2006 session, which it had not been able to do since 2003, and created working groups on nuclear disarmament and confidence building measures in conventional weapons. The working groups were un-
Prevention of an Arms Race in Outer Space

During the parallel event “Civil Society Responds to Weapons of Terror: Assessing the Report of the WMD Commission” on October 17, Dr. Blix lamented the obstacles to progress on the prevention of an arms race in outer space (PAROS), citing in particular the determination of some states to keep it off the international disarmament agenda. He also commented on “the absurdity that the General Assembly can put any item it wants to on the agenda but the Conference on Disarmament (CD) needs consensus to have a discussion.”

The NGOs on the panel produced a report called, “Nuclear Disorder or Collective Security?”, in which Jennifer Nordstrom of the Reaching Critical Will project of the Women’s International League for Peace and Freedom argues, “to prevent the weaponization of outer space, all weapons need to be banned from space, whether through a protocol to the Outer Space Treaty (OST) or through a new stand-alone international agreement.” She noted that one of the key arguments overlooked by the WMD Commission is that “deploying any weapons in space would disrupt the strategic balance among the major military powers and thereby impede nuclear disarmament and likely kick start a new arms race on earth as well as in space.”

Agreeing with the WMD Commission, the NGOs said that “space security requires more interaction between [the Committee on the Peaceful Uses of Outer Space (COPUOS) and the CD] immediately,” because “the majority of space assets are dual use, with civilian and military applications, meaning even peaceful uses are military.” COPUOS has worked on mitigating space debris, which could be a promising avenue for preventing the weaponization of space. The NGOs also call for a Review Conference of the OST to negotiate a protocol banning all weapons in space, and for the consideration of a new international instrument within the CD.

Likewise, during the NGO presentations on October 19, Dr. Zia Mian of Princeton University argued that the First Committee should urgently consider the steps it can take to develop a space security regime, such as initiating a concerted effort to universalize the OST and “encouraging all nations to make a unilateral decision not to be the first to deploy weapons in space” as “a first step towards negotiating a multilateral space security treaty.”

However, Dr. Mian also recognized that any efforts to develop a space security regime that could prevent the weaponization of space would have to face the implications of the new US National Space Policy, discussed last week.

The NGOs from the WMD Commission panel discussion recommend that the US “stop researching and developing space weapons, renounce them, and protect US space assets through the codification of international law banning weapons in space.” Jacqueline Cabasso of Western States Legal Foundation also urged all like-minded governments to exert political pressure on the US in every possible venue, and to support civil society in their efforts.

Dr. Mian pointed out that most “questions of international security deal with problems created by the discovery of atomic energy and stem from the failure to properly address them when they were first realized sixty years ago.” Without concerted action to the contrary, we are, as Dr. Blix said, “sleepwalking into a new arms race.”

-Ray Acheson, Reaching Critical Will (www.reachingcriticalwill.org)
This week, Canada introduced draft resolution A/C.1/61/L.23 entitled, “Prohibition of the production of fissile materials for nuclear weapons or other nuclear explosive devices.” If the resolution is forced to a vote and does not command the same support it received in 2004, it will undermine proceeding on an Fissile Material Cut-Off Treaty (FMCT). If passed without a vote, the prospects for the long-awaited beginning of negotiations would be fairly good. With the outcome far from certain, however, Canada may withdraw the resolution.

The simple resolution “[u]rges the Conference on Disarmament to commence immediately negotiations on a treaty banning the production of fissile materials for nuclear weapons.” Although the resolution has no direct bearing on the procedures of the Conference on Disarmament (CD), the First Committee indicates the level of support for various initiatives.

The resolution does not reflect the Shannon mandate, which was reaffirmed as the negotiating parameters for an FMCT in General Assembly resolution 59/81, adopted overwhelmingly in 2004 with only two votes against (the United States and Palau), and two abstentions (Israel and the United Kingdom). Most notably, the current draft text contains no reference to the negotiation of a verified FMCT, nor reference to existing stockpiles, consistent with the draft mandate proposed by the United States at the CD in May. The exclusion of verification and existing stocks, many states insist, does not preclude any state from raising those issues once the negotiations have begun. However, these reassurances may be insufficient for many non-aligned states.

Another contested aspect of this resolution is its failure to specify FMCT negotiations as part of the CD’s programme of work. Without such specification, the resolution may not garner the support that its adoption requires.

- Michael Spies, Lawyers’ Committee on Nuclear Policy (www.lcnp.org)

The First Committee

Governments have discussed First Committee reform less this year than in years past, and most have simply supported implementing previous years’ resolutions on improving the First Committee’s working methods.

In that regard, the Under-Secretary General for Disarmament Affairs, Mr. Nobuaki Tanaka, made a presentation about follow-up of resolutions and decisions adopted by the First Committee at its past sessions. Of the 53 resolutions adopted by the First Committee last year, 29 requested the Secretariat to prepare a report on their implementation to be submitted to the General Assembly. Similar to years past, however, very few states submitted information or comments on these reports. Japan was extremely disappointed in the results and proposed that if less than 10% of states provide information for the reports, then the paragraphs requesting such reports should be eliminated from the respective resolutions.

Sierra Leone wished for more debates in the First Committee and a more interactive exchange among delegates. It also suggested the First Committee in-
North Korea

On Monday, October 16, the United States confirmed that North Korea detonated a nuclear device, and in the First Committee called this action “provocative and destabilizing.” In response, North Korea justified the test as “entirely attributable to the US nuclear threat, sanctions, and pressure.” Shortly thereafter, suspicions arose of the possibility of a second test.

North Korea indicated that it has no intention of conducting a second test. As reported in Yahoo! news, North Korea’s chief nuclear negotiator, Kim Kye Gwan, said, “We believe that the nuclear test that we’ve already held gives us full deterrent, sufficient deterrent power, and we hope to return to six-party talks.” However, U.S. Secretary of State, Condoleezza Rice, believes that North Korea wants an increase of tensions.

The New Agenda Coalition condemned North Korea’s test in its draft resolution “Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments” (A/C.1/61/L.13/Rev.1), urging its return to the nuclear Non-Proliferation Treaty (NPT). North Korea responded, “If any delegation sincerely wished to resolve the nuclear issue on the Korean peninsula, they should include in the resolution the concept that specifies abandonment of nuclear threat and hostile policy of the US against North Korea as a critical element in solving nuke issues.”

The Non-Aligned Movement (NAM), in a statement delivered by Indonesia this week, expressed “concern” over the nuclear test, and pushed for a return to the Six-Party Talks and the elimination of nuclear weapons from the Korean Peninsula.

Previous statements by North Korea indicate a lack of confidence in the disarmament regime. On October 9, it referred to disarmament conventions as “good-for-nothing dead documents without any binding force, the main factor for plunging the world into a nuclear arms race.” Hans Blix, Chair of the Weapons of Mass Destruction Commission, acknowledged the need to strengthen confidence in the disarmament regime in his statement made on Monday, October 16. He noted, “I am not contending that negotiations with North Korea…would be easy under any circumstance, but I suspect that they might be somewhat less difficult, if the nuclear weapon states participating could show that they, themselves, were actively moving toward and leading the world toward nuclear disarmament.” Dr. Blix also recommended the ratification of the Comprehensive Test-Ban Treaty (CTBT) by the nuclear weapon states involved in the Six Party Talks as a means of easing the path of diplomacy with North Korea.

- Neal Sandin, Middle Powers Initiative (www.middlepowers.org)

Disarmament Machinery, cont.

A Larger Discussion on Disarmament

Considering the impasse in disarmament, there have been different calls for ways to overcome the impasse. Sierra Leone tabled a new draft resolution entitled “Declaration of the Fourth Disarmament Decade” (A/C.1/61/L.17), to mobilize more intensive global efforts to reverse the current trend in the field of disarmament. The resolution requests the Secretary General to seek the views of member states, international bodies and civil society in order to prepare an outline for a programme of activities for the term 2008-2010. As noted last week, the Non-Aligned Movement submitted a draft resolution (A/C.1/61/L.4) about convening an open-ended working group to discuss a fourth special session on disarmament. Pakistan has continued to call for an international conference to develop a new consensus on disarmament and non-proliferation, similar to the Weapons of Mass Destruction Commission’s call for a World Summit on Disarmament, Non-Proliferation, and Terrorist Use of WMD.

-Beatrice Fihn, Women’s International League for Peace and Freedom (www.wilpf.ch)
Negative Security Assurances

During the third week of the First Committee, Pakistan introduced a draft resolution (A/C.1/61/L.45) calling for a legally binding instrument for negative security assurances (NSAs). It its introduction, Pakistan said the resolution, which is nearly identical to those adopted in the past, “reaffirms the urgent need to reach an early agreement of effective international arrangements on negative security assurances... [and] notes with satisfaction that there is no objection in principle to the idea of an international convention on this subject.” Last year the resolution was adopted by 98 votes in favor, 55 abstaining and no votes against. The majority of the abstaining votes were states from the western group and NATO members.

Also during the week, Dr. Hans Blix, Chair of the Weapons of Mass Destruction Commission (WMDC), made a presentation about the Commission’s report, “Weapons of Terror”. In that report, the WMDC recommended that nuclear weapon states parties to the nuclear Non-Proliferation Treaty (NPT) provide legally binding negative security assurances to non-nuclear weapon states parties. They also recommend that non-parties to the NPT, such as Israel, India and Pakistan, separately provide such assurances. In the report, the Commission elaborated that all states possessing nuclear weapons should declare a categorical policy of no-first-use of such weapons, including in pre-emptive and preventive action, as well as in retaliation for attacks involving chemical, biological or conventional weapons.

After Dr. Blix’s presentation, an informal discussion took place wherein speakers linked NSAs to Chapter 2 Article 4 of the UN Charter, which prohibits the threat or use of force with few exceptions. If states were confident that the UN Charter’s rules on the use of force were used in all conflicts, there would not be any need for NSAs.

In her statement to the First Committee, Ms. Merav Datan of Greenpeace International reiterated civil society’s support for a legally binding treaty on negative security assurances. Referring to the nuclear doctrines of the United States and France, Ms. Datan explained that “[n]uclear weapons are not a legitimate

Nuclear Weapons Operating Status

India sponsored their resolution entitled “Reducing Nuclear Danger,” (A/C.1/61/L.49), that calls for taking of nuclear weapons off “hair-trigger alert” status and for revision of nuclear doctrines to diminish the role for nuclear weapons in nuclear weapon states’ security policies. India explained to the First Committee that, “the resolution offers modest and pragmatic proposals for the safety and security of mankind, pending the complete elimination of nuclear weapons.”

In making a call for a move away from hair-trigger alert status, India is entirely in line with calls that have been made by the Canberra Commission in 1996, by the Atlanta Consultation of the Middle Powers Initiative, and most recently by the Weapons of Mass Destruction Commission (Recommendation 17 P92 and 193).

Despite this varied support for a seemingly modest proposal, the voting results for the resolution over the last three years have hovered around 115 in favor, 47 against and 17 abstentions. A number of important countries, including New Zealand, Canada, and Australia voted against the resolution. Similarly, Japan and China abstained. Explanations for votes against and abstentions have included the problematic reference to “hair-trigger alert,” a term that nuclear weapons operating status claim is inaccurate.

Recent calls, such as the one signed last year by the 44 Nobel Laureates and endorsed by the European Parliament, have called simply for lowering operating status, and for nuclear weapons to be taken off “Launch-on-warning” (LoW) status. This deliberately bypasses semantic debates about what is and is not, “hair-trigger alert”.

Japan-sponsored resolutions on “Nuclear Disarmament” (A/C/1/60/L/36), “Follow-up to Nuclear Disarmament Obligations agreed in the 1995 and 2000 Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons” (A/C.1/60/L38.Rev2), and “Renewed Determination Towards the Total Elimination of Nuclear Weapons” (A/C.1/60/L28) also contain reference to nuclear
This week in the First Committee, Dr. Hans Blix, Chair of the Weapons of Mass Destruction Commission (WMDC), pointed to Recommendation 28 of the WMDC report, “Weapons of Terror,” which calls on all remaining states to ratify the Comprehensive Test-Ban Treaty (CTBT) without delay. Dr. Blix stressed, “[n]o measure could be more urgent, important in substance and as a signal that arms control and disarmament are again on the world agenda than the signature and ratification of the Comprehensive Nuclear Test-Ban Treaty by states which have not yet done so.”

Merav Datan of Greenpeace International, one of the non-governmental organizations to address the Committee, also pressured the remaining Annex II states—those states whose signatures are needed for the entry into force of the CTBT, to sign and ratify the Treaty. Of the 44 Annex II states, the United States, China, Israel, India, Pakistan and North Korea have not yet ratified.

Regarding the recent nuclear test by North Korea, Dr. Blix pointed out, “if the CTBT had been in force, we could have been well informed” about the “nature of the recent explosion in North Korea.” Ms. Datan agreed that the verification provided by the International Monitoring System of the CTBT would have been helpful in dealing with North Korea. It also asserted, “[t]he recent [North Korean] test reinforced the importance of the need to have the CTBT brought into force to make the international norm against testing legally binding.”

However, Dr. Blix noted, “[t]o demand from North Korea that the country should deposit its ratification of the treaty… would be easier if all the states participating in the six power talks had, themselves, ratified the treaty.” Aside from North Korea, China and the United States have not yet ratified the CTBT.

Dr. Zia Mian, Professor in the Program on Science and Global Security at Princeton University’s Woodrow Wilson School of International Affairs and member of the International Panel on Fissile Materials, contextualized the response to the North Korean nuclear test. He expressed his belief that the Security Council resolution to condemn the test in North Korea “offers a model for how to treat a state that conducts a nuclear test,” but wondered how the international community should respond to the behavior of the United States.

As Dr. Mian explained, the United States asserts that its ability to conduct nuclear tests is necessary in order to “assure the performance, reliability and safety of its nuclear weapons.” Mian noted, “[s]ince 1997, the US has carried out over 20 sub-critical nuclear tests at its Nevada Test Site. It has in place a nuclear weapons Stockpile Stewardship Program that has produced the first ever 3-D computer simulation of the explosion of both a fission weapon (in 2000) and a thermonuclear weapon (in 2001).” He also pointed out that the Bush Administration has attempted to half the preparation time required by the National Nuclear Security Administration in order to “increase the readiness for resuming full-scale nuclear testing.”

According to Dr. Mian, nuclear testing by any state should be “considered a violation of the charter and a crime against humanity.” He encouraged the First Committee to “reinforce the global norm against testing and to restore confidence that the nuclear-weapon states will not introduce new, more deadly, and destabilizing weapons into their arsenals.” They will have the opportunity to do just that when the CTBT resolution comes up for a vote next week.

-Jennifer Leigh Schwerer, NGO Committee on Disarmament, Peace and Security

NSAs, cont.

or proportionate response to either terrorism or the use of chemical and biological weapons.”

- Beatrice Fihn, Women’s International League for Peace and Freedom (www.wilpf.ch)
This week in the First Committee, Uzbekistan introduced the draft resolution “Establishment of a nuclear-weapon-free zone in Central Asia” (A/C.1/61/L.54), remarking that the nuclear weapon free zone (NWFZ) in Central Asia is an “important contribution to the international system of nuclear non-proliferation, disarmament, and the prevention of nuclear terrorism.” This resolution is an expanded version of its predecessors, with increased attention to the characteristics inherent to all NWFZs.

In its supplemental statement, Kazakhstan emphasized these characteristics, particularly the contributions of NWFZs to international peace and security, and to the principles and objectives of the nuclear Non-Proliferation Treaty (NPT) and the Comprehensive Test-Ban Treaty. The Central Asian zone (CANDWFZ) forbids States Parties from providing fissile materials to any non-nuclear weapon state without an International Atomic Energy Agency (IAEA) safeguards agreement and additional protocol.

Kazakhstan also contended that NWFZs are important confidence-building measures for enhancing regional cooperation and stability. As Merav Datan of Greenpeace International noted in the NGO statement on October 19, “it is not surprising that calls for NWFZs are often heard in relation to particularly tense regions, including South Asia and the Middle East, where nuclear weapons or other WMD directly form part of the tension.”

Many governments concurred with the NGOs. Iraq, Pakistan, Kuwait, Qatar, and the United Arab Emirates (UAE) stated that a nuclear weapon or WMD free zone in the Middle East would increase security in the region. The UAE further stated, “international conditions require a NWFZ in the Middle East, [as it would] alleviate tensions and instability, renew dialogue and the peace process” over the occupation of the Palestinian territories. Iraq highlighted the need for treaties, guarantees, and assurances, and emphasized that a Middle Eastern NWFZ would offer all three to the international community and to the region.

However, as Ms. Datan pointed out, “the deadlocked positions regarding a WMD Free Zone in the Middle East are as well known as they are entrenched.” Israel, in its October 5 statement to the Committee, pinpointed Iran’s nuclear programme as the source of instability in the Middle East, describing it as one of the key threats to regional and international peace and security. While some other Middle Eastern states, such as the UAE, recognized the problem of Iran “pursuing nuclear energy outside the IAEA,” most viewed Israel as the main impediment to a peaceful Middle East free from WMD, and called upon Israel to renounce its existing nuclear weapons program and comply with the NPT and the IAEA Safeguards Agreement.

The draft resolution A/C.1/61/L.1, “Establishment of a nuclear-weapon-free zone in the region of the Middle East,” calls for “all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards agreement and additional protocol.

The more controversial draft resolution “The risk of nuclear proliferation in the Middle East” (A/C.1/61/L.2), calls for Israel to accede to the NPT as a non-nuclear weapon state, calls which Israel claims are biased.

Both resolutions are virtually identical to their annual predecessors. In the past, the draft resolution on the NWFZ in the Middle East has been adopted without a vote while the one on proliferation in the Middle East is consistently rejected by Israel and the United States.

The existence of nuclear weapons within a proposed NWFZ is a unique feature to the Middle East. Yet the establishment of a NWFZ in Central Asia, where nuclear weapons had previously been tested and stationed, gives hope that even a seemingly impossible situation can overcome the odds against it.

-Ray Acheson, Reaching Critical Will (www.reachingcriticalwill.org)
Conventional Weapons

A number of states discussed the gravity of the illicit trade and unauthorized use of conventional weapons. Pakistan felt that the extreme focus on weapons of mass destruction (WMD) and small arms and light weapons is diverting focus from conventional weapons, which they see as “becoming something of a blind spot of the international community.”

Swedish Ambassador Borsin-Bonnier formally introduced the draft resolution on the Convention on Certain Conventional Weapons (CCW) (A/C.1/61/L.18), encouraging remaining states to become a party to it. India proudly noted that it was “among those 20 States Parties that adhere to the entire CCW package- the Convention, Amended Article I, and all five Protocols.” India supports a draft Plan of Action that includes seven action points for making the CCW universal, and would like to see the CCW adopt a mechanism for compliance.

Austria, speaking on behalf of the Holy See, Ireland, Mexico, New Zealand, and Sweden, reiterated the need for negotiations to begin on a legally-binding instrument to establish clear rules regarding the use of cluster munitions during conflict situations close to concentrations of civilians, and a mandate to negotiate this instrument. Austria made clear that “this is not a proposal for a total ban on cluster munitions.” Denmark, too, voiced its support for the statements made on cluster munitions.

Several states have already taken action to limit the grave humanitarian effects of cluster munitions. According to Arms Control Today, “Belgium has banned them [cluster munitions], Norway has enacted a moratorium on use, and Germany has stopped procurement of new cluster munitions with plans to explore phasing existing systems out by 2015.”

This week also saw the launch of Landmine Action’s “Foreseeable harm: The use and impact of cluster munitions in Lebanon: 2006.” This report by Thomas Nash details the consequences of Israel’s use of cluster munitions in Lebanon based on field research conducted September 6-11, 2006.

Australia stated that countries should continue progress on creating effective controls over the illicit transfer and unauthorized use of Man-Portable Air Defense Systems (MANPADS). In contribution to this effort, Australia is co-hosting an ASEAN (Association of Southeast Asian Nations) Regional Forum workshop on MANPADS stockpile management this month. In order to rationalize the work of the First Committee, it is doing this instead of annualizing the resolution on preventing the illicit transfer and unauthorized access to and use of MANPADS, adopted by consensus last year. Belarus also supported continued work on regulating MANPADS.

Pakistan placed special emphasis on the balanced reduction of forces and conventional armaments, noting that this should be “the prime objective of arms control” and citing the Conventional Forces in Europe Treaty as an important example. Benin agreed, remarking that humankind must devote fewer resources to weapons.

Other resolutions tabled in the past two weeks include “Transparency in armaments” (A/C.1/61/L.38); “Information on confidence-building measures in the field of conventional arms” (A/C.1/61/L.40); “Conventional arms control at the regional and subregional levels” (A/C.1/61/L.43); and “Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms” (A/C.1/61/L.55) (see ATT report).

- Waverly de Bruijn, Global Action to Prevent War (www.globalactionpw.org)

Operating Status, cont.

weapons’ operating status, though most achieve no more support than L.49. The 2005 version of L.28, which speaks specifically in terms of operating status, passed with 168 in favor, two against (US and India), and seven abstentions.

-John Hallam, Friends of the Earth Australia
As the wave of support for the Arms Trade Treaty (ATT) resolution grew last week, some previously skeptical governments appeared to ease their concerns about the resolution and others highlighted the need to address conventional arms proliferation. As of Friday, October 20, close to 110 governments have cosponsored the resolution, which was officially introduced last Wednesday.

Building on the widespread support for the resolution across Africa, Europe, and Latin America from the previous week, additional governments from Asia and other key governments added their cosponsorship, including Belize, Brazil, Cambodia, Canada, Georgia, Mali, Papua New Guinea, and the Philippines.

The Control Arms Campaign, which held a “Race for an ATT” in which its members ran to 192 UN missions in 192 minutes to deliver information packets, expressed excitement about the number of cosponsors. Such a number, the campaign said, will help ensure passage of the resolution if called to a vote.

Based on individual discussions with governments, the campaign also indicated that some previously skeptical governments said they were likely to support or abstain on a vote for the ATT resolution, especially from states in the Non-Aligned Movement (NAM). States continuing to raise some skepticism about the resolution included China, Egypt, India, Iran, Russia, and the United States.

Although calling for more regional and sub-regional action on conventional arms proliferation, Pakistan said on Thursday that “overemphasis on small arms and light weapons can eclipse the salience of sophisticated conventional weapons and technology being traded in huge quantities around the globe...Such trade flourishes in a moral and legal vacuum.”

On Wednesday, October 18, the UK Ambassador John Duncan, speaking on behalf of Argentina, Australia, Costa Rica, Finland, Japan, and Kenya officially introduced resolution L55 entitled “Towards an Arms Trade Treaty: Establishing Common International Standards on the Import, Export, and Transfer of Conventional Arms.

Expressing appreciation for the amount of cosponsors, Ambassador Duncan said “we believe that it [efforts to establish an ATT] must be a discussion that involves both consumers and producers and that the UN is the most suitable forum for the discussion.” Additionally, he said the aim of the initiative is to start a discussion on the feasibility and scope of an ATT and that those “agnostic” States will have a clear opportunity to engage.

During the NGO presentations on Friday, members of the International Action Network on Small Arms (IANSA) raised the importance of global action on conventional arms by giving the recent example of ammunition from all parts of the globe found among armed groups in eastern Democratic Republic of the Congo (DRC).

The campaign indicated the vote on the resolution was likely to occur the afternoon of Wednesday, October 25 during the voting on conventional weapons.

-Colby Goodman, Amnesty International

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**Nuclear Disarmament, cont.**

- Jim Wurst, Middle Powers Initiative (www.middlepowers.org)
Small Arms and Light Weapons

Morocco, Suriname, India and others testified this week that small arms and light weapons (SALW) contribute to crime and terrorism and undermine international peace and security. Noting that SALW kill thousands of innocent victims every day, Sierra Leone referred to small arms as “the most destructive weapons in the world today,” and urged concerted, immediate action.

Rebecca Peters, Director of the International Action Network on Small Arms (IANSA), highlighted the devastating effects of SALW in the NGO presentation. Peters spoke of the recent murder of Dr. Vincent Makanju at the hands of armed gunman in Ile Ife, Nigeria. A member of IANSA and Global Action to Prevent War, Vincent also directed the Peace Education Center in Nigeria, where he taught youth to say “no to violence” by training them in conflict resolution skills they could employ in their communities. Vincent’s death underlines the dire need for all countries to come together in order to curb the illicit trade in small arms and light weapons.

On October 18, South Africa introduced A/C.1/61/L.15, the omnibus resolution co-sponsored by Columbia and Japan entitled, “The illicit trade in small arms and light weapons in all its aspects.” Australia welcomed the proposed omnibus resolution on SALW, particularly the reference to scheduling a biannual meeting by no later than 2008. A number of states, including Suriname, India, Gabon, and Benin, also emphasized the value of using biannual meetings to revisit progress made on the Programme of Action.

Speaking passionately about the negative humanitarian and development effects that the illicit trade in SALW has on its country, Cameroon noted that the porous nature of its borders- due to its lack of equipment, information and trained personnel- make SALW trade very difficult to control. Cameroon therefore appealed to states to contribute to a special fund that would support the UN Standing Advisory Committee on Security Questions in Central Africa. On behalf of the Economic Community of West African States, Mali introduced the draft resolution, “Assistance to States for curbing the illicit trade in small arms and light weapons and collecting them” (A/C.1/61/L.25), which has been adopted without a vote in the last few years. Suriname, too, spoke to the importance of such assistance.

Gabon made a pointed statement towards arms manufacturers, saying that they have a moral duty and responsibility to ensure their weapons arrive in safe and responsible hands, and that they will be used for security reasons in the countries to which they are exported.

Morocco welcomed the International Instrument on Marking and Tracing despite the fact that it is not legally-binding. Suriname stated it would like to see adoption of a politically-binding instrument in a timely manner. Cameroon sees the International Instrument as a further step in the right direction, and India and Gabon support it as well. India, Belarus and Morocco urged continued work on concluding an instrument on brokering.

A few member states also noted the gender dimension of small arms and light weapons, as did Ms. Agnes Marcillaou, Chief of the Regional Disarmament Branch, Department for Disarmament Affairs. Yemen discussed the difficulty of reducing armed violence and arms-related deaths within a culture that has ingrained the possession and use of guns as part of being a man. Suriname stated that the international community should demonstrate political will in order to end suffering by innocent victims, “especially women and children.”

Other resolutions tabled in the past two weeks include “Problems arising from the accumulation of conventional ammunition stockpiles in surplus” (A/C.1/61/L.26), and “Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa” (A/C.1/61/L.34).

-Waverly de Bruijn, Global Action to Prevent War (www.globalactionpw.org)
On Monday, October 16, both Dr. Hans Blix and Dr. John Barrett addressed verification in their separate presentations to the First Committee.

In his discussion of the final report of the Weapons of Mass Destruction Commission (WMDC), Dr. Blix touched on a range of issues in his statement, including the adoption of “machinery for inspection and verification of the universal ban to use, produce and stock chemical weapons,” by the authors of the Chemical Weapons Convention (CWC) of 1996. Such verification machinery persuaded the WMDC to view the CWC “as a success story.”

In contrast, with regards to the Biological Weapons Convention (BWC), Dr. Blix cited the “absence of machinery for inspection and/or monitoring” as a major “weakness in the Convention.” Dr. Blix argued that the cold war climate hampered the ambitions of the authors of the BWC, making it impossible to agree on machinery for verification and inspection at the conference in 1972. As a consequence of this glaring omission, “[t]he Soviet Union and Iraq—and perhaps others—were able later to violate the ban without being detected.” Dr. Blix pointed to recommendations 31-35 of the WMDC report as practical ideas for strengthening the Convention, “including the creation of a unit of B-weapon experts, such as the roster we had in the Iraq inspection,” which Dr. Blix headed.

Dr. Blix addressed general concerns about the effectiveness of the nuclear Non-Proliferation Treaty (NPT) by asking, “[d]oes the verification system—the safeguards—need to be strengthened?” Dr. Blix insisted that the International Atomic Energy Agency (IAEA) Additional Protocol strengthens confidence in the NPT, but warned against insufficient funding of the safeguards system. He cautioned, “[i]t would be paradoxical for the world community to spend billions on inspections to ensure that no material or equipment of nuclear relevance is transported in containers or baggage in air travel and to deny the safeguards system the fullest support.”

The WMDC is also of the view that a Fissile Materials Cut-Off Treaty, like the BWC, must provide for effective international verification. Dr. Blix declared his support of the independent international verification that the European Atomic Energy Community carries out in two nuclear weapon states (France and the UK), and of the inspections by the IAEA of enrichment plants in Brazil and Japan. Dr. Blix stressed, “[i]f there is no effective international verification, any controversy about respect for the treaty would have to be discussed on the basis of evidence that came only from national means of verification.” As the former head of the agency that said there were no weapons of mass destruction in Iraq, Dr. Blix reminded the First Committee that “[w]e know from the case of Iraq that this would not be satisfactory.”

Dr. Blix concluded his statements by affirming his endorsement of independent international verification as an “important and economic tool for verification.” Furthermore, he declared that international verification “does not stand in any contradiction to national means of verification. Rather these two means of fact-finding supplement each other.” Indeed the WMDC report itself, affirms that “[n]ational surveillance systems may supplement international verification but, as experience has repeatedly shown, particularly with Iraq, such systems do not offer a panacea”.

Dr. John Barrett of Canada followed Dr. Blix with an update on the progress of the third UN Group of Government Experts on Verification (GGE). As Chair of the GGE, Dr. Barrett explained that the goal of the GGE is to look at verification in all its aspects—conventional, nuclear, radiological, chemical, and biological—with respect to the two earlier reports submitted in 1990 and 1995. Dr. Barrett explained the report will not be a revision of the previous reports, nor will it be a report card of existing treaty regimes and compliance. “What we have sought in our Panel,” Dr. Barrett described, “is to focus in particular on ‘value added’. We have looked at what has changed in the decade in the international security environment and the security needs of states, and how verification has addressed these needs. And how it could in future.” Dr. Barrett stressed that the impending report is rooted in an investigation of the relationship between verification and compliance.

continued on page 14
Landmines

As President of last month’s Seventh Meeting of States Parties to the Mine Ban Treaty, Australia recapped some of the achievements and challenges concerning the Treaty. At the meeting, states parties adopted a process to assist states in fulfilling their obligations to clear and destroy all known landmines. To date, 38 million mines have been destroyed and another ten million are scheduled to be destroyed, and seven of 52 States Parties affected by landmines have cleared their mined areas. As the first disarmament treaty that addresses the needs of survivors, states parties to the Treaty discussed practical measures to assist survivors. As noted last week, Australia presented the annual resolution on implementation of the Mine Ban Treaty (A/C.1/61/L.47/Rev.1), largely identical to last year’s resolution.

India expressed support for the humanitarian objectives of the Mine Ban Treaty but criticized its failure to sufficiently address national security concerns of some states. Citing their long land borders, India asserts that its security requirements necessitate the use of anti-personnel mines as “an important component of defense in times of conflict”. India insists, however, that they use landmines “in accordance with internationally acknowledged security norms and safety parameters.”

Germany and Benin saw de-mining as an important part of post-conflict reconstruction and rehabilitation. Benin said freeing land that is “kept hostage to mines” would ease post-conflict reconstruction.

Benin also urged moral and physical support for the victims of landmines, whose severe injuries should serve as “a calling for more humanity during times of hostilities, but first and foremost a calling for disarmament for the greater good of present and future generations.”

Spain expressed support for a mine-free Central America, ultimately leading up to a mine-free continent and promised resources to achieve this goal.

Pakistan and India both addressed mines other than anti-personnel mines (MOTAPM). Pakistan lauded the “fresh” efforts of the Brazilian MOTAPM Working Group Coordinator for the Convention on Certain Conventional Weapons. Pakistan also noted that differences remain in the areas of detectability, active life, recording and removal of minefields, and categorization of fuses and censors. India said that even on these contentious issues, “a balanced approach could accommodate national security imperatives, humanitarian requirements, financial costs and technological constraints.” Pakistan noted that the Convention on Conventional Weapons and its five protocols “adequately address humanitarian aspects of mines,” while India hoped that the future legal instrument on MOTAPM will “supplement the existing instruments on anti-personnel mines in addressing humanitarian challenges in a more comprehensive manner.”

- Heikki Hietala, Reaching Critical Will (www.reachingcriticalwill.org)
During the third week of the First Committee, most discussion relating to terrorism centered on conventional weapons. Dr. Hans Blix, Chair of the Weapons of Mass Destruction Commission (WMDC), and Nigerian Minister of Foreign Affairs U. Joy Ogwu, Chair of the Advisory Board on Disarmament Matters (the Advisory Board), both suggested that WMD terrorism would best be prevented by strengthening arms control and disarmament.

Dr. Blix discussed the WMDC’s report, “Weapons of Terror: Freeing the World of Nuclear, Biological and Chemical Arms.” He said the report’s “central message is that the global process of arms control and disarmament, which has stagnated in the last decade, must be revived and pursued in parallel with the efforts to prevent the spread of WMD to further states and terrorist movements.” Dr. Blix also highlighted the WMDC’s recommendation to convene a World Summit on Disarmament, Non-Proliferation, and Terrorist Use of WMD.

In her presentation to the First Committee on October 18, Foreign Minister Ogwu commented on the recommendation of the Advisory Board that “incremental steps should be taken to build considerable momentum on the priority issues in the areas of WMD-related terrorism,” among other issues. The Foreign Minister also highlighted the Advisory Board’s decision, following its analysis of the threat posed by the accessibility of WMD to non-state actors, “to broaden the perspective to include other weapon systems especially conventional arms considering that all types of weapons, without exception, are known to be dangerous in the hands of non-state actors.”

The Advisory Board made the following recommendations on the elimination of arms supplies to terrorist movements:
- the development of international norms governing transfers in conventional arms by the UN;
- the strengthening of all international initiatives aimed at combating international terrorism by member states and the application of the mandatory provisions in SC resolution 1373 (2001);
- the involvement of the private sector in addressing the threat posed by terrorists; and
- the enhancement of tools in eliminating the supply of weapons to non-state actors and terrorists by civilian frameworks and infrastructure.

Ambassador Martin Belinga Eboutou of Cameroon said small arms and light weapons (SALW) promote criminality and terrorism. Anil Basu, member of the Indian Parliament and delegation to the First Committee, also pointed to the global effects of small arms and light weapons. He said their proliferation “gravely endangers the security of States, disrupts their social harmony and hampers growth and development. The ready availability of illicit weapons fosters organized crime, drug trafficking and illegal exploitation of natural resources. It promotes sectarian violence, insurgency and terrorism.” India hoped for “cooperative action in other related areas concerning small arms, including on brokering and the prohibition of transfer of weapons to non-State actors, including terrorists.”

Australian Ambassador Caroline Millar called upon member states to adopt by consensus the draft resolution on preventing the illicit transfer and unauthorized access to and use of man-portable air defense systems (MANPADS) (A/C.1/60/L.49). This resolution, previously presented by Australia in 2005, attempts to establish “effective control over the production, storage and transfer of these weapons to prevent their misuse by non-state actors, in particular terrorists.” Terrorist use of MANPADS and other conventional arms were also a focus of the Advisory Board’s 2006 activities, as mentioned by Foreign Minister Ogwu, who commented that the Board “focused on preventing the transfer of conventional weapon systems to non-state actors, which members stressed had become the weapons of choice for terrorists. It identified such weapons as including man-portable air defense systems (MANPADS), shorter-range rockets, rocket propelled grenades, anti-tank missile, mortars, firearms and assault rifles, and improvised explosive devices (IED).”

-Alessandra Miraglia, NGO Committee on Disarmament, Peace and Security (http://disarm.igc.org)
On behalf of the Non-Aligned Movement (NAM), Indonesia presented the draft resolution on “Relationship between disarmament and development” (A/C.1/61/L.8), largely identical to last year’s version. During the thematic debate, governments addressed the negative effects of armed conflict on development and called for resources being spent on arms to be better spent on development.

Echoing statements by the European Union and Benin, Switzerland urged delegates to transform the adopted principles of the “Geneva Declaration on Armed Violence and Development” into concrete measures. The Declaration, adopted at the Ministerial Summit on Armed Violence and Development in June 2006, elaborates the links between armed violence and development. Switzerland is preparing to coordinate a core group of 10 states to act on three levels. On the diplomatic level, the group will encourage states to join the declaration. On the research and knowledge-building level, the group will address linkages between armed violence and development. Thirdly, the group will work with donor and recipient countries to integrate the issue of armed violence into development programs.

In a statement delivered by Finland, the EU urged countries to integrate armed violence prevention programmes in plans and strategies related to security, development and poverty reduction. The EU noted that the Group of Interested States’ regular meetings in New York are a valuable contribution to this end.

Pakistan was appalled that global military expenditure currently exceeds $1.1 trillion, or about 2.5% of world Gross Domestic Product (GDP), while the UN, which is mandated to maintain international peace and security, has a budget which is less than 1.5% of world’s military expenditure. In addition, Pakistan pointed out that developing countries are the favored destination for arms sales (with 63.2% of arms sales from 2001-2004) in which “[n]ew markets are being explored, created and sought after.”

Governments also cited the negative effect of the illicit arms trade on development. According to India, these effects include displacement, destitution and prolonged underdevelopment as well as endangered national security, disrupted social harmony and hampered growth and development. Morocco said the arms trade worsens the situation in conflict areas, jeopardizes lasting peace, and undermines efforts of post-conflict reconciliation and reconstruction. Suriname and Sierra Leone concurred, and added that the Programme of Action, adopted in 2001 at the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons (SALW), was an important tool to enable sustainable development.

In presenting their draft resolution, “Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms” (A/C.1/61/L.55), the United Kingdom urged arms control action. It linked controlling the arms trade with peace, security, and the UN member states’ proclaimed efforts to “[p]romote social progress and better standards of life,” as stated in the UN charter. (See ATT report)

Germany stressed the significance of the “Practical Disarmament” approach to post-conflict development, originally introduced by former Secretary-General Boutros-Ghali in his “Agenda for Peace”. This approach emphasizes the relevance of practical disarmament measures, such as SALW ammunitions, de-mining and conversion, as well as demobilization and rehabilitation processes in post-conflict environments.

-Heikki Hietala, Reaching Critical Will (www.reachingcriticalwill.org)