Disarmament Commission Digest
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The UN Disarmament Commission’s fear of commitment
UNDC urged to complete declaration for disarmament decade
Trust-building and the UNDC

The Disarmament Commission Digest is produced weekly by Reaching Critical Will of the Women’s International League for Peace and Freedom and Global Action to Prevent War. More reporting and analysis can be found on the RCW blog, http://reachingcriticalwill.blogspot.com/. The next edition of the printed Digest will be out on Monday, 11 April 2011.
As the United Nations Disarmament Commission (UNDC) heads into the final session of its three year cycle, one can’t help but remember the finale to its previous cycle, in 2008. At that time, the UNDC was considering two of the very same agenda items it has been considering in this cycle: recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons; and practical confidence-building measures in the field of conventional weapons. It failed to develop recommendations for either item.

In fact, the UNDC has essentially been considering these two agenda items for the past 11 years—from 2000–2003, the Commission’s agenda was: ways and means to achieve nuclear disarmament; and practical confidence-building measures in conventional weapons. In 2004 and 2005, the UNDC was unable to agree on an agenda and did not hold any substantive sessions. It resumed considering of these issues in the 2006–2008 cycle and the 2009–2011 cycle, the last of which added a third agenda item, preparing elements for a draft declaration for a Fourth Disarmament Decade.

Why hasn’t the UNDC, after more than a decade of work, been able to produce anything substantial on these items?

Is it related to the stalemate in the Conference on Disarmament (CD), where delegations have also not engaged in substantive work in more than a decade? It is often said that the CD has de facto replaced the functions of the Disarmament Commission; the CD is now a talk shop rather than a negotiating body, leaving very little for the UNDC to do.

Is it because the agenda items are not specific enough? They are indeed broad enough to incorporate discussion on an infinite range of issues—which often means that everything and nothing is discussed.

Is it the working methods of the Commission? For the last decade the UN disarmament machinery has been criticized for having failed to adapt to the 21st century. Indeed, the Chair of the 2008 session, Ambassador Piet de Klerk of the Netherlands, tried to urge reform of the working methods of the Commission. He suggested inviting experts from specialized agencies, intergovernmental organizations, research institutes, and think-tanks to participate in the UNDC. This plan was rejected then and has still not gained traction throughout the latest cycle.

It is probably a combination of the above three issues that have hampered productive work at the UNDC over the past decade. But it is also due to a reluctance of governments, especially those of the nuclear weapon states, to commit. We saw this at the nuclear Non-Proliferation Treaty Review Conference in May 2010, when the nuclear weapon states forcefully excised any timebound commitments to nuclear disarmament from the outcome document. Of course, it should be noted that nothing is binding at the Disarmament Commission. It simply adopts recommendations that are forward to the UN General Assembly, which itself produces non-legally-binding resolutions. Yet some governments don’t seem to like things being put in ink, especially if it suggests that others expect them to do something in the future.

This fear of commitment is a problem not just at the Disarmament Commission—it is even more apparent at the CD, where governments have fought since 1998 to even commit to a programme of work. But it is definitely something that needs to be overcome, and fast. This is the last year in the cycle, the year that the Commission needs to produce something, on paper, that can be delivered to the General Assembly. Failure to do so does not just mark the end of another wasted three years. It marks a failure of good faith and of multilateral diplomacy.
UNDC urged to complete declaration for disarmament decade

Jacqueline Cabasso | Mayors for Peace and Western States Legal Foundation

Two years into the fourth United Nations Disarmament Decade, 2010–2020, there is still no Declaration for the Decade. At the 2006 session of the UN General Assembly, a resolution entitled, “Declaration of a fourth disarmament decade,” introduced by Sierra Leone, was overwhelmingly adopted by a vote of 123 to one, with 52 abstentions. Only the United States voted no. The resolution recognized “the role that a fourth disarmament decade could play in the mobilization of... global efforts to meet current and emerging challenges in the area of arms control, disarmament, non-proliferation and international security,” and directed the Disarmament Commission at its 2009 session to prepare elements of a draft “Declaration of the 2010s as the Fourth Disarmament Decade” for consideration by the General Assembly later that year.

Following the new US President Barak Obama’s Prague speech, hope was in the air when the Disarmament Commission met in 2009 and the US did not block adoption of its agenda.

Mayors for Peace sent an Open Letter from Capital Cities to the UN Disarmament Commission, signed by the mayors of Amsterdam, Budapest, Berlin, Dar es Salaam, Freetown, Kathmandu, La Paz, London, Luxembourg, Montevideo, Rome, Roseau, and Sarajevo. In their letter, the mayors declared: “In terms of progress on disarmament, the first decade of the new millennium has been a serious disappointment; the world must resolve to do much better in the coming decade. We, therefore, take heart from the United Nation’s plans for an International Decade for Disarmament.”

The mayors requested that, “as you prepare the elements of the Declaration of the Decade... you include the role cities can play in promoting disarmament.... it is our sincere hope that the engagement of local authorities will contribute to the success of this new Decade.”

However, even in the new environment the UNDC was unable to make progress on a Declaration, and the item was carried over to its 2010 session, where agreement could not be reached on a very long draft declaration infested with brackets. It would appear that, frustrated by the lack of progress in other fora, the non-nuclear weapon states attempted to use the drafting process for the Declaration as a substitute mechanism for extracting substantive timebound disarmament commitments from the nuclear weapon states. And, true to form, the nuclear weapon states are not biting.

The 2011 session of the Disarmament Commission—the final session in this three-year cycle—will be the make-or-break point for the fourth United Nations Decade for Disarmament. In the wake of what is widely considered to be a successful 2010 nuclear Non-Proliferation Treaty Review Conference, and under the leadership of a skilled and determined new President, Ambassador Hamid Al Bayati of Iraq, the onus is on the UNDC participants to fulfil in good faith the mandate of the 2006 General Assembly. As the Mayors’ 2009 letter urgently concluded: “[P]lease, take up the task assigned to you by the UN General Assembly in a spirit of unity and with determination to set the world on course for a productive International Decade for Disarmament.”

Mayors worldwide are campaigning for the global elimination of nuclear weapons by 2020. What more fitting climax could there be to the fourth Decade for Disarmament?
Trust-building and the UNDC

Dr. Robert Zuber | Global Action to Prevent War

Since this time last year, the UN has witnessed virtually unprecedented levels of disarmament-related activities on issues ranging from small arms to nuclear weapons. This activity has energized many diplomats, raised expectations for progress in civil society, and held out hope that we were on the cusp of some groundbreaking negotiations towards controlling the global arms trade, exploring possibilities for a nuclear weapons convention, and promoting other agendas critical to global security.

All of this activity has also renewed interest in the disarmament structure of the United Nations and the degree to which the UN has at its disposal the capacity needed to usher in new agreements and promote fair and transparent verification measures. It is our position, as well as that of many delegations, that structure is as important as issue clarity in ensuring that disarmament treaties are negotiated and implemented with precision, integrity, and urgency.

Verification mechanisms, of course, are central to the mandate of the Disarmament Commission. The 1996 General Assembly resolution (A/51/182 G) on this topic laid out important confidence-building principles that are transparent to state interests and fair in their application. It is essential for states and civil society that norms adopted to promote disarmament efforts be carefully monitored such that potential non-compliance with resulting disarmament obligations is not allowed to undermine faith in the UN’s ability to leverage a less militarized world.

While the word does not appear anywhere in the 1996 document, the thrust of that resolution is trust-building. Especially in sensitive security areas, states are still reluctant to negotiate away sovereignty for treaties or resolutions that are interpreted as being full of loopholes that can be exploited by states with insufficient staff capacity to examine and highlight such loopholes. Trust-building and robust verification mechanisms are complementary and feed each other. Indeed it is difficult to see how even the most robust verification measures can succeed in the absence of trust in the ability of delegations to conduct ‘good faith’ negotiations and ensure trustworthy compliance commitments in the disarmament field.

In this last year of the current three-year cycle, there is still much for the Disarmament Commission to accomplish. We need agreement on the elements of a declaration for a Fourth Disarmament Decade. We need to explore ways to strengthen the nuclear Non-Proliferation Treaty, promote weapons of mass destruction free zones in the Middle East and elsewhere, and gain traction on negative security assurances for non-nuclear weapon states. And we need additional guidance on the structures needed to ensure compliance with obligations under an Arms Trade Treaty as well as strategies for inspiring and verifying full state compliance with the UN Programme of Action on Small Arms.

Under Ambassador Al-Bayati’s leadership, we have high expectations that sound recommendations on disarmament structure, trust-building through good-faith negotiations, and robust verification measures will be forthcoming. We cannot inspire confidence either with delegations or with the global public unless these elements are in place.