



# THE GENERAL ASSEMBLY FIRST COMMITTEE: DISARMAMENT AND INTERNATIONAL SECURITY

## Purview of the Simulation

The General Assembly First Committee addresses the disarmament of conventional weapons, weapons of mass destruction and related international security questions. The First Committee makes recommendations on the regulations of these weapons as they relate to international peace and security. The First Committee

does not address legal issues surrounding weapons possession or control complex peace and security issues addressed by the Security Council. For more information concerning the purview of the UN's General Assembly as a whole, see page 20.

**Website:** <http://www.un.org/ga/first/index.shtml>

## TOWARDS AN ARMS TREATY: ESTABLISHING COMMON INTERNATIONAL STANDARDS FOR THE IMPORT, EXPORT AND TRANSFER OF CONVENTIONAL ARMS

There are currently a half billion military small arms around the world, responsible for somewhere between 300,000 and 500,000 deaths a year, yet there is no international trade agreement that limits their sale or transfer. Illicit arms transfers exacerbate regional and sub-regional conflicts, and the lack of transparency and oversight in the production, sale, and transport of these weapons means that millions fall into the wrong hands each year, but licit sales and transfers of small arms are also cause for considerable concern. Furthermore, without a common international framework to control these transfers, international sanction regimes are severely impeded and violent groups continue to operate outside the realm of international law. The United Nations has determined that small arms trafficking is a threat to international peace and stability, and there is a growing movement in support of an arms trade treaty (ATT).

Small arms are weapons carried and used by individual infantry soldiers, making up the bulk of military hardware around the world. Small arms are cheap, mobile, lethal, easy to conceal and difficult to track. These characteristics have made them the weapons of choice for gang activity, narcotics trafficking, organized crime and terrorism, as well as inter-state and civil wars. The vast majority of direct conflict deaths are attributable to the use of small arms.

Current debate surrounding international small arms controls has focused on a few vital areas: manufacture, end-use verification, tracking, stockpile management and ammunition. Global patterns of supply have changed drastically over the last several decades. The proliferation of regional manufacturing, along with increased use of intermediary, non-state brokers, has enormously complicated the task of tracking and regulation. End-use verification regimes focus on keeping complete records for possession of weapons for their entire life span. Successful tracking allows for weapons to be traced back to their last legitimate owner and provides accountability for illicit proliferation. Controlling stockpiles of existing weapons is crucial in order to avoid a secondary flow of illicit light arms which avoid the regulations placed on newly manufactured weapons. Ammunition monitoring is also a vital component of any effective regime. Currently over 80 percent of ammunition transfers fall outside of reliable export data reporting.

As early as 1988, individual delegations had raised the issue of a need to regulate small arms and the General Assembly had even passed resolutions affirming the threat posed by small arms. In 1999, the issue of small arms came before the UN Security Council. That same

year, the General Assembly voted to hold a conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. The result of that meeting was the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons (POA). Aimed at preventing illicit trade in small arms, the POA called for tight controls on the sale of arms. Member States agreed to issue end-user certificates for weapons exports, to mark guns to help identify point of manufacture for tracking, and to better enforce weapon trade embargoes, among other provisions. On other contentious issues, however, the POA is silent or vague; for example, the POA does not mention human rights, address the problem of illicit transfers of small arms to non-state actors, or indicate how states might regulate small arms within their own populations.

After follow-up meetings in 2003 and 2005, the General Assembly, in 2006, requested that the Secretary-General assemble a group of experts to analyze the feasibility, contours and policy possibilities of a comprehensive, legally binding treaty creating international standards for the transfer of conventional weapons (A/RES/61/89). The resulting document identified previous attempts at arms control, specifically the United Nations Register of Conventional Arms of 1991 and the United Nations Standardized Instrument for Reporting Military Expenditure that preceded it in 1980. The report affirmed the complexity of the issue, but concluded that a treaty was feasible if constructed with the consensus of the international body and the UN Charter as its core (A/63/334). The United States was the only Member State to vote against the ATT conference resolutions, though it reversed its position in 2009 and has since declared its support for a legally binding trade regime. With the adoption of A/RES/64/48, the UN formalized plans to work toward an arms trade treaty, primarily through a series of preliminary committee meetings, with the intent of concluding negotiations at a conference in 2012.

Several challenges remain in the effort to create a global arms trade treaty. Some Member States are hesitant to support any treaty until certain questions are settled, including concerns that any agreement could erode their ability to transfer weapons within their borders. Others are hesitant to support any treaty that would impose limits on the trade of ammunition, fearing that such a measure could be used to curtail a state's ability to supply its armed forces. Major weapons exporters fear the possible economic repercussions to their arms industries and that they may be held accountable for what happens to the weapons once they leave their national territories. Member States that face growing security threats are also concerned that an ATT could erode their stability. Furthermore, several key questions that need to be addressed by any conventional arms treaty remain. One is a definition of light and conventional weapons. Land mines, cluster bombs, and many forms of mobile artillery currently fall within a definitional gray area. The specifics of enforcement are also crucial to resolve. The current patchwork of national, regional, and international organizations exercising jurisdiction will need to be harmonized.

Questions to consider from your government's perspective include the following:

- What types of domestic regulatory infrastructure does your country currently use? How can the UN craft an ATT that will not infringe upon domestic transfers of weapons?
- How successful have various regional small arms reduction efforts been? What successful measures might be applicable on an international scale? What problems remain to be overcome?
- How can the burden of enforcement and accountability be shared appropriately between exporters and importers?
- How can the UN ensure full transparency of arms sales while still finding the necessary international consensus?
- Are different mechanisms required to deal with licit and illicit small arms sales?

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## UN Documents

- A/RES/64/51  
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A/RES/61/89  
A/RES/60/68  
A/65/6 (Prog. 3)  
A/63/334  
A/AC.277/2009/1  
A/C.1/64/L.38/Rev. 1  
S/2008/258

## Additional Web Resources

- <http://www.iansa.org> - International Action Network for Small Arms
- <http://www.un.org/disarmament> - United Nations Office for Disarmament Affairs
- <http://www.controlarms.org/en> - Control Arms, a joint campaign of IANSA, Amnesty International, and Oxfam
- [www.poa-iss.org/PoA/PoA.aspx](http://www.poa-iss.org/PoA/PoA.aspx) - Programme of Action Implementation Support System

## NUCLEAR NON-PROLIFERATION TREATY

The Nuclear Nonproliferation Treaty (NPT) is a groundbreaking component of the international law system. Since its entry into force in 1970, the NPT has been the cornerstone of the global nuclear non-proliferation regime, as it is the only multilateral treaty containing a binding commitment to nuclear disarmament by the known nuclear-weap-

on states. One hundred eighty-nine countries are party to the treaty, making the NPT one of the most-broadly supported treaties in the modern system. The treaty has three main pillars: non-proliferation, disarmament and cooperation for peaceful uses of nuclear technology. It promotes cooperation in the prevention of the spread of nuclear weapons while promoting the sharing of peaceful nuclear technology.

Two main bodies are tasked with implementing the NPT: The General Assembly First Committee is primarily tasked with maintaining a disarmament regime, whereas the International Atomic Energy Agency (IAEA) is primarily tasked with monitoring the more peaceful uses of the energy technology. The two bodies work together to ensure and fulfill the treaty's provisions.

The requirements of the NPT disarmament regime have been a source of ongoing discussion and negotiation among signatories. The disarmament regime has been particularly difficult to implement because it requires Member States to balance the assertion of their national sovereignty with their international commitments. Recent agreements in the international community, especially bilateral safeguard agreements, have shown a growing commitment to taking substantive steps toward a reduction of nuclear arms. One role for the First Committee is to assist in enabling and fulfilling these agreements.

Though it has widespread support, the NPT suffers from two major weaknesses. First, there are still nations which have not signed the treaty, which limits the international community's ability to enforce the treaty's terms. India, Pakistan, and Israel have not signed the NPT, and the Democratic People's Republic of Korea (DPRK) withdrew from the treaty in 2003. India and Pakistan are declared nuclear powers, which is disallowed under the current treaty's terms, and Israel maintains a policy of deliberate ambiguity regarding its nuclear status. These three states argue that the NPT creates an untenable division between nuclear states and non-nuclear states based on what they view as an arbitrarily set standard. The DPRK conducted an underground nuclear explosive test in October 2006. Addressing countries' reservations is key to expanding the effectiveness of the NPT in the future. Second, the international community has specific questions regarding certain states and their compliance with the NPT, including whether their goal is to pursue peaceful energy uses or potential weapons status.

A major source of concern and discussion for many states is Article X of the treaty, which establishes a state's right to withdraw from the treaty after giving three-months' notice. Because the treaty allows for peaceful uses of nuclear energy, reasons for withdrawing from the NPT usually fall into two categories. First, withdrawal could be taken as an indication that a State wishes to develop nuclear weapons. Second, States may argue that the treaty's force breaks down as more nuclear states, both declared and undeclared, develop, thus withdrawing from the treaty is a proactive security measure against increased proliferation in violation of the treaty. One oft-cited problem with the "opt-out" clause is that it does not require a Member State to declare its intentions before opting out, which increases uncertainty in the international community.

Every five years the NPT is subject to a required review as set forth by the conditions of the treaty. In 2005, there was an intensive review of the state of and attitude toward the NPT. Many of the attendees at the 2005 conference perceived a crisis of legitimacy stemming from a lack of leadership on the global stage. The participants agreed that an effective enforcement regime would promote confidence in the existing NPT framework. Other key elements discussed in the 2005 conference were nonproliferation and counter-proliferation. The participants reached consensus on the need to strengthen counter-proliferation activities, but agreed that in many instances the international community

lacked the political will to effect implementation. Furthermore, S/RES/1540 took an important step by declaring proliferation itself a direct threat to national security. Yet not all states were content with the results of the 2005 review, claiming that it failed to go far enough to promote the non-proliferation regime, a primary failing of which was the non-participation of Member States. Between the 2005 and 2010 Conferences, the international community saw a renewed level of commitment to the goals of the treaty among Member States and among non-governmental organizations. This renewed commitment was due in part to frustration at the 2005 review's failures, growing public support for nuclear disarmament, and an expressed desire to reaffirm the fundamental aims of the NPT as a viable part of international law.

The 2010 Review Conference was colored by intense negotiations, but resulted in agreements on specific steps to speed progress on nuclear disarmament, advance non-proliferation, and work towards a nuclear-weapon-free zone in the Middle East. The Conference resolved that the nuclear-weapon States commit to further efforts to reduce and ultimately eliminate all types of deployed and non-deployed nuclear weapons, including through unilateral, bilateral, regional and multi-lateral measures. Specifically, the Russian Federation and the United States were urged to seek the early entry into force and full implementation of the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (START). Additionally, the Conference participants agreed to establish a subsidiary body to deal with nuclear disarmament within the context of an agreed, comprehensive and balanced program of work. Reaffirming the legitimate interest of non-nuclear-weapon states in receiving unequivocal and legally binding security assurances, the Conference also resolved that the Conference on Disarmament should immediately begin discussing effective international arrangements for such guarantees. Following the 2010 review, the First Committee will assess the outcomes of the Conference and focus on furthering those agreements and will discuss future steps and initiatives to further the overall objectives of the NPT.

Questions to consider from your government's perspective include the following:

- What is the nuclear status of your state? How does your state's nuclear status affect its stance on the NPT?
- How effective was the 2010 NPT review in furthering the broad goals of the NPT?
- What is the relationship between nuclear disarmament, nuclear proliferation, and nuclear energy? Are they separate issues or must they be considered together?

- What are the next steps to be taken by the First Committee to advance the goals of the NPT and the progress made in the 2010 NPT review?

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A/C.1/64/L.19  
A/C.1/64/L.20  
A/C.1/64/L.32/Rev.2  
A/C.1/64/L.36  
A/C.1/64/L.48  
A/C.1/64/L.54  
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## Additional Web Resources

<http://www.un.org/en/conf/npt/2010/index.shtml> - 2010 Review Conference