



THE GENERAL ASSEMBLY FIRST COMMITTEE

DISARMAMENT AND INTERNATIONAL SECURITY

PURVIEW OF THE GENERAL ASSEMBLY FIRST COMMITTEE

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 21.

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

CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION

The Convention on the Prohibition of the Development, Production, and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BWC) was drafted in 1972 in an effort to exclude biological agents from modern warfare. Since that time, 165 Member States have ratified the Convention. The Convention calls for the prohibition of any microbial or biological agent that has no justifiable use for the purposes of peace, protection or preventive measures.

Since the Convention's entry into force, the United Nations has held seven reviews of the Convention, most recently in December 2011. These reviews attempt to create and strengthen Confidence Building Measures (CBMs), update the Convention to reflect technological progression and reaffirm the responsibility of parties to adhere to the Convention's articles. CBMs are voluntary exchanges of information covering issues related to controlling biological weapons, such as information on biological defense research facilities, vaccine production facilities and outbreaks of infectious diseases caused by toxins. In the years between reviews, the Intersessional Process brings experts together to debate provisions and implications of the Convention and recent scientific developments that help establish the context and content of the next review session.

During the December 2011 review of the Convention, several areas of debate were raised. States remained focused on improving confidence in the BWC, supporting national implementation and promoting its universal ratification. Outside experts hoped the review would address the improvement of biosafety for health workers and the question of scientific responsibility or the need for scientists to understand the possible ramifications of their research and their responsibility to mitigate these risks. Scientific responsibility became a highly contested subject following a request by the U.S. National Science Advisory Board for Biosecurity to the journal *Science* to withhold the publication of details contained in two papers on the modification of the H5N1 influenza virus. The Advisory Board contented that the paper might provide a publicly available template for the creation of a bioweapon that would require minimal training and equipment to

produce. In February 2012, the World Health Organization convened a group of technical experts, who concluded that the papers should be published in full. On 30 March, 2012, the Advisory Board reversed its decision, and the first of the two papers was published in June 2012.

Despite the broad commitment to the Convention, there is not a process to verify compliance. While States Parties to the Convention are obligated to report their implementation of the Convention, this is a voluntary report with no method of independent verification. The lack of compliance verification in the Convention has been a subject of great debate as no binding language has been added to the Convention. Currently the only means of verification is the investigation of compliance established by the General Assembly in resolution 44/561, and even this method is often after the fact and difficult to enforce.

Another issue that remains a problem within the Convention is the underutilization of Article X. Article X calls for the fullest possible exchange of information and equipment in the use of biological agents and toxins for peaceful uses. This Article aims to improve transparency in bio-weapons-related activities. Technology in this field has the distinction of being almost entirely dual-use, and States are wary to transfer technology without a concrete method of compliance verification.

The General Assembly also continues to wrestle with how to properly balance strong voluntary verification measures with the goal of universal ratification. A strong verification system may improve the security of biological weapons in States, but fail to identify the development and use of biological weapons by States that have not ratified the Convention. The Secretary-General continues his efforts to offer technical assistance to States in their efforts to come into compliance with the BWC.

The Eighth Review Conference will be held in Geneva in 2016 with the Intersessional Process lasting through at least 2012 and 2013. Discussion will focus on operations of the Convention itself, as well as taking into account new scientific technology, progress made by Member States and review the progress of decisions made by the Seventh Review Conference in 2011. Looking forward, the General Assembly will need to review the outcomes of the Seventh Review Conference and determine what measures it can take to support broader participation in CBMs and ratification of the Convention.

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

- Should the United Nations have a role in reviewing the bio-security aspects of newly developed scientific knowledge? If so, what role should it play, and how might such a review be implemented?
- Would a verification process improve efforts to reduce and eliminate biological weapons?
- How can the international community balance the goals of universal ratification of the Convention and the strengthening of voluntary Confidence Building Measures?



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 A/65/410
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 BWC/CONF.V/17
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 BWC/CONF.VII/7
 BWC/MSP/2005/MX/INF.5
 BWC/AD_HOC_GROUP/55-1

BWC/SPCONF/1
 DC/2567 – Press Release

ADDITIONAL WEB RESOURCES

- www.armscontrol.org - Arms Control Association
www.un.org/disarmament – UN Department for Disarmament Affairs
www.opbw.org - The Biological and Toxin Weapons Convention Website
www.un.org/disarmament/WMD/Bio/ – The Biological Weapons Convention, UN Office of Disarmament Affairs
www.who.int/influenza/human_animal_interface/avian_influenza/h5n1_research/en/index.html – H5N1 Research Issues, World Health Organization
www.nas-sites.org/biosecurity/ – Biosecurity at the National Academies

PREVENTING THE ACQUISITION BY TERRORISTS OF RADIOACTIVE SOURCES

Nuclear security has long been a priority of the international community. From its inception in 1957, the United Nations’ International Atomic Energy Agency (IAEA) has been vested with the responsibility of helping States to safeguard nuclear materials and protect them from military use. With the entry into force of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in 1970, States with nuclear weapons also agreed to not transfer any nuclear weapons or assist any State with the manufacturing or acquisition of such a weapon. The IAEA was designated as the enforcing and monitoring agency for these provisions.

In 1980, the United Nations approved the Convention on the Physical Protection of Nuclear Materials. The Convention obligates States Parties to adhere to international standards for the security of nuclear materials and facilities, particularly during transportation. It also offers a legal framework for inter-State cooperation on the protection and recovery of stolen nuclear materials, and requires States Parties to make certain offenses punishable by law. In 2005, States Parties to the Convention approved an Amendment that would expand inter-State cooperation and add additional obligations concerning safe storage of nuclear materials intended for peaceful use.

Following the breakup of the Union of Soviet Socialist Republics in 1991, the international community grew increasingly concerned that nuclear weapons and radioactive materials might fall into the hands of non-State actors bent on using them for acts of terrorism. Of particular concern was chance of materials being stolen during the transfer of nuclear materials from the USSR to its successor States and the possibility that terrorists could purchase or acquire nuclear materials on the black market. These fears were only confirmed when Chechen separatists attempted to use illegally acquired nuclear materials to create dirty bombs in 1995 and 1998.

Recognizing the grave threat posed by nuclear terrorism, the United Nations has increasingly focused its attention on preventing terrorists from acquiring nuclear materials. In 1998, the United Nations General Assembly began negotiations on a draft International Convention for the Suppression of Nuclear Terrorism. The Convention imposes a legally-binding obligation on States Parties to criminalize nuclear



terrorism, create both territorial and extraterritorial jurisdiction for these offenses, improve coordination on combating nuclear terrorism, and create mechanisms for extradition of alleged terrorists. The final Convention entered into force in 2005 and has since been ratified by 79 countries.

The IAEA has been the primary agency responsible for preventing nuclear proliferation, and in recent years it has focused on improving the transparency and cooperation by Member States. In response to the growing concern, the IAEA launched the Illicit Trafficking Database in 1995 to identify the trafficking of radioactive materials, as well as determine vulnerabilities in security systems. IAEA has reported 399 incidents of illegal possession, movement or attempts to trade in or use illegally acquired nuclear materials since it began tracking incidents in 1993.

The Security Council has also consistently reaffirmed the international community's commitment to prevent proliferation of radioactive sources and nuclear weapons. Beginning in 2004 with Security Council Resolution 1540, the Council has emphasized security in storage and transport, strengthening law enforcement measures, and developing effective national controls. Resolution 1540 also calls on Member States to not support any non-State actors attempting to acquire such weapons, to strengthen laws to prosecute those non-State actors, to strengthen border controls and to refuse to finance non-State actors who seek to obtain radioactive materials for use as weapons. In 2006, the Council added additional Member State obligations to prevent the financing of nuclear proliferation activities. These mandates have been extended twice, in 2008 and 2011.

Member States have also participated in two Nuclear Security Summits, in 2010 and 2012. These two summits reinforced the international community's commitment to take significant steps in ratifying relevant treaties and conventions, gain commitments for funding the IAEA and undertake domestic measures to secure radioactive materials and monitor illicit activity.

Despite this ambitious program of work, there is a great deal yet to be done to prevent terrorists from acquiring radioactive materials. While the Convention for the Suppression of Acts of Nuclear Terrorism has entered into force, only 79 States have ratified the Convention. As more governments develop civilian nuclear programs, securing materials will be increasingly important. The United Nations is currently working to implement its Nuclear Security Plan for 2010-2013. This plan includes a major focus on strengthening national and regional institutions to prevent terrorism and to secure radioactive materials. The plan also emphasizes security during the transfer of radioactive materials and the development of transparent processes for the import and export of radioactive materials.

Looking forward, the General Assembly will need to determine the best ways to urge Member States to better secure nuclear material and improve compliance with the Security Council's resolutions and the relevant international treaties. Despite the concern over a potential act of nuclear terrorism, many States have not yet taken action on the International Convention for the Suppression of Acts of Nuclear Terrorism. The General Assembly will need to determine how to best encourage States to ratify the treaty. Additionally, the General Assembly should consider steps to increase the ratifications of the 2005

Amendment to the Convention on the Physical Protection of Nuclear Material. While the Amendment has been opened to ratification, it has not yet secured enough ratifications to enter into force. Finally, Member States might consider how best to assist the IAEA's efforts to help States secure their nuclear materials. One possible area for growth is an improvement of the technical training and education options available on the security of radioactive materials and increasing access to these resources.

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

- What are the risks to secure storage of radioactive materials, and how can the UN system work to improve security?
- What measures are in place in your country to ensure the security of the transfer of radioactive materials and sources?
- What can be done to prevent the financing of non-State actors that would enable use of radioactive materials in a terrorist act?

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Treaty on the Non-Proliferation of Nuclear Weapons
International Convention for the Suppression of Acts of Nuclear Terrorism
Convention on the Physical Protection of Nuclear Material
2005 Amendment to the Convention on the Physical Protection of Nuclear Material
Code of Conduct on the Safety and Security of Radioactive Sources

ADDITIONAL WEB RESOURCES

www.iaea.org - International Atomic Energy Agency
www.un.org/sc/1540 - UN Security Council 1540 Committee