



THE GENERAL ASSEMBLY FIRST COMMITTEE

DISARMAMENT & 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 United Nations's General Assembly as a whole, see page 24.

Website: www.un.org/ga/first/index.shtml

COMPREHENSIVE NUCLEAR-TEST-BAN TREATY

From the United Nations' very beginning, the international community has struggled with balancing the danger of nuclear weapons with access to the technology and the energy that nuclear fission can provide. In the aftermath of the second World War, the international community, fearing what the uncontrolled expansion of nuclear weapons could herald, promoted nuclear non-proliferation as a central element of international peace and stability. Restricting nuclear weapon test explosions and all other nuclear explosions is considered an effective constraint on the development and qualitative improvement of nuclear weapons and advanced nuclear weaponry.

As nuclear testing continued and more powerful weapons were developed, concerns about the radioactive fallout and the technologies mounted. In 1954, an experimental thermonuclear device tested by the United States at Bikini Atoll produced an explosion nearly twice the yield expected, resulting in far greater nuclear fallout than original estimates. A Soviet test soon after resulted in radioactive rain over Japan. Concerned by the health, safety, and environmental implications of these nuclear tests, the United Nations began negotiations on a nuclear testing ban in the 1950s. These discussions occurred between the nuclear powers privately and within the United Nations' Disarmament Commission with much international interest. While originally coupled with an attempt to achieve total nuclear disarmament, the latter concept was dropped for lack of progress.

A persistent problem was the question of verification; how could the parties ensure that the agreed upon restraints were being followed? As the talks continued through the late 1950s, the nuclear powers outlined the characteristics of a control system to monitor the ban, but nuclear testing continued. Several moratoriums were unilaterally declared by the Soviet Union and the Western powers during this time. After much back and forth, the nuclear powers agreed upon a text which became the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water. As suggested by its name, the 1963 Treaty greatly restricted options for the testing of nuclear weapons, but it did not create an outright ban on the practice. Importantly, the parties had successfully defined a system for monitoring the Treaty. This system includes on-site inspections, monitoring sites and a network of seismic sensors.

In the interest of the broader auspices of nuclear non-proliferation, the international community continued to address the topic over the following decades. Key milestones included the creation of several Nuclear-Weapon-Free Zones and the adoption of the Treaty on the Non-proliferation of Nuclear Weapons (NPT). The NPT is intended to limit the proliferation of nuclear weapons technology while protecting States' right to nuclear technology for peaceful use. The NPT also created the International Atomic Energy Agency (IAEA) to oversee safeguards and confidence-building measures and implement verification measures. In 1994, the United Nations began discussions on the Comprehensive Test Ban Treaty (CTBT) to strengthen the 1963 Treaty and end underground nuclear testing. The CTBT itself was drafted and approved for signature by the General Assembly in September 1996. The CTBT seeks to end the testing of nuclear weapons and effectively cease the advancement of new weapons technologies within the field. The CTBT obligates signatories to prohibit any person or organization under its authority from testing such devices, contribute to an international monitoring system consisting of radiological and seismic observation stations, and implement confidence building measures regarding their compliance. It is designed with a specific cohort of parties to the treaty; before the CTBT can enter into force, forty-four nuclear-technology-holding States must sign and ratify it. As of June 2014, the CTBT still requires signatures from three of the forty-four Member States, and ratification by an additional five signatories.

Achieving full ratification of the CTBT has been a key goal for much of the international community. Beyond the symbolic meaning of sweeping ratification, the aforementioned 44 Member States, identified in Annex 2 of the CTBT, must ratify the treaty before it can actually enter into force. It is easy to imagine the CTBT as a bulwark of the international non-proliferation regime, yet in its current state it lacks the full weight of international law. In light of its importance, the United Nations has revisited the CTBT eight times in recent years with Conferences on Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty. The Conferences have focused on implementation of the treaty and moving those States identified by Annex 2 into a ratified status. Since 2007 both Colombia and Indonesia have ratified the treaty, and Israel and the People's Republic of China show signs of movement toward ratification. Meanwhile, the Democratic People's Republic of Korea, India and Pakistan remain non-signatories to the CTBT.

In the past decade the only nation to test nuclear weapons has been the Democratic People's Republic of Korea. While these announced tests have been universally condemned by the 183 signatories to the CTBT, they have provided valuable confirmation that the established monitoring systems are capable of detecting clandestine nuclear blasts. In fact, the infrastructure developed to detect a nuclear test and monitor compliance with the CTBT has yielded unexpected benefits. Seismological monitoring systems can provide rapid, detailed data in the event of an impending tsunami, and atmospheric radiological detection methods were used to track nuclear contamination stemming from the 2011 Fukushima disaster.

Despite the high number of signatories to the CTBT, the treaty is a contentious topic, with debate over the CTBT providing a microcosm



of the challenges that face international diplomacy. Domestic politics add complexity to expanded ratification of the treaty. Some parties argue that Member States already in possession of nuclear weapons enjoy a privileged position as rule-makers, and the infringement on national sovereignty remains a concern. These challenges will not subside of their own accord, but with careful diplomacy they can be overcome. The CTBT's provision requiring all Annex 2 States to ratify the treaty before it enters force means that the international community must seek a consensus outcome in order to truly secure the treaty's legacy.

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

- In the case of non-ratifiers, what are the obstacles to ratification?
- How can the international community assist in encouraging other members to ratify the CTBT?
- Are there any potential modifications or addendums to the CTBT that could encourage ratification?
- How can the international community influence non-signatories to cease nuclear testing and encourage the eventual ratification and compliance with the CTBT?

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THE ILLICIT TRADE IN SMALL ARMS AND LIGHT WEAPONS IN ALL ITS ASPECTS

While the illicit trade in small arms and light weapons occurs in all parts of the world, it is concentrated in areas plagued by armed conflict, organized crime and violence. Several factors allow the arms trade to flourish. Weak central authorities and porous borders permit easy flows of weapons and profits, while instability and violence generate the demand for weapons that fuels significant profits.

The illicit weapons trade feeds civil wars, provides terrorists with means to achieve their violent goals and stocks the arsenals of drug cartels. Even on a smaller scale, these weapons can expand the lethality of criminal gangs and enable many acts of violence. The pervasive availability of light arms has made massive violations of human rights and international humanitarian law far easier than it would be under more tightly controlled circumstances.

In 1991, United Nations established the United Nations Register of Conventional Arms. The Register aimed to track legal, legitimate arms sales between Member States. In theory, tracking makes diverting arms to the black market more difficult and allows the international community to monitor potentially destabilizing build-ups of light weaponry. In practice, however, the results have been more mixed. All reports of arms exports and imports to the United Nations Register of Conventional Arms are purely voluntary, and compliance has been a challenge. In 1997 and 1999, the Secretary-General created two expert groups



to delve into the challenges associated with tackling the illegal arms trade. These groups prepared the agenda for the 2001 United Nations Conference on the Illicit Traffic in Small Arms and Light Weapons in All Its Aspects. The conference was a significant step forward in terms of cooperation within the international community on this growing problem. During this conference, United Nations Member States adopted the Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons, in All Its Aspects. The Programme of Action forms a procedural cornerstone for addressing light arms trafficking, although the recommendations it makes are non-binding. The Programme of Action asserts that meaningful steps must be taken at the national, regional and international levels if a durable solution is to be found. It encourages Member States to aggressively police unlicensed producers of arms within their borders and ensure that all legitimate manufacturers place serial numbers, as well as marks indicating country of origin, on all weapons produced. By implementing these policies, a large proportion of the light arms throughout the world would be traceable to their origins. Combining this traceability with the Programme of Action's other facet of regional and international information sharing networks creates protections against the illicit sale of arms. United Nations Member States reviewed the Programme of Action in 2012, and the published report highlighted several areas for continued focus. Member States are supposed to designate a National Coordination Agency tasked with overseeing the Programme of Action's implementation and small arms issues more broadly, but this has not been universally implemented. Ensuring the marking and tracing of weapons both manufactured domestically and imported from abroad has also fallen short of expectations. When record keeping is done, a vast number of Member States fail to maintain those records for the 30 year duration required by the International Tracing Instrument. A third review conference is scheduled for 2018.

In 2005, the United Nations General Assembly adopted the aforementioned International Tracing Instrument. The initiative encourages Member States to establish mechanisms to note the last legal owner of a small arm, both via manufacturer marks on the weapons themselves as well as diligent record keeping to document transfers of said weapons. The 2013 General Assembly resolution on this topic calls for Member States to submit reports on their implementation of the International Tracing Instrument, including the name and contact information of the national points of contact and information on national marking practices used to indicate country of manufacture and country of import.

Yet while efforts to increase the traceability is a major step forward for arms control, there are significant challenges to arms control efforts. Major weapons producers are cautious about efforts that significantly curtail their ability to produce and sell arms to legitimate buyers – and numerous importers of small arms have expressed their concern about efforts to restrict or invasively track small arms. Countless United Nations resolutions, statements and other documents affirm the rights of Member States to produce, export and stockpile such weapons for a variety of legitimate purposes. And while major producers may sell to legitimate organizations and individuals, there are many ways – including the use of shell organizations, theft, and others – that small arms make their way into the hands of criminals and terrorists.

Areas of weak governance – like the Trans-Sahel region – often create opportunities for wide distribution of weapons beyond the direct control of any State authority. Regional instabilities, like the revolution in Libya, can result in the transfer of legitimately acquired weapons to bad

actors. This can have severe negative ramifications on a civilian population. Recovering and accounting for these weapons is no easy task, but it is central to creating stability for these populations.

Several key developments on this issue have occurred quite recently. The General Assembly in 2013 made major progress toward greater accountability in the production and sale of small arms with the adoption of the Arms Trade Treaty (ATT) by the General Assembly. With 118 signatories and 41 States Parties, the ATT is well on its way to the 50 ratifications necessary to enter into force. Much of the earlier work by United Nations bodies, such as clear marking of arms by manufacturers and import/export records, was incorporated into the document. Member States party to the treaty must also in good faith consider the impact on peace and security of the arms they export. In addition, exporters must evaluate if the weapons they are providing could facilitate serious violations of human rights or humanitarian law. Notably, many major exporters of light arms have not signed or ratified the convention. Without these States as parties to the Treaty, it will have a limited impact. Addressing the concerns of these States will be crucial to the viability of a stronger regime for preventing illicit small arms.

With this reality in mind, one of the greatest tools the international community can use to stem the tide of the illicit weapons trade is information. This information comes in a multitude of forms: from distinct manufacturing markings, to transfer records, to shared import/export data. The more tightly the web of international arms trade is woven, the more difficult it becomes to unravel into the black market.

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

- How can States further improve tracking and marking of small arms?
- Has your State ratified the Arms Trade Treaty, and if not what are the objections?
- How can the international community encourage voluntary disclosure of arms exports and imports?
- What are the main challenges in removing excess arms from regions recovering from armed conflict, and what tools does the United Nations possess to assist with that transition?

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