

First Committee

BRIEFING BOOK / 2021



Reaching Critical Will

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“Building stronger and better communities means... constructing new institutions and norms with justice, equity, and solidarity at the core....

It means investing in care, not war. It means prioritising justice over power. This is the vision of a United Nations meant to save succeeding generations from the scourge of war.”

- Ray Acheson

Introduction

Ray Acheson

Last year's First Committee session was challenging. Due to the COVID-19 pandemic, government delegates were spread out across multiple conference rooms in the United Nations and civil society was prohibited from even entering the building. It's not yet clear at time of publication if these parameters will continue this October. But of even greater concern than any health restrictions are the possible procedural and political antics that lie ahead.

In 2020, delegates had to contend not just with the global pandemic but also with hypocritical mudslinging of the most heavily militarised countries in our world. While this is by no means new to veterans of the First Committee, some of the challenges mounted last year seemed particularly audacious in their determination to undermine international law. Meanwhile, accusations of belligerence and legal violations were bandied about, particularly between Russia and the United States, as if we were all trapped in some kind violent tennis match in which point-scoring is based on gaslighting.

The gamesmanship on display last year was more than disruptive. It arguably represents the pursuit of Cold War-style hegemony by Russia and the United States over the norms and rules of disarmament law, but also the ways in which the United Nations itself operates on these issues. This behaviour cannot be allowed to continue. It's up to the rest of the UN membership to confront those who are being disruptive, disingenuous, and destructive and to work together for an alternative future of care, justice, and equality.

The UN General Assembly is meant to be about community, not competition. Community requires reciprocity, trust, and understanding. It requires us to live in relationship with others,

not simply to demand that everyone else obey our commands or conform to our way of thinking. This is not easy to build, and even more difficult to maintain, but this is the only way we can actually achieve the objectives of the UN Charter.

Those who seek the preservation of their own power at any cost are determined to undo the norms, laws, and institutions we've already built, and to dismantle our means and methods of cooperation so that we cannot build any more. This is a death project. Twenty years after the initiation of the Global "War on Terror", from which violence and suffering have increased exponentially and weapon and "security" companies have profited immensely, we can clearly see what happens when we invest in militarism instead of peace. We all hold the responsibility to stop it, and the only way we can is by working together.

That said, the institutions and laws we do have do not all deserve preserving. Many of them uphold social, political, and economic inequalities, rooted in capitalist extraction, environmental destruction, and border imperialism. Building stronger and better communities means undoing these orders and constructing new institutions and norms with justice, equity, and solidarity at the core. This work is possible. It means investing in care, not war. It means prioritising justice over power. This is the vision of a United Nations meant to save succeeding generations from the scourge of war. As the world burns and melts around us, we have no time to waste.

Nuclear weapons

International Campaign to Abolish Nuclear Weapons

Background

In 2021, nine countries possess over 13,000 nuclear weapons. Each is currently investing in the modernisation of their nuclear warheads and/or delivery systems such as bombers, missiles, and submarines. In 2020, the nuclear-armed states spent an estimated US \$72.6 billion on these weapons, spending that flowed from governments to weapon contractors, as well as think tanks and lobbyists. Five additional states—Belgium, Germany, Italy, the Netherlands, and Turkey—host about 100 deployed United States' (US) nuclear weapons on their territories. Twenty-six other countries allow the potential use of nuclear weapons on their behalf as part of military alliances, including the North Atlantic Treaty Organisation (NATO) and the Collective Security Treaty Organisation (CSTO).

Any use of nuclear weapons would have catastrophic humanitarian consequences. With rising global tensions, the risk of nuclear weapon use is increasing. No state or agency could address the immediate or long-term consequences of the detonation of a nuclear weapon. After a year and a half of a global pandemic, the world cannot afford the global health crisis that would follow the use of nuclear weapons. The body of research on the humanitarian and environmental impacts of nuclear weapons, including the devastating impact on global climate and the disproportionate impact of radiation on Indigenous communities and on women and girls, continues to grow. In addition, new research shows that technological developments, including offensive cyber capabilities and artificial intelligence, can obfuscate decision making and reduce decision

making time, increasing the risk of accidental nuclear weapon use.

There are several international treaties that constrain nuclear weapons activities, including the nuclear weapon free zone treaties, the 1968 nuclear Non-Proliferation Treaty (NPT), the 1996 Comprehensive Test Ban Treaty, and most recently, the 2017 Treaty on the Prohibition of Nuclear Weapons (TPNW). There are also bilateral arms control agreements between Russia and the United States.

Current context

2021 witnessed some progress in multilateral nuclear disarmament, although the current dangerous environment of nuclear risk demands further action towards disarmament.

The TPNW entered into force on 21 January 2021 after it achieved its 50th ratification/ accession on 24 October 2020, which was celebrated globally. During the pandemic, countries have continued to sign and ratify the Treaty in recognition of its contribution to peace and security in uncertain times. The TPNW has already begun to impact behaviour and policies even in states that have not yet adhered to it. For instance, major financial institutions in states that claim protection from nuclear weapons have decided to exclude nuclear weapon-producing companies from their investment portfolios. City councils in several nuclear-armed states and states that endorse nuclear deterrence policies have added to the normative weight of the TPNW by endorsing the Treaty and urging their respective national governments to join it. The first meeting of states parties is scheduled to take place in Vienna from 22–24 March 2022.

In February 2021, Russia and the United States agreed to extend the expiring New Strategic Arms Reduction Treaty, limiting strategic deployed and non-deployed nuclear warheads and delivery systems for five years. Presidents Biden and Putin **agreed in June 2021** to launch a bilateral dialogue “to lay the groundwork for future arms control and risk mitigation measures.” The 2020 NPT Review Conference was postponed due to COVID-19, but is currently scheduled for 4–28 January 2022. Nuclear-armed states will need to demonstrate progress to implement the NPT and related agreed commitments, in particular the disarmament provisions, ahead of this meeting.

Recommendations

During First Committee, delegations should:

- ➡ Express deep concern at the continued risk for humanity represented by the continued possession and modernisation of nuclear weapons and the catastrophic humanitarian and environmental consequences that would result from the use of nuclear weapons;
- ➡ Reiterate the unequivocal undertaking by the nuclear-armed states to accomplish the total elimination of their nuclear arsenals, to which all states parties are committed under NPT Article VI;
- ➡ Condemn nuclear-armed states’ qualitative and quantitative advancement and modernisation of their nuclear arsenals;
- ➡ Call on nuclear-armed states to undertake nuclear disarmament, for relevant states to stop hosting other countries’ nuclear weapons on their territories, and for all states to reject the use or threat of use of nuclear weapons on their behalf;
- ➡ Welcome the entry into force of the TPNW in January 2021; call on all states to sign, ratify, and adhere to the TPNW; and note that the TPNW complements and strengthens the NPT as an effective measure as foreseen in NPT Article VI; and

- ➡ Include a reference to the TPNW in resolutions related to nuclear weapons.

Beyond First Committee, states should:

- ➡ Sign and accede to the TPNW and work for its universalisation, including by encouraging other states to join it;
- ➡ Adopt national legislation and other measures to implement the Treaty, including by ending investments in nuclear weapon-producing companies;
- ➡ Designate a focal point within the government to assess the needs and plan implementation of victim assistance and environmental remediation efforts;
- ➡ Reject nuclear weapons and work to end any military activities related to their development and use; and
- ➡ Encourage, bilaterally and multilaterally, all states to join the broad international consensus against weapons of mass destruction and for nuclear-armed states to eliminate their nuclear weapons.

Author: Alicia Sanders-Zakre



Biological weapons

King's College London

Background

Biological weapons combine bacteria or viruses with a delivery mechanism to inflict harm, and are prohibited under international law.

The principal legal instrument banning biological warfare is the 1972 Biological and Toxins Weapons Convention (BWC). The BWC bans the development of biological agents and toxins, of any type or quantity including their components, that do not have protective, medical or other peaceful purposes, and any weapons or means of delivery for such agents and toxins. The Convention has 183 states parties and 4 signatory states. Ten states have neither signed nor ratified the Convention. No state joined the BWC in 2020. The BWC itself is relatively short, comprising only 15 articles. Over the years, the Convention's articles have been supplemented by a series of additional understandings reached at Review Conferences.

The wider regime includes the 1925 Geneva Protocol, which prohibits the use of chemical and biological weapons in war and a growing array of other measures, such as export control regimes and UN Security Council (UNSC) resolution 1540, which serve to bolster aspects of the prohibition and prevention of biological weapons.

The UN General Assembly (UNGA) First Committee traditionally considers an annual resolution on the BWC and a biennial resolution on the Geneva Protocol. The BWC resolution is usually uncontested, and has so far always been adopted by consensus. The Geneva Protocol resolution has so far always been agreed, but usually with a small number of regular abstentions.

Current context

COVID-19 has impacted BWC meeting schedules. The 2020 Meetings of Experts (MXs) were rescheduled twice, and eventually took place from 30 August-8 September 2021. The 2020 Meeting of States Parties (MSP), originally scheduled for December 2020, is now scheduled to take place in late November 2021. The 2021 Review Conference and its Preparatory Committee have been shifted to 2022.

The current pandemic has starkly illustrated the damaging effects disease can have on societies, whether natural, accidental or deliberate in origin. By the end of August 2021, the number of recorded deaths ascribed to COVID-19 globally was nearly at **4.5 million**, with many hundreds of thousands likely to have gone unrecorded. The impact of COVID-19 goes beyond its high fatality rates: many survivors of the disease **have continued to suffer** significant health consequences. These lasting health effects, referred to as 'long-COVID,' are so far poorly understood.

The pandemic's global socio-economic impacts are at levels unprecedented since the second world war. The pandemic has also exposed and exacerbated longstanding economic, racial, and gender divides. Many of these socio-economic effects are highly likely to generate further health effects beyond the direct impacts of COVID-19.

International developments like the United Nations Biorisk Working Group, established by the UN Secretary-General and co-led by the United Nations Office for Disarmament Affairs (UNODA) and the World Health Organisation (WHO), as well as efforts by states to develop

a new international treaty on pandemics are concrete evidence of increasing awareness of the challenges that diseases pose to humankind. Biological weapons are tools for deliberate disease, and lessons from the current pandemic should therefore be drawn to enhance preparedness for future outbreaks of diseases that may be deliberate.

These are contained in the recommendations below.

Recommendations

During First Committee, delegations should:

- ➡ Reaffirm their commitment to the BWC and the Geneva Protocol; and
- ➡ Report on measures taken to implement and strengthen BWC provisions.

Beyond First Committee, states should:

- ➡ Develop international structures to systematically register, monitor, and inspect maximum-containment facilities and high-risk biological activities like gain-of-function experiments with potentially pandemic pathogens;
- ➡ Create action plans, and subsequent implementation plans, to strengthen national, regional, and international capacities for early identification, response, and mitigation of disease outbreaks;
- ➡ Establish an international body, at the nexus between public health and security and ideally UN-based, with a mandate to investigate suspected outbreaks of international concern as soon as initial reports emerge, and regardless of any indications of it being natural, accidental or deliberate;

- ➡ Consider a strengthened UN Secretary-General's Mechanism (UNSGM), or some other standing coordinating capacity, ideally UN-based, to conduct independent, in-depth investigations of suspected bioweapons use; and
- ➡ Develop a framework to coordinate an international response following the use of biological weapons.

Author: Filippa Lentzos



Chemical weapons

CBW Events

Background

Chemical weapons are weapons designed to cause death, injury, temporary incapacitation, or sensory irritation through toxic action on living processes. They were the first category of weapons of mass destruction (WMD) to be banned under international verification arrangements and their destruction carried out under international supervision. After decades of negotiation, the Chemical Weapons Convention (CWC) was opened for signature in 1993 and entered into force in 1997. The CWC prohibitions are broad, banning the development, production, acquisition, stockpiling, retention, transfer, or use of these weapons and any related munitions. The Convention is underpinned by a concept known as the “general purpose criterion” which holds that all toxic chemicals are assumed to be chemical weapons unless for a permitted purpose and held in types and quantities appropriate to the purpose. Indeed, many chemicals that fall within the CWC definition of chemical weapons have peaceful uses and are sometimes referred to as “dual-use”. The CWC established the Organization for the Prohibition of Chemical Weapons (OPCW) of which all CWC states parties are members. The OPCW has a Technical Secretariat which carries out the verification and monitoring activities specified in the Convention. As of 1 August 2021, the CWC has 193 states parties and 1 signatory state.

Over 98 per cent of globally declared chemical weapons have been destroyed, as of the [end of 2020](#), with the remaining US stocks (representing some 4 per cent of its category 1 holdings) scheduled for destruction by September 2023.

After the CWC entered into force, debate during the First Committee was primarily concerned with ensuring the stockpiles of chemical weapons by the major possessors were fully destroyed with the initial 10-year timescale. However, technical, safety, environmental and cost issues delayed destruction of the two major stocks, as held by the US and Russia. There was a period of focus on what the role of the Convention might be in the post-destruction era but this was overtaken by concerns about use of chemical weapons in Syria (multiple uses), Malaysia [(assassination of Kim Jong-nam), and the United Kingdom (the poisoning of Sergei and Yulia Skripal), and in 2020 by the poisoning of Alexei Navalny.

Current context

The multiple uses of chemical weapons in Syria, and the subsequent investigations by the OPCW, have been the main focus of divergences of opinion on chemical weapons within the First Committee as well as within the OPCW itself.

All international treaties are creatures of the time they were negotiated, reflecting the major concerns of the negotiators at the time. The verification measures within the CWC for investigations of alleged use were more suited to situations of large-scale use of chemical weapons in a major conflict than to use in a civil war. Therefore, in 2014, a Fact-Finding Mission was established by the OPCW to carry out investigations of alleged use in Syria. However, there were pressures to include the UN Security Council in the investigation process and so the UN-OPCW Joint Investigative Mechanism (JIM) was established by Security Council resolution

2235 (2015). The UNSC extension of the JIM mandate was vetoed by Russia in October 2017. In June 2018, a special session of the CWC Conference of States Parties (CSP) voted to establish the Investigation and Identification Team (IIT) with powers to attribute, in cases where the evidence supported it, the use of chemical weapons. There are claims that voting through investigation-related measures in OPCW bodies is politicising the Convention. Others suggest that the use of prohibited weapons is the source of the politicisation.

The IIT has published two reports – the first (April 2020) on events in Ltamenah, Syria in March 2017 and the second (April 2021) on events in Saraqib in February 2018. In both reports (available on the [OPCW website](#)) the IIT found there were “reasonable grounds to believe” that chemical weapons had been used by Syrian forces. In July 2020 the OPCW Executive Council voted through a decision calling on Syria to cease use of chemical weapons and to declare and destroy remaining elements of its chemical weapons programme. The decision also asked the next CSP session to consider the situation and the CSP [voted](#) in April 2021 to suspend certain rights and privileges for Syria under the CWC.

There has been voting in recent years on the CWC resolution in First Committee, which is traditionally sponsored by Poland and was previously adopted by consensus. In 2020, draft resolution L.29 “Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction”, prompted votes on four paragraphs relating to investigations of alleged use in Syria, one paragraph on Syria’s declaration of its programme and one paragraph on the Navalny poisoning. All of the paragraphs remained in the resolution, as adopted.

Recommendations

During First Committee, delegations should:

- ➡ Strongly condemn any use of chemical weapons anywhere, at any time, by anyone, under any circumstances;
- ➡ Defend the norm against chemical weapon use;
- ➡ Report on measures taken to implement CWC obligations; and
- ➡ Pledge financial support to relevant voluntary funds maintained by the OPCW.

Beyond First Committee, states should:

- ➡ Commit to never using chemical weapons and proceed with destruction of those remaining stocks;
- ➡ Designate a national authority in accordance with article VII of the CWC and ensure the national authority is empowered to interact with relevant entities within the country; and
- ➡ Implement legal measures for effective compliance with the CWC, including arrangements for periodic reviews of national implementation and enforcement.

Author: Richard Guthrie



Armed drones

PAX

Background

With the birth of the United States' lethal drone programme in 2002 as a key element of its counterterrorism policy, a new era of warfare had begun. Now, as we have arrived at the 20th anniversary of the "War on Terror", drones have become the weapon of choice worldwide, with at least 19 countries currently operating armed drones.

The number of states operating drones to conduct targeted killings in the context of counterterrorism operations is growing. Such operations continue to be wrapped in secrecy, which strongly hinders any efforts towards accountability for unlawful strikes. Moreover, the general lack of effective parliamentary and judicial oversight mechanisms risks undermining international legal principles concerning the extraterritorial use of lethal force, including state responsibility regarding the provision of assistance for the potentially unlawful use of such force.

At the same time, the widespread proliferation of drones has led to their increased deployment in support of armed groups or allied states in proxy wars or over disputed territories, as demonstrated in places like Libya, Iraq, Syria and in the conflict over Nagorno-Karabakh. Easily accessible and adaptable commercial drone technology has further enabled non-state armed groups to assemble and carry out attacks with smaller military drones, posing force-escalation risks and threatening regional security.

The rapid proliferation of military, commercial, and dual-use drone technology remains an ongoing challenge for export control

mechanisms. There are indications that drone warfare will shift to include more swarming and autonomous capabilities, bringing out new challenges on both export controls, in particular regarding commercial drone technologies.

Civilians living both inside and outside conflict zones continue to suffer the consequences of military drone usage, which extend far beyond killings and physical injury. Among the harms reported are long-lasting economic hardship, severe psychological impacts, the crippling of daily activities, and the interruption of education. The growing use of drones on modern battlefields—accompanied by a lower threshold for the use of force as well as expanding attacks against civilian infrastructure and populated areas — will only further intensify these implications.

The absence of clearly defined legal criteria and public scrutiny on the use and export of armed drones continues to enable irresponsible transfers, and broad and permissive interpretations of legal principles, with little to no recourse to justice for victims of unlawful drone strikes. Multilateral discussions towards developing robust standards of oversight, transparency, and accountability as well as effective measures to control proliferation are desperately needed.

Current context

In her opening remarks at the 2020 First Committee, the High Representative for Disarmament Affairs, Izumi Nakamitsu reminded delegates of her Office's support for any state efforts to increase transparency, accountability, and oversight for armed uncrewed aerial

vehicles (UAVs). Yet, disappointingly, only a small number of states seconded the need for such efforts in their statements. With a view to the ongoing threats posed by drones, states should utilise to the largest extent possible UN fora to actively develop and engage in a multilateral and collaborative process to build meaningful standards governing their use and proliferation. Last year, both the **UN Secretary-General** (UNSG) and the former **UN Special Rapporteur on Extrajudicial Killings** (UNSR) called for such common standards, with the UNSR recommending that states “undertake effective measures to control the proliferation of drones” and “establish a transparent multilateral process for the development of robust standards on the use of drones” or, in the alternative, that “like-minded States (...) establish a group of experts (...) as part of a time bound forum for States, academics, and civil society to identify and strengthen legal norms and accountability mechanisms”.

The US-led process towards international standards on the export and subsequent use of armed drones, initiated in 2016, is reportedly still ongoing. This process has nevertheless faced criticism for failing to include civil society, and for producing ambiguous, weak, and non-binding language that risks undermining existing standards of international law.

Recommendations

During First Committee, delegations should:

- ➡ Recognise the ethical, legal, and humanitarian concerns that drones bring to the use of force in the contemporary landscape, and express a commitment to reducing and addressing harm and ensuring the protection of rights;
- ➡ Recognise the grave risk that international legal frameworks could be eroded through the use of armed drones, in the context of practices that challenge existing norms;

➡ Assert the need for transparency in the use of drones by any and all states, for the recording of casualties and the addressing of victims’ rights, and for accountability and democratic oversight; and

➡ Recognise the need for a broader multilateral conversation about what role drones should play in the use of force and the specific limits and standards for their use.

Beyond First Committee, states should:

- ➡ Raise these issues in all relevant international and regional forums, including human rights-focused forums. Ensure that issues related to export control are pursued in relevant arm control and disarmament forums, such as the Arms Trade Treaty; and
- ➡ Support the recommendations of the UNSG and UNSR for the development of robust international standards on the use and export of armed drones through a transparent, multi-lateral, and inclusive process.

Author: Alejandra Muñoz



Autonomous weapons

Stop Killer Robots

2021 has seen a transformation of the international policy conversation on autonomous weapons. After years of often disconnected and confusing discussions, clear framings of the problem and of the responses that are necessary are now evident in international talks. Such talks are primarily taking place in a Group of Governmental Experts (GGE) being chaired by Ambassador Pecsteen of Belgium, under the Convention on Conventional Weapons (CCW) in Geneva.

The problems are recognised as deriving from systems where sensor information (not people) determine automatically where, when and against “what” force will be applied. This creates a question of control—a space of unpredictability and uncertainty which is practically and legally problematic. And if such systems were allowed target people they would represent a further dehumanisation of violence—with sensors reducing humans to objects, to be killed automatically by machines.

The issue is also now recognised as pressing. The [UN Panel of Experts Report on Libya](#) from March 2021 noted the use of “Kargu” loitering munitions in the country in 2020, describing them as autonomous weapons systems. New technologies are being used. New rules are needed.

There is now widespread recognition that a response requires both prohibitions and regulations:

1. Some uses and applications of technology in weapons systems are clearly unacceptable and must be ruled out, including: systems that can't be effectively controlled, and systems that are enabled to target people.

2. Other systems need to be subject to positive obligations so that humans retain meaningful control.

Although there are disagreements regarding some of the elements of this structure (and different preferences for how certain points should be phrased), this basic structure for the policy response is now central to the international conversation. There is also growing agreement that such rules need to be formalised in a legal instrument.

The CCW is approaching a Review Conference where it needs to adopt a mandate to negotiate a new legal instrument. However, the CCW works in a consensus mode that effectively gives any state a veto. It has not negotiated a new Protocol since 2003.

The most militarised states remain opposed to negotiations. Whilst some states will urge the CCW in good faith to move to negotiations, others will urge the adoption of a loose political statement, perhaps in the hope that this can be seen as a sufficient outcome—to alleviate political pressure on the issue from politicians, scientists, religious leaders, and civil society.

But we have had Guiding Principles and “additional” Guiding Principles, as developed by the GGE. We have had Guiding Principles repackaged as a possible political declaration. The issue has implications for our society that demand more than this.

UN Secretary-General António Guterres has repeatedly [urged countries](#) to prohibit weapon systems that could, by themselves, target and attack human beings, calling such weapons “morally repugnant and politically unacceptable.” Thousands of technologists

have **called** for action to ensure meaningful human control. There is widespread recognition, in the civilian space, that legislation is needed in response to new technologies. We cannot address the social challenges of artificial intelligence (AI) and related technologies if we cannot establish limits on the role of machine-decisions in killing and harming people. This is a new and pressing challenge and, whether in the civil or the military context, it asks new questions of the legal framework.

We need legislative processes that are adequate to the challenges that we face in society today. The CCW has provided a framework within which the conversation on autonomous weapons has been able to develop significantly. This is an important function in itself. Later this year the CCW has the opportunity to take the next step—to start negotiating a legal response. But we should not then see an alternative approach as threatening to that framework. Nor should we fall for claims that adopting new rules inevitably means accepting a military disadvantage; after all, military practitioners do not want weapons that they cannot control.

Some states want no specific constraint on their military options. Many others see the need for rules to protect moral and legal obligations and to prevent dehumanisation. We will not shift the positions of the former without giving full expression to the latter. After a period in which the role of norms and rules internationally has been under threat, we need to have confidence that states, international organisations, and civil society can work together to set international standards in the interests of humanity.

Recommendations

During First Committee, delegations should:

- ➡ Recognise that autonomy in weapons systems presents pressing moral, legal, and security concerns;
- ➡ Support the development of a legal instrument to address autonomy in weapons systems, containing:
 - ➡ Prohibitions on systems that cannot be used with meaningful human control and on autonomous weapons that would target people;
 - ➡ Positive obligations to ensure that other systems can be used with meaningful human control.
- ➡ Call for negotiations of that legal instrument to begin urgently.

Author: Richard Moyes



Explosive weapons in populated areas

International Network on Explosive Weapons

Background

Civilian harm from the use of explosive weapons in populated areas has been highlighted as a top humanitarian priority¹ following the increase in recent years of conflicts taking place in urban settings resulting in high levels of civilian casualties. Data consistently shows that when explosive weapons are used in populated areas, approximately 90 per cent of those reported killed and injured are civilians. Over the last decade more than 260,000 were recorded killed or injured by explosive weapons, and explosive violence has affected at least 123 countries.

The effects of explosive weapons are wide ranging and have long-term implications. Beyond immediate deaths and injuries, civilians suffer from psychological distress and trauma and an even greater number of civilians are affected as a result of damage to essential infrastructure and services. The bombing and bombardment of towns and cities destroys homes leaving people without shelter and impedes access to, and availability of, vital provisions including food. Humanitarian access can be hampered, or stopped entirely, as humanitarian and relief organisations struggle to access particularly violent areas. Damage to electricity, energy, and power further compound such problems, and in some instances prevents the civilian population from fleeing the area. The use of explosive weapons in populated areas represents one of the main causes of forced displacement. Countless civilians are driven from their homes and displaced.

Most types of explosive weapons—which include, among others, aircraft bombs, artillery shells, rockets, grenades, missiles as well as improvised explosive devices—are designed for use in open battlefields, and not towns and cities where there is a concentration of civilians.

Whilst there is a pattern of harm associated with explosive weapons in populated areas in general, the risk to civilians is most severe when the weapons have wide area effects. Wide area effects may result where an individual weapon has a large blast or fragmentation radius (for example heavy aircraft bombs), where multiple explosive munitions are launched at an area (for example multi-barrel rocket systems), where a weapon is not delivered accurately to the target (such as indirect fire mortars), or a combination of these factors.

Current context

Positive movement in developing a political declaration aimed at strengthening the protection of civilians has been made over the past year and beyond despite continued delays caused by COVID-19 to holding an in-person meeting to finalise the political declaration text.²

Around 70 states and many organisations participated in informal online consultations in March 2021 convened by the government of Ireland to share views on the draft political declaration text. A final round of (at least partially) in-person meetings are expected to take place in Geneva in the next few months.



City of Homs, Syria
Photo by Fly and Dive on Shutterstock

The International Committee of the Red Cross (ICRC) and the UN Secretary-General **have continued to call on** states to avoid the use of explosive weapons with wide area effects in populated areas, which “expose civilians to a high risk of indiscriminate effects”.

The focus on harm to civilians from explosive weapons continues to be a priority for the International Network on Explosive Weapons (INEW) and is the premise of its inputs to the political declaration process and the binding commitments on states in the draft declaration text.³

Recommendations

During First Committee, delegations should:

- ➔ Acknowledge that the use of explosive weapons in populated areas causes severe harm to individuals and communities, including through both direct and reverberating effects;

- ➔ Endorse the UN Secretary-General’s recommendation that states should avoid the use of explosive weapons with wide area effects in populated areas; and
- ➔ Express their support for the development of an international political instrument on explosive weapons to protect civilians and intention to participate in the consultations in Geneva later this year.

Author: Laura Boillot



1 See for example, “Explosive weapons in cities: Civilian devastation and suffering must stop”, 18 September 2019. The Secretary-General of the United Nations Antonio Guterres, and the President of the ICRC, Peter Maurer, issue a joint appeal available at <http://bit.ly/2l1VBkL>.

2 For the latest version of the political declaration text dated 29 January 2021, and any subsequent versions shared subsequent to the publication of this article, see: <https://www.dfa.ie/our-role-policies/international-priorities/peace-and-security/ewipa-consultations/>.

3 See INEW’s detailed inputs on the draft political declaration text here at <https://bit.ly/3DbCYxN> and a summary of what the political declaration text should contain, in order to be effective in humanitarian terms: <https://bit.ly/3j7tBaE>.

Landmines

International Campaign to Ban Landmines

Background

The 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Antipersonnel Mines and on their Destruction (or the Mine Ban Treaty—MBT) is one of the most universally adhered-to international instruments and successful disarmament treaties. One-hundred sixty-four states are party to the Treaty, and while 33 states remain outside of it, the vast majority abide de facto by its core provisions: they do not use, produce, or transfer antipersonnel mines. Each year, half of states not party to the Treaty vote in favour of the UN General Assembly First Committee resolution on the MBT.

Over the past 20 years, the Treaty has made a tangible difference on the ground. Fifty-five million stockpiled antipersonnel landmines have been destroyed; 31 countries have become mine free; and states are making efforts to provide life-saving risk education and accessible and adequate victim assistance. The Treaty covers all antipersonnel mines, including those of an improvised nature and “non-persistent” mines with self-destruction mechanisms.

However serious challenges remain on the path towards a mine-free world. Myanmar and non-state armed groups in Afghanistan, Colombia, Tunisia, Myanmar, and Pakistan still use antipersonnel mines. As of October 2020, some 60 states and other areas were contaminated by antipersonnel mines. Land clearance has not been approached with the urgency required, which has resulted in prolonged delays in fulfilling clearance obligations by a majority of affected states. Efforts to address rights and needs of victims need to be strengthened. Sustained and strategic re-engagement, along

with continuous financial support, is needed to ensure the MBT delivers on its promises.

Current context

2019 was the fifth year in a row with **high numbers of recorded casualties**, with at least 5,554 people injured or losing their lives due to landmines and explosive remnants of war, 80 per cent of which were civilians.

The COVID-19 pandemic affected work under the Treaty. Despite challenges however, Chile and the United Kingdom declared completion of their mine clearance obligations in 2020.

In 2020-2021, the Treaty’s community has continued to meet in a virtual setting. While there are some real shortcomings to virtual conferences related to the digital gap and challenges for advocacy and outreach activities, both the former states parties meeting President (Sudan) and the President for the upcoming 19th Meeting of States Parties (the Netherlands) ensured that MBT universalisation and implementation was discussed via another format.

The 18th Meeting of States Parties took place virtually in November 2020. States reported on the progress and remaining challenges in implementation of the Treaty and the Oslo Action Plan (OAP). The virtual intersessional meetings (June 2021) provided a platform to review clearance deadlines extension requests of Cyprus, Mauritania, Nigeria, Somalia, and Turkey. Eritrea and Guinea-Bissau had not submitted their extension requests. Guinea-Bissau announced it would do so. Eritrea did not attend the intersessional meetings, and has

been in formal non-compliance with the Treaty since January 2021 by failing to request a new deadline for its mine clearance obligations. No progress has been reported by the country since 2014.

The 19th Meeting of States Parties will take place in November 2021 in the Hague in a hybrid format, and during which states will report on their progress and remaining challenges in implementing the Treaty and the OAP. They will also present plans aimed at fulfilling their obligations as soon as possible, and by the 2025 aspirational goal.

Recommendations

During the First Committee, delegations should:

- ➔ Condemn all use of antipersonnel mines, including by Myanmar, and reiterate that any use of landmines by any actor is unacceptable and should be halted immediately;
- ➔ Report on the progress towards joining the Treaty;
- ➔ Pledge financial support for the implementation of Treaty obligations, including land clearance, provision of risk education, and assistance to survivors, their families and communities;
- ➔ Promote the Treaty by engaging bilaterally in discussions on universalisation and implementation of the MBT; and
- ➔ Vote in favour of the First Committee resolution on the MBT and encourage others to do as well.

Beyond the First Committee, states should:

- ➔ Use all available resources to advance full universalisation and implementation of the Treaty globally and nationally;

- ➔ In preparation for the 19th Meeting of States Parties, states parties should undertake collective efforts to adapt current practices to effectively address the worrying trends of extensive delays in mine clearance, missed deadlines, and continuous requests for extended deadlines, in order to reach the goal of a mine-free world as soon as possible and by 2025;
- ➔ Participate in meetings of the MBT and report on the efforts and challenges in implementing the OAP;
- ➔ Use bilateral and multilateral fora—such as high-level dialogues and regional meetings—to urge states not party and the Marshall Islands, currently the only signatory state, to join the MBT;
- ➔ Ensure full inclusion and participation of landmine survivors in all spaces and processes related to the Treaty;
- ➔ Ensure that gender perspectives and diversity are integrated in all aspects of mine action; and
- ➔ Present annual transparency reports on time in compliance with the transparency obligations of the Mine Ban Treaty.

Author: Diana Carolina Prado Mosquera



Cluster munitions

Cluster Munition Coalition

Background

Overall compliance with the 2008 Convention on Cluster Munitions (CCM) has been exemplary. There have been no instances or even allegations of any use, production, or transfer of cluster munitions by a state party. States parties have **destroyed 1.5 million cluster munitions and 178 million submunitions**, about 99 per cent of their collective total and the market for cluster munitions has diminished. As of August 2021, six states parties have completed clearance, including Croatia and Montenegro in 2020.

The global stigma against cluster munitions remains strong. Nearly all states not party are in de facto compliance with the prohibitions on use, production, and transfer. The blatant exception is Syria which has continued to use cluster munitions since 2012 and accounts for over 80 per cent of all casualties recorded globally. Cluster munitions were also used by Armenia and Azerbaijan during the recent conflict in Nagorno Karabakh in 2020. In 2020, the highest number of casualties from cluster munition attacks were recorded in Azerbaijan.

All states should join the CCM to promote international law, show solidarity with affected countries and communities, and to prevent future suffering by putting an end to cluster munitions.

Current context

The CCM Second Review Conference was to be held in Lausanne, Switzerland on 23-27 November 2020, but due to COVID-19, it did not take place in-person. States parties agreed instead to hold the Review Conference in two

parts. Part one was held on 25-27 November 2020 in a virtual format and a hybrid part two is scheduled for 20-21 September 2021 in Geneva, Switzerland. The 10th Meeting of State Parties (10MS) was intended to take place in 2021. However, due to the postponement of the second part of the Second Review Conference to September 2021, the 10th Meeting of States Parties has been postponed to 2022.

During the first part of the Second Review Conference, discussions focused on implementation and universalisation of the Convention and its norms. Some key challenges are: the ongoing use of cluster munitions in Syria, the slow pace of universalisation, delays in implementation of stockpile destruction, land clearance obligations, and requests for further extension of deadlines, as well as provision of accessible and adequate victim assistance. The Convention is also facing serious funding shortfalls that may impede its work.

In 2020 three more states (Niue, Saint Lucia, and Sao Tome and Principe) joined the Convention, increasing the number of states parties to 130. In December 2020, the UN General Assembly adopted the **annual resolution on the Implementation of the CCM**, with 147 votes in favour, none against and 38 abstentions. It was the first time since 2015 that the resolution was approved with no votes against.

The objective of the final part of the Second Review Conference is to adopt the final outcome documents and grant any outstanding extension requests for clearance obligations.

The draft outcome documents of the Second Review Conference are strong and comprehensive and have been largely

finalised. However, there is still lack of consent over the language in the Political Declaration that states parties intend to adopt there, related to condemnation of all use of cluster munitions. While a vast majority of states parties are in favour of unequivocal and strong condemnation of all use by anyone, under any circumstances, as was agreed at the previous Review Conference in Dubrovnik, a handful of states parties continue to object this language and attempt to weaken it. Anything less than unequivocal condemnation of all use of cluster munitions is unacceptable and would undermine the credibility of the Convention and of its states parties.

Recommendations

During the First Committee, delegations should:

- ➔ Condemn all use of cluster munitions by anyone, anywhere and under any circumstances, including recent instances of use in Syria and the Nagorno Karabakh region;
- ➔ Report on steps taken to join the Convention;
- ➔ Engage bilaterally in discussions on the universalisation or implementation of the Convention; and
- ➔ Vote in favour of the resolution on cluster munitions and encourage others, such as regional group members, to do so as well.

Beyond the First Committee, states should:

- ➔ Follow-up on steps taken to ratify or accede the Convention in advance of the second part of the Second Review Conference;
- ➔ Renew and redouble states parties' efforts to achieve universalisation, including by reaching out to neighbouring and partner states to encourage joining;

- ➔ Request support on ratification or accession from the Implementation Support Unit, the Cluster Munition Coalition, United Nations Agencies, the International Committee of the Red Cross and the coordinators of the informal working group on universalisation;
- ➔ Use all bilateral and multilateral fora (e.g. high-level dialogues, Universal Periodic Review and regional meetings) to urge states not party to join the CCM;
- ➔ Unequivocally condemn cluster munitions use by anyone, anywhere under any circumstances;
- ➔ Ensure an active participation of cluster munition victims and survivors in all processes of the Convention; and
- ➔ Continue providing high levels of cooperation and assistance and increase technical and financial support for victim assistance in particular, to allow fulfilment of the Convention's obligations.

Author: Diana Carolina Prado Mosquera



Depleted uranium weapons

International Coalition to Ban Uranium Weapons

Background

Depleted uranium (DU) is a by-product of the uranium enrichment process classified by the International Atomic Energy Agency (IAEA) as low-level radioactive waste.

DU is used by a number of states in armour-piercing-incendiary ammunition fired by tanks, armoured fighting vehicles, and aircraft. DU weapons have been controversial since their first major use in the 1991 Gulf War. Radioactive and chemically toxic, DU use creates hotspots of persistent contamination (i.a. of soils and groundwater) that present a hazard to communities long after conflict ends.

The refusal by some states to acknowledge the civilian health risks from DU contrasts starkly with the protective measures provided to their military personnel, as well as their own domestic standards for radioactive waste management. It is also at odds with the shift in some DU user states towards less toxic alternatives for DU in munitions—itself a tacit acknowledgement of their growing unacceptability.

DU weapons can already be regarded illegal, or banned, under existing international law by applying, *inter alia*, the following arguments, or standards:

- the principle of distinction (between civilians and combatants) and obligations regarding environmental protection under international humanitarian law (IHL);
- the (emerging) human right to a healthy environment as well as the protection against toxic substances under human rights and environmental law (EL);

- the precautionary principle under IHL and EL according to which scientific uncertainties do not relieve from taking precautionary measures against environmental risks.

Current context

Again in 2020, the United Nations General Assembly adopted a [resolution](#) on “Effects of the use of armaments and ammunitions containing depleted uranium” (A/RES/75/42). The resolution—like previous ones—contains references to principles that are important for the DU issue, such as transparency, assistance and support, and the precautionary approach. There are also references to the “rules of international humanitarian law” and the “potentially harmful effects” of the use of DU munitions on human health and the environment.

Meanwhile, there is growing national jurisprudence (such as in [Italy](#), and now in [France](#)) to acknowledge compensation claims of DU victims based on a corresponding causal link. Civilian victims of DU use in [Southern Serbia](#) have been reported—as recommended by ICBUW—through the complaint procedure run by the UN Office of the High Commissioner for Human Rights. Now, also, [court proceedings](#) (against NATO) have started at the Higher Court in Belgrade, end of January 2021.

Peer-reviewed studies into the health risks and environmental behaviour of DU have continued to be published. More recently, a study analysing the impact of nanometre and micrometre sized particles of DU in the environment, states that the toxic effect of DU is overwhelmingly due to chemical and not radiological properties. With decreasing

enrichment, the radiotoxicity reduces as well, while the chemical toxicity remains perpetual.

At least, and in the context of the so-called Gulf War and Balkan combat illnesses, it is assumed to be reasonable that DU can exert an **additive toxic effect** on the mitochondrial DNA.

In contrast, a **study** just published by Robert Haley and Randall Parrish assumes that DU from exploding munitions did not lead to Gulf War illness in veterans deployed in the 1991 Gulf War. But, as **ICBUW commentaries** indicate, the study with its narrow focus on the military in a very limited context would not give an answer to the issue of risks for the civilian population caused by the use of DU munitions, over a longer period of time. Here, research interest is still simply lacking—but more than needed.

The health and environmental legacy of DU use should be viewed in the context of growing concern over the polluting legacy of armed conflict. The International Law Commission (ILC) has adopted “**Draft principles on protection of the environment in relation to armed conflict**”, no. 16 of which is devoted to “toxic and hazardous remnants of war”, their removal, or rendering them harmless.

Under the heading of “Confronting Conflict Pollution” the Harvard Law School International Human Rights Clinic and the Conflict and Environment Observatory have issued **Principles for Assisting Victims of Toxic Remnants of War**.

And finally, ICBUW is supporting a **call for action** to governments as to meaningful military emissions cuts at COP26.

Recommendations

During First Committee, delegations should:

- ➔ Continue to raise concerns over the (potential) use of DU in past and current conflict areas and the need for support to DU victims including their compensation claims; and

- ➔ Explain how they are implementing and possibly further developing A/RES/75/42 “Effects of the use of armaments and ammunitions containing depleted uranium”, in their national and regional statements.

Beyond First Committee, states should:

- ➔ Disclose and exchange targeting coordinates of any use of DU weapons to facilitate clearance and civilian exposure studies;
- ➔ Contribute technical and financial assistance to states affected by DU contamination, including public health and environmental monitoring for communities affected by the use of DU;
- ➔ Establish a link to ongoing discussions and decision-making processes on the issues of Environment and Conflict, and of Climate Change; and
- ➔ Help strengthen the global norm against the use of uranium weapons and dealing with its consequences.

Author: Manfred Mohr



Incendiary weapons

Human Rights Watch

Background

Incendiary weapons, which produce heat and fire through the chemical reaction of a flammable substance, cause excruciating burns that are difficult to treat and lead to long-term physical and psychological injury. The weapons also start fires that can destroy civilian objects and infrastructure.

Protocol III to the Convention on Conventional Weapons (CCW), adopted in 1980, prohibits certain uses of incendiary weapons, but its restrictions have failed to stop the civilian harm seen since the protocol opened for signature 40 years ago. The CCW protocol has two major loopholes. First, it prohibits the use of air-delivered incendiary weapons in “concentrations of civilians,” but it has weaker regulations for ground-launched types. Second, many high contracting parties believe the current definition does not cover multipurpose munitions, such as white phosphorus, because the definition is based on the purpose for which they were “primarily designed,” rather than on their effects.

Closing these loopholes, which would be legally if not politically straightforward, would create stronger rules for high contracting parties and increase the stigma against incendiary weapons, influencing even actors outside the treaty.

Current context

This year is a critical moment for efforts to strengthen the legal regime on incendiary weapons. The CCW Sixth Review Conference is scheduled for December 2021, and review

conferences are traditionally the forum at which CCW high contracting parties commit to take action on substantive issues, such as establishing an informal meeting of experts on a topic or agreeing to amend or adopt new protocols.

CCW high contracting parties did not hold their annual meeting in 2020 due to the pandemic, but their 2019 meeting saw both sustained support for addressing the humanitarian problems of incendiary weapons and small diplomatic gains. The majority of the states that spoke on the issue voiced concern about the use of incendiary weapons and called for setting aside time to discuss the issue in more depth. The meeting’s [final report](#) recognised the widespread condemnation of use and calls for dedicated discussions on Protocol III, even though Russia made use of the body’s consensus rules to block the proposal to place the protocol on the 2020 agenda. Protocol III appeared on the agenda of the CCW annual meetings in 2017 and 2018, but Russia’s veto led to its removal in 2019.

While the pandemic slowed deliberations on incendiary weapons in 2020-2021, civil society organisations kept the issue on diplomatic radar. Human Rights Watch and Harvard Law School’s International Human Rights Clinic [released](#) a major report entitled [“They Burn Through Everything”: The Human Cost of Incendiary Weapons and the Limits of International Law](#), which documents the immediate and long-term suffering caused by these weapons. The groups also organised a [webinar](#) featuring testimony from a survivor, a military trauma nurse, and a burn doctor.

The most significant use of incendiary weapons in the past decade has been in Syria.

Since November 2012, Human Rights Watch has identified, through open-source data and testimony, almost 150 incendiary weapons attacks in Syria by the Syrian-Russian military alliance. The total number is likely much higher.

Recommendations

During First Committee:

- ➔ Delegations should draw more attention to the humanitarian concerns of incendiary weapons and the need to strengthen international law. Raising the issue at First Committee would bolster efforts to address incendiary weapons at the CCW Review Conference;
- ➔ Delegations should call for a formal review of Protocol III and amendments to address the negative humanitarian impacts of incendiary weapons; and
- ➔ Delegations should publicly condemn incendiary weapons use and urge states not party to accede to the CCW and Protocol III.

Beyond First Committee:

- ➔ At their Review Conference, CCW high contracting parties should both condemn incendiary weapon use and call for reviewing the status and operation of Protocol III and strengthening its provisions; and
- ➔ CCW high contracting parties should adopt a mandate at the Review Conference to assess the adequacy of Protocol III, including through the establishment of an informal meeting of experts.

Author: Bonnie Docherty

HUMAN
RIGHTS
WATCH

An incendiary weapon attack burned farmland in Badma, Idlib, Syria, in July 2018. © 2018 Syria Civil Defense.



Small arms and light weapons

International Action Network on Small Arms

Background

Twenty years after the adoption of the [UN Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects](#) (UNPoA), small arms and light weapons (SALW) are still an enormous threat to human security. The effects of SALW use extend far beyond those wounded and killed, to their families, friends, and communities.

Discussions in fora such as the biennial meetings of states for the UNPoA and the annual conferences of states parties for the Arms Trade Treaty (ATT) often focus on the use of these weapons in armed conflict. However, many types of armed violence, such as gender-based violence, take place in both conflict and non-conflict situations. Non-conflict settings include violence involving armed gangs and organised crime and police violations of some of the [UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials](#).

Other key instruments that address the trade in and misuse of SALW include the [International Tracing Instrument](#) (ITI, 2005); the [UN Firearms Protocol](#) (entry into force, 2005), supplementing the UN Convention Against Transnational Organized Crime (entry into force, 2003).

Current context

The seventh Biennial Meeting of States on the UNPoA (BMS7) was the primary focus of the UN's work on SALW this past year. It took place in July 2021 in a mix of virtual, in-person, and hybrid formats, after being delayed a year

because of the global COVID-19 pandemic. States also considered issues related to the illicit trade in SALW at the ATT's seventh Conference of States Parties (CSP7) in August 2021. At CSP7, states frequently cited the need to explore synergies between the ATT, the UNPoA, and other relevant instruments. For more on this, please see the chapter on "International arms trade".

The [BMS7 outcome document](#) was surprisingly substantive, under the circumstances. The negotiations were hindered by the extensive limitations on face-to-face contact, the list-like nature of early drafts, and the attempts by a small group of states to block numerous substantive proposals. The final document contains promising language on many issues, including gender, ammunition, technological developments in weapons development and production, international cooperation and assistance, and the need to exercise control over weapons throughout their lifecycle, including the destruction of surplus weapons. The real test, of course, will be the extent to which the proposals are implemented.

One area of substantial progress in the BMS7 outcome document is the gender dimension of SALW proliferation, despite the opposition of a small number of states. The outcome document builds on the progress made in BMS6 in 2016 and at the Third Review Conference (RevCon3) in 2018. There is strong language on disaggregating data to examine the effects of SALW use with respect to sex, age, and disability, as well as on mainstreaming gender perspectives, for example.

There is also some early evidence that states are taking seriously their commitment to facilitating the full and effective participation of women. The proportion of statements by speakers identified as women by Reaching Critical Will was significantly higher at BMS7 than at RevCon3: 30 per cent versus 20 per cent. This is still far short of parity, but it's a promising start.

If fully implemented, the outcome document's recommendations on gender could help advance the full and effective participation of women in these processes, the development of more disaggregated data on the gendered effects of SALW, and increased funding for projects dealing with these issues.

In a welcome change, the outcome document paid attention to "survivors" of armed violence, rather than the customary reference to "victims". It did not focus on their needs for assistance, a topic that should be an area of focus for both BMS8 and RevCon4.

BMS7 also increased the focus on the responsibility and accountability of individual states and regions in implementing the UNPoA and the ITI. The outcome document proposes that states consider setting voluntary national and regional targets to support implementation of the two instruments. Setting such targets would allow states to supplement existing more general goals with more specific goals they themselves had developed. This could increase state ownership of the resulting activities, while also improving accountability.

Because of the delay in holding BMS7, BMS8 will take place in summer 2022. This leaves just one year for countries to make progress on their commitments, rather than the usual two-year period between meetings. Despite this, it will be important to have a broad mandate for BMS8, both to further discussions at BMS8 and to begin preparations for a robust review of the UNPoA at RevCon4 in 2024.

Despite significant progress, there are still many obstacles to the full and effective implementation of the UNPoA.

The format for BMS7 created significant challenges for civil society participation. Accredited representatives from civil society were not allowed to enter UN headquarters. Civil society was also excluded from the informal sessions, which included a significant portion of the substantive discussion of the conference.

The decision-making process of the UNPoA meetings also continued to be problematic. In the UNPoA process, "consensus" has been interpreted as meaning unanimity, allowing a single state to block progress if it so chooses. As was the case in RevCon3, an inability to reach consensus on a final outcome document resulted in states voting on particular paragraphs of the document. Ironically, although some states expressed concern about this process, in both cases, the outcome document was stronger because a small group of states was not allowed to determine the content of the text.¹ And at the end of the process, the outcome document was approved unanimously, with no abstentions.

Unfortunately, the inclusion of SALW ammunition within the UNPoA continues to be a sticking point. As many member states pointed out during both formal and informal negotiating sessions, ammunition is what makes SALW powerful. Yet some states continue to try to exclude it from the discussions, making an artificial distinction between the weapons themselves and the ammunition that makes them function.

Another contentious issue is developing an annex to the ITI to take into account the vast changes in weapons technology since its adoption, including modular and polymer weapons and 3-D printing. Early in the deliberations, a substantive proposal for an annex received strong support from many states. This proposal was weakened in the negotiating process, and the final text only

refers to considering a proposal for an open-ended working group of technical experts to address “challenges and opportunities of such technologies”. Although the final document did not specifically call for an annex, it did suggest many ways that states could begin addressing the emerging challenges.

States’ commitments to the UNPoA’s reporting requirements remain uneven. As of late August 2021, 91 states had submitted their biennial **reports on UNPoA implementation**; 126 countries have provided their **national points of contact**.

The annual omnibus First Committee resolution on SALW is adopted by consensus. While reporting can be a far more complicated task than identifying points of contact, the countries that annually support this resolution should be able to identify a point of contact for this important instrument. (For an analysis of SALW-related resolutions from the 2020 First Committee session, please see the relevant chapter in this edition of the **2020 First Committee Monitor**.)

Last year it seemed as though the delay in BMS7 would give time for the Group of Governmental Experts on Problems Arising from the Accumulation of Conventional Ammunition Stockpiles in Surplus (GGE) to complete its work before the July 2021 meeting. Unfortunately, the GGE’s work was also slowed by COVID-19 constraints, and it is expected to have its last meeting in September 2021.

Recommendations

During First Committee, delegations should:

- ➔ Demonstrate their commitment to the full and effective participation of women in the UNPoA process by ensuring parity in their delegations’ leadership and composition, as well as their presentations;
- ➔ Support resolutions containing gender-focused measures to prevent, curb, and eradicate SALW proliferation and violence;²

- ➔ Share comprehensive reports on their progress on meeting their RevCon3 commitments, especially if they were unable to do so before BMS7;
- ➔ Ensure that any resolutions on BMS8 set a broad mandate for the meeting;
- ➔ Recognise that the vast majority of deaths and injuries due to SALW use occur in violence and crime, not in armed conflict; and
- ➔ Ensure that civil society is able to participate fully, whatever format is chosen for First Committee proceedings, with the presumption that meetings will be open as the default procedure.

Beyond First Committee, states should:

- ➔ Ensure that they continue to make progress in implementing their commitments from BMS7 and RevCon3, and prepare reports to be considered at BMS8;
- ➔ Act unilaterally or in regional groups to implement more ambitious standards than agreed at the biennial meetings or the review conferences;
- ➔ Implement all of the Sustainable Development Goals (SDGs) that are related to arms control issues, not limiting efforts to SDG 16.
- ➔ Take advantage of and further develop synergies among the UNPoA, the Firearms Protocol, and the ATT. For example, states could:³
 - utilise UNPoA provisions on recordkeeping, end-user certification, prevention of diversion, stockpile safety and security, and provision for destruction of surplus weapons and weapons that remain when conflicts end, to strengthen the implementation of other relevant instruments; and



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- apply the criteria, guidelines, and prohibitions in the ATT to help bring more of the international trade in conventional weapons, including SALW, into compliance with international human rights and humanitarian law.
- ➡ Demonstrate that they mean it when they say that civil society is an important partner in these efforts, by:
 - including civil society representatives on national delegations,
 - fully integrating civil society representatives into the work to reduce the human costs of armed violence,
 - ensuring diverse leadership from survivors, youth, and other traditionally underrepresented groups, and
 - committing to increasing funding for civil society's work to raise awareness of these issues.

Author: Dr. Natalie Goldring



1 Ambassador Martin Kimani (Kenya, BMS7 Chair) and Ambassador Jean-Claude Brunet (France, RevCon3 President) both deserve credit for refusing to reduce their respective outcome documents to the least common denominator.

2 For additional information, analysis, and recommendations on these issues, see “[A Call to Action by Civil Society Organisations on Gender and Small Arms Control](#),” April 2021, and “[Room For Improvement: An analysis of ‘gender considerations’ in the 2020 Programme of Action national reports](#),” IANSA/WILPF Briefing Paper, July 2021.

3 See also “[Quick Guide to the Results of the 2018 Review Conference on the Illicit Trade in Small Arms and Light Weapons](#),” IANSA, revised April 2019.

International arms trade

Control Arms

Background

With 50 ratifications achieved in only 21 months, the Arms Trade Treaty (ATT) is one of the swiftest UN multilateral treaties to become international law. Seven years on, the Treaty has 110 states parties and 31 signatory states, a strong institutional framework, including the ATT Voluntary Trust Fund, and numerous resources and guidance documents in support of its implementation.

As these implementation efforts have broadened and intensified over seven years, we expected to see a reduction in irresponsible international arms transfers. Yet, exports of arms continue to reach countries where a high risk of misuse persists. For instance, despite documented violations of international human rights and humanitarian law, arms exports to Saudi Arabia and the United Arab Emirates (UAE) for use in Yemen continued over the past year, including from ATT states parties like France, Spain, and Italy. Two ATT states parties—the United Kingdom and Canada—had previously suspended arms sales to the Saudi-led coalition active in Yemen but then resumed their transfers in 2020, despite the COVID-19 pandemic. Similarly, illicit and irresponsible arms transfers continue to fuel conflicts in Libya and Palestine and terrorism in the Sahel and the Great Lakes regions of Africa.

Armed violence, including gender-based violence (GBV) has also increased since the beginning of the COVID-19 pandemic. For instance, homicides in Mexico [rose to record levels in early 2020](#) while gang-related shootings in Jamaica reached the country's highest rate at [46.5 per 100,000 people](#). The dramatic rise in criminal violence in this

region is facilitated by the illicit proliferation of arms. Though initially transferred legally, arms exported to Latin America and the Caribbean can be diverted to the illegal market due to ineffective national stockpile security, theft, corruption or unauthorised sales by private security companies.

These brief examples point to the fact that despite the tremendous progress achieved so far, to make a difference, ATT states parties must continue to take tangible steps toward the effective implementation of the Treaty at the national level, including establishing robust national control systems, adopting comprehensive national control lists, and developing rigorous risk assessment processes.

Current context

This year, the Seventh Conference of States Parties to the ATT (CSP7), presided over by Ambassador Lansana Gberie of Sierra Leone, took place on 30 August-3 September, in a hybrid format. While virtual diplomacy has serious limitations, the combination of an online and in-person format used in the CSP7 cycle this year enabled a significant increase in levels of transparency in the ATT process in comparison to 2020 and ensured access and inclusivity of a broad range of ATT stakeholders.

Ambassador Gberie dedicated his CSP7 presidency to “Strengthening efforts to eradicate the illicit trade in small arms and light weapons and ensure efficient stockpile management”. Through his [working paper](#), the CSP7 president sought to firmly link ATT implementation efforts to the global framework for arms control, non-proliferation,



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and disarmament. In doing so, he aimed to strengthen cooperation and information exchanges among states in order to prevent diversion in the post-delivery phase, including through stockpile security and management. For instance, one of the key recommendations contained in the paper is for states parties to provide information on their national practices relating to “mitigating measures” in the context of article 7.4 on GBV prevention, including related to stockpile security. This recommendation bridges efforts already underway in the ATT process and in other multilateral fora, including the UN Human Rights Council, the Women, Peace and Security Agenda, and the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).

Public, comprehensive, accurate and timely reporting is essential to mitigating the risks

associated with the international arms trade and serves as a confidence-building measure that can strengthen international cooperation and assistance.

Despite reporting being one of the cornerstones of the Treaty, compliance with Treaty reporting obligations continues to decline. Analysis from this year’s edition of the Control Arms’ [ATT Monitor 2021 Report](#) indicated that less than half of states parties have fulfilled all of their ATT annual reporting requirements in any given year. More worrisome still is that the percentage of meaningfully transparent reports fell from 46 per cent to 30 per cent over the 2015–2019 period. This decline in compliance with reporting, along with a trend toward private reporting,¹ hinders the ability to assess the Treaty’s effectiveness and facilitate confidence building, accountability, and cooperation, which, in turn, weakens the Treaty’s transparency objective.

This year, the ATT’s Working Group on Transparency and Reporting (WGTR) continued to pursue ways to address challenges to ATT reporting, including the adoption at CSP7 of revised templates for ATT annual and initial reports. These revisions include²:

- Formatting changes, including adjustments to the ways in which questions are phrased in order to clarify the type of information being sought, standardize responses and make answers comparable;
- Updates to existing language to facilitate a better understanding of what information is being sought and encourage the provision of more comparable data; and
- Additional elements that address specific areas originally omitted from the templates to allow for a better understanding of good practice for Treaty implementation.

These amendments are an important step towards improving the ability of states parties to submit timely, accurate, and complete reports, which supports confidence-building and opens space for more meaningful contributions to transparency.

Recommendations

During First Committee, delegations should:

- ➡ Support the resolution that calls for strong and effective ATT implementation;
- ➡ Highlight and challenge arms transfers that violate or appear to violate the ATT; and
- ➡ Utilise all opportunities to promote the universalisation of the ATT.

Beyond First Committee, states should:

- ➡ Adopt the highest possible standards and establish the most rigorous possible practices when implementing the ATT;
- ➡ Share information regarding arms transfer decisions, in particular regarding the articles 6 and 7 risk assessment processes;
- ➡ Consider stockpile security in the context of mitigation measures and when assessing the risks of diversion of arms transfers;
- ➡ Commit to timely, accurate, comprehensive, and public reporting; and
- ➡ Engage in the ATT process by actively participating in the ATT working group and preparatory meetings as well as in the CSPs.

Authors: Raluca Muresan and Cindy Ebbs



1 In 2021, 13 states parties (28 per cent) chose to keep their 2020 annual reports private. By comparison, 17 per cent of reports submitted on time in 2019 were private. For more information, please refer to the ATT Monitor 2021 Report, <https://attmonitor.org/en/the-2021-report/>.

2 For more information on the ATT reporting templates and an analysis of proposed amendments please see Arms Trade Treaty Baseline Assessment Project, “The ATT Reporting Templates: Challenges and Recommendations”, 2020, http://www.armstrade.info/wp-content/uploads/2014/10/Reporting-Templates-Challenges-and-Recommendations_Web-Version.pdf.



Outer space

Project Ploughshares

Background

Our world depends on outer space. For many of the world's citizens, space capabilities are key to realising the social and economic benefits of the 2030 Agenda for Sustainable Development. But peaceful and equitable use is threatened by growing military competition in space.

The 1967 Outer Space Treaty bans the deployment and use of weapons of mass destruction in space, but says nothing about conventional weapons. Neither does it bar the "peaceful" (passive) military use of space.

Today, a growing number of militaries rely on space-based capabilities and more states are dedicating new military units and forces to warfighting in space. At least three states have conducted ground-based anti-satellite tests. In 2020, [allegations](#) were made that a "projectile" had been fired from a space-based system.

Armed conflict in space would make the entire domain a battlefield and jeopardise all uses and users—civilian and military. Consequences of force, such as debris and other harmful environmental effects, would be indiscriminate and catastrophic. Such conflict could quickly include nuclear weapons and cyber security.

We need to preserve outer space as a peaceful, shared domain of global activity—now.

Current context

Support for the annual UN General Assembly First Committee resolution "Prevention of an arms race in outer space" (PAROS) is almost

universal. But states do not agree on where to go from there. Institutional inertia is one impediment. The Conference on Disarmament, with primary responsibility for negotiations on PAROS, has long been deadlocked. At the UN Committee on the Peaceful Uses of Outer Space (COPUOS), some members insist that its mandate precludes discussion of security-related issues.

Substantive divisions create more obstacles. Should the focus be on capabilities in space or behaviours? Should a new instrument be legally binding or voluntary? Efforts on a new treaty have stalled. The UN Group of Governmental Experts (GGE) on Further Practical Measures for the Prevention of an Arms Race in Outer Space did not produce a consensus report in 2019. Nor is there consensus on an annual resolution on transparency and confidence-building measures (TCBMs) in space activities. Support for a political declaration not to be the first to deploy weapons in space is far from universal.

In 2020, the United Kingdom (UK) started a new conversation on PAROS [with resolution 75/36](#) "Reducing space threats through norms, rules and principles of responsible behaviours." It called on states to characterise activities "that could be considered responsible, irresponsible or threatening" and share ideas on developing norms of responsible behaviour. This open-ended discussion was intended to help the international community "reach a common understanding of how best to act to reduce threats to space systems in order to maintain outer space as a peaceful, safe, stable and sustainable environment." This first step would herald formal discussions that could lead to "further consideration of legally binding

instruments in this area.” The resolution was strongly supported at First Committee.

Engagement since has been encouraging. Thirty member states, plus the European Union, have made formal **submissions** to the UN Secretary-General (UNSG). International institutions and civil society have also responded. A summary of responses in a **report** by the UNSG illustrates the issue’s complexity, but also indicates **shared concerns**: space debris, potential deployment and use of anti-satellite weapons, the use of force or other destructive activities in space, disruptions to critical or military space systems, using multipurpose capabilities or operations without sufficient transparency, and misleading information or lack of information about space objects and activities.

Next, the UK intends to table a resolution to create an Open-Ended Working Group to consider threats and recommend norms, rules, and principles of responsible behaviour in space.

Recommendations

During First Committee, delegations should:

- ➡ Highlight the importance of preventing an arms race and escalation of armed conflict in space;
- ➡ Re-establish consensus on a resolution to strengthen TCBMs related to space activities;
- ➡ Build on shared interests and existing commitments that restrict military activities that intentionally create debris;
- ➡ Condemn anti-satellite tests and the development of weapons to be placed in orbit or any system to be used to damage or destroy space-based assets;
- ➡ Pledge not to use any space- or ground-based capabilities, whether exclusively military or multi-use, to deliberately damage or destroy space assets;

➡ Indicate support for a negotiated treaty to prevent an arms race in outer space and for initial voluntary measures to that end; and

➡ Reiterate the status of outer space as a shared, global commons.

Beyond First Committee, states should:

- ➡ Refrain from testing and deploying space-based weapons or weapons that target space-based assets;
- ➡ Refrain from deliberate activities that could create space debris;
- ➡ Refrain from intentionally damaging critical infrastructure linked to space-based systems;
- ➡ Implement recommendations detailed in the 2013 report of the Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities (see A/68/189);
- ➡ Ratify and implement the collection of outer space treaties;
- ➡ Adhere to and strengthen existing tools that support security and sustainability in space, including The Hague Code of Conduct against Ballistic Missile Proliferation, the Missile Technology Control Regime, Guidelines for the Long-term Sustainability of Outer Space Activities, and the Space Debris Mitigation Guidelines; and
- ➡ Enhance synergies and cooperation between First Committee and other relevant UN bodies, including COPUOS, the Conference on Disarmament, and the Disarmament Commission.

Author: Jessica West



Cyber peace and security

Women's International League for Peace and Freedom

Background

The terms cyber or digital security have come to include an ever-widening spectrum of activities. These include espionage, surveillance, privacy intrusions, denial-of-service attacks, ransomware, and malware operations, among others, that variously impact states and individuals, and that can either target or utilise information and communications technology (ICT). Many of these activities can disrupt, disable, or destroy vital physical infrastructure or national or human security and well-being. Such operations have been used by states to cause disruption or confusion in other countries and to control or repress human rights.

ICTs have been on the First Committee's agenda since 2004, when a Russia-led resolution established a first Group of Governmental Experts on the subject.¹ The closed and limited format of the GGEs led to calls for the establishment of other more inclusive bodies. In 2018, the First Committee established a sixth GGE and for the first time, an Open-Ended Working Group (OEWG). The two entities had similar yet not identical mandates. The creation of two similar bodies was against the preference of most UN member states; they emerged as a result of friction between the United States and Russia, each of which sponsored the respective resolutions establishing the separate fora.

Friction returned during the 2020 First Committee, when Russia tabled a resolution to establish a second OEWG for 2021–2025. Many states objected on the basis that it was premature to agree to this before the first OEWG could complete work, but ultimately the resolution was adopted by vote.

The original timeline for the first OEWG (OEWG I) and the sixth GGE (GGE VI) were greatly impacted by the pandemic. OEWG I held two pre-pandemic substantive sessions, as well as a three-day informal OEWG multi-stakeholder session. Following the start of the pandemic, the OEWG I Chairperson, Ambassador Lauber of Switzerland, convened a series of online informal consultations in the lead up to the final substantive session. This session was rescheduled to March 2021 and held in a hybrid format. Some consultations were open to non-governmental stakeholders, while other external input opportunities had to be convened due to restrictions on access. OEWG I adopted a consensus report that largely reaffirms the *acquis* and was welcomed as a win for diplomacy, although states noted this came with concessions on all sides.

GGE VI was comprised of 25 members and was chaired by Ambassador Patriota of Brazil. It also agreed to a consensus report in May 2021. Much of this report provides guidance for how to implement the UN cyber norms.

OEWG II held an organisational meeting in June 2021. Decisions on a few key modalities, including civil society participation, are outstanding but a substantive session is tentatively scheduled for December 2021. It will be chaired by Ambassador Burhan Gafoor of Singapore.

There is also increased momentum for establishing a UN programme of action on cyber security, although the timeline for doing so is unclear at present.

Current context

It looks plausible that cyber will again be a lightning-rod issue during the 2021 First Committee session. At the time of writing, there are reportedly six related draft resolutions that may be tabled, although it is feasible these could be condensed or withdrawn. These are all being tabled by states that have significant tensions between them already, including because of their real-world cyber operations against one another.

China is considering two new resolutions. One is essentially an expansion of its own **Global Initiative on Data Security** and would set out related commitments for member states. The second is about “promoting international cooperation on peaceful uses [of technology]” including through the establishment of an OEWG and report from the UN Secretary-General (UNSG) on the feasibility of establishing global arrangements for non-proliferation related export control and international cooperation. This may overlap somewhat with an annual resolution on the “**role of science and technology in the context of international security and disarmament**”.

The US may table two resolutions. One would reaffirm the work of GGE VI and welcome its final report. The other would reaffirm GGE and OEWG I outcomes and call on states to build on them. The first resolution may be procedurally necessary and somewhat linked to the mandate given to the UNSG to report back on the GGE during the General Assembly’s 76th session. Otherwise, they could potentially be merged.

However, Russia has circulated a draft resolution that recognises the two reports and welcomes OEWG II. What might be controversial here is an over-emphasis in the current draft text on the potential for OEWG II to elaborate “concrete agreements” of responsible behaviour, including “additional legally binding

obligations”. A majority of states are skeptical of a legal instrument.

Recommendations

During First Committee, delegations should:

- ➡ Speak out against hostile and provocative actions in cyberspace and the militarisation of technology, and speak in favour of cyber peace, human rights, and human security; and
- ➡ Articulate views and priorities for OEWG II, including for the full inclusion of civil society in its future meetings.

Beyond First Committee, states should:

- ➡ Halt the development and use of offensive cyber capabilities, strategies, and doctrines;
- ➡ Adhere to the agreed norms for state behaviour in cyberspace and establish accountability mechanisms;
- ➡ Work cooperatively to build on the outcomes of the GGE, OEWG, and non-UN normative frameworks;
- ➡ Support technical capacity building to build cyber resilience; and
- ➡ Refrain from undertaking or facilitating any repression of human rights or freedoms through digital means.

Author: Allison Pytlak



¹ The GGE's substantive reports—in particular those adopted in 2013 and 2015—outlined several important agreements concerning the applicability of international law to cyber space, and the articulation of several norms for state behaviour in this area. These agreements are now described within the UN system as the *acquis* and are largely accepted as the basis of a normative international cyber security framework.

Gender and disarmament

Women's International League for Peace and Freedom

Background

Incorporating gender into disarmament processes and discussions is not just about adding women. It's about examining how socially constructed norms about gender—how people are expected to behave, look, and be based on perceptions of sex, sexual orientation, and gender identity—affect our thinking about weapons, war, peace, and disarmament.

These concepts are coded with **gender norms**. The dominant discourse tends to perpetuate social constructions of men who are violent and powerful and women who are vulnerable and need to be protected. The framing of war and violence as “strong” and “masculine” is often coupled with a framing of peace and nonviolence as “weak” and “feminine”. In this context, weapons are typically seen as important for security, power, and control while disarmament is treated as something that makes countries weaker or more vulnerable.

Changing these norms can be aided by increasing **gender diversity in disarmament**. There is a stark disparity in the level and volume of participation of men as compared to women and nonbinary people in disarmament and arms control discussions, negotiations, and processes. Research has shown that at any given intergovernmental meeting on disarmament, only about one quarter of participants are likely to be women and that almost half of all delegations are likely to be composed entirely of men. This has a direct impact on what voices and perspectives are privileged in conversations about weapons and international security, including which are considered credible.

Yet women, nonbinary, and LGBTQ+ people often suffer **disproportionate or differential harm from the development**, use, and trade of weapons. Men tend to make up the majority of direct victims of armed violence and armed conflict. Sometimes, they are targeted for being men, which constitutes gender-based violence (GBV). But women, girls, nonbinary, and LGBTQ+ people often suffer harm from weapons disproportionate to the number of those directly involved in conflict or violence. That is, while they are less likely to wield weapons, they are still harmed by weapons. Further, they are more likely to be targeted for acts of GBV, experience differential impacts from the destruction of cities and towns, and may also face social and political inequalities and pressures, including in relation to access to survivor assistance or participation in peacebuilding or post-conflict reconstruction.

An **intersectional feminist approach** to disarmament also recognises that gender does not stand alone. Inequality based on sex, gender, sexuality, race, ethnicity, religion, (dis)ability, class, and more intersect with each other, generating various experiences and perspectives of oppression. In addition, intersectionality recognises that “adding women” is insufficient to challenge gender norms or diversity perspectives. Real diversity is not just about adding bodies into rooms but about creating space for non-hegemonic ideas, imaginations, experiences, and perspectives to change policy and practice.

Current context

The interest in the topic of “gender and disarmament” continues to grow in international

forums. At last year's First Committee, 18 of the adopted resolutions (25 per cent) include gender references by advocating for women's equal participation, recognising gendered impacts of weapons, and/or urging consideration of gender perspectives more broadly. Due to COVID-19 restrictions thematic statements were not delivered in 2020, so the annual joint statement on gender was not issued. But in 2020, 79 countries signed the joint statement on gender.

Several disarmament processes have also raised gender perspectives in recent years:

- At the Fifth Conference of States Parties (CSP) to the Arms Trade Treaty in August 2019, states endorsed a set of recommendations related to implementing the Treaty's gender provisions, including its legally binding criterion to assess the risk of gender-based violence when making arms export decisions. One of these recommendations, relating to mitigating measures, was reinforced by a decision taken at CSP7 in 2021.
- The **Treaty on the Prohibition of Nuclear Weapons**, adopted in 2017, recognises the disproportionate impact of ionising radiation on women and girls and calls for their increased participation in nuclear disarmament.
- The Seventh Biennial Meeting of State (BMS7) to the UN Programme of Action on small arms and light weapons (SALW) **affirmed and progressed** earlier commitments relating to recognition of the gender differentiated impact of SALW; collecting sex-disaggregated data; reporting; women's participation in small arms control; and cooperation. While significant, there was pushback from some states to having gender-related provisions in the BMS7 outcome document.
- Outcomes from conferences reviewing the nuclear Non-Proliferation Treaty, Mine Ban Treaty, and Convention on Cluster Munitions have included gender dimensions. Gender is

increasingly **mainstreamed** into mine action, and civil society and a few states have raised gender concerns within meetings of the Biological and Toxin Weapons Convention.

- The latest **draft political declaration** on the use of explosive weapons in populated areas (EWIPA), currently under negotiation by states, encourages further research into gendered impacts of the use of EWIPA and calls for the amplification of the voices of those affected, including women and girls.
- Participants have recently been considering **gender perspectives** on issues related to cyber peace and security, including at the most recent **open-ended working group** on information and communications technology.
- Civil society has been working to elevate **feminist perspectives on autonomous weapon systems** and to call for gender to be considered in relevant discussions at the Convention on Certain Conventional Weapons.

These developments are very welcome and should be continued and enhanced in as many disarmament forums as possible. However, a more robust reflection of the gendered norms associated with weapons, war, and violence, is also crucial for effectively addressing the challenges associated with the proliferation and use of weapons in and out of conflict. An intersectional approach that recognises the implications for disarmament and international security of other inequalities is essential.

Recommendations

During First Committee, delegations should:

- ➡ Welcome the gender perspectives included in recent forums and documents, and commit to advancing the goals contained therein;
- ➡ Ensure that gains made on gender in previous First Committees are maintained and expanded;

- ➔ Collaborate to make First Committee resolutions more gender-transformative;
- ➔ Ensure gender and other forms of diversity in disarmament discussions and negotiations; and
- ➔ Share their experiences with ensuring gender perspectives in disarmament policies and initiatives.

Beyond First Committee, states should:

- ➔ Avoid gender essentialisms, gender binaries, and reinforcement of violent masculinities in resolutions and action plans on disarmament and arms control;
- ➔ Effectively implement and report back on agreed provisions related to gender diversity, gender perspectives, and against gender-based violence from relevant agreements;
- ➔ Seek to ensure gender and other forms of diversity in disarmament and arms control discussions, negotiations, and peace processes, with an emphasis on amplifying perspectives of those affected by armed violence, including racialised and marginalised people and women, non-binary, and LGBTQ+ people;
- ➔ Continue to research and assess the specific impact that weapons, armed conflict, and armed violence have on diverse populations, including through the collection of sex- and gender-disaggregated data; and
- ➔ Invest in social equality, economic justice, and other human rights instead of militarism.

Author: Ray Acheson





Protection of the environment in relation to armed conflicts

Conflict and Environment Observatory and PAX

Background

Civilians and ecosystems have continued to bear the direct and reverberating effects of conflict-related environmental degradation during the past year. Minimising the environmental and derived humanitarian consequences of conflicts, identifying and responding to the environmental drivers of insecurity, and using the environment to build and sustain peace are three components of the growing **Environment, Peace and Security** agenda (EPS).

States should continue to mainstream this developing agenda during the 76th Session of the UN General Assembly. Alongside the opportunities to do so in the First Committee that are outlined below, there is also scope for wider activities both within the UN system and in other international processes.

Current context

Consideration of the EPS agenda has continued to grow in the UN Security Council. This includes high-level open debates on climate and security,¹ and the “**Humanitarian effects of environmental degradation on peace and security**”, and the inaugural meeting of the Council’s Informal Expert Group (IEG) on Climate and Security. The IEG meets to discuss operational tools to address environmental and climate risks in situations on the Council’s agenda.²

The UN secretariat and states have also raised environmental concerns in country-specific and thematic debates and briefings. For example, the Council emphasised the environmental and humanitarian risks posed by the FSO Safer oil tanker off the coast of Yemen in [Resolution 2564](#) in February 2021, and attacks on water facilities as part of the protection of critical civilian infrastructure in [Resolution 2573](#). States also highlighted the impact that conflict-related environmental degradation can have on the Protection of Civilians (PoC) in both the **formal debate** and **side events**. Similarly, the UN Secretary-General again underscored the risks that environmental degradation poses to civilians in conflict situations such as Iraq, Syria, Yemen and Nigeria in his [annual report](#) to the Council on PoC.

In September 2020, the International Committee of the Red Cross (ICRC) published its updated [*Guidelines on the Protection of the Natural Environment in Armed Conflict*](#), which set out rules and recommendations relating to the protection of the natural environment under international humanitarian law (IHL). The guidelines should be welcomed by states as an opportunity to [reflect on and improve their military practice](#). However, they should be viewed as a normative floor, rather than a ceiling, and national implementation is crucial.

The COVID-19 pandemic set back the deadline for states to provide written views on the International Law Commission’s (ILC) 28 draft principles on the [*Protection of the environment in relation to armed conflicts*](#) (PERAC) to June



Photo by Bet Jnr on Unsplash

2021. The second reading of the PERAC principles will take place in mid-2022, prior to their adoption by the UN General Assembly next Autumn. States supportive of efforts to minimise the environmental costs of conflicts should begin **working with civil society now** to ensure that the PERAC principles reach their full potential. They should also engage with the process to help plug the **remaining gaps** in the principles and their commentaries.

Delegations wishing to contribute towards mainstreaming the EPS agenda in the First Committee can do so by better articulating the environmental dimensions of the issues on its agenda in their statements and interventions.

For example, during the past year there have been growing calls from states, international organisations and civil society for the draft political declaration on the use of explosive weapons in populated areas to better address the environment. These have highlighted the direct impact of explosive weapons on the environment, the environmental health risks their use creates for civilians, and the long-term environmental legacy created by managing conflict debris and rebuilding urban areas.³

With the Security Council debating the influence of climate change on security, the First Committee should begin to consider how militarism itself contributes to climate change. As the First Committee meets ahead of November's COP26 meeting in Glasgow, its 2021 session should prioritise the need to address the chronic and inexcusable **underreporting of military greenhouse gas emissions**. By August 2021, **90 organisations** had backed a call on states to commit to meaningful emissions cuts and greater transparency at COP26. States should also draw attention to the impact of conflicts on environmental governance, which leaves fragile and conflict-affected states unable to implement policies to mitigate or adapt to climate change, in turn increasing the **vulnerability of civilians**.

Humanitarian mine action could **play a role** in addressing both climate change and the biodiversity crisis, and states should examine how post-clearance land release could prioritise climate and biodiversity-sensitive projects that help enhance human security.

Finally, the entry into force of the Treaty on the Prohibition of Nuclear Weapons provides an opportunity for states and civil society to set high standards for its positive obligations on **victim assistance** and **environmental remediation**. States should foreground these progressive elements of the treaty during the First Committee, and their potential for addressing the environmental and humanitarian legacy of nuclear weapons testing.

Recommendations

During the First Committee, delegations should:

- ➡ Ahead of COP26, draw attention to military contributions to the climate emergency and the need for meaningful pledges to transparently report on and cut military greenhouse gas emissions; and
- ➡ Commit to fully articulating the environmental dimensions of the topics on the First Committee's agenda.

Beyond First Committee, states should:

- ➡ Raise concerns over the environmental dimensions of armed conflicts in national interventions in all relevant debates and briefings across the UN system, including within the UNSC, UN Human Rights Council, and cross-cutting bodies like the Peacebuilding Commission.

- ➡ Engage with the ILC study on the Protection of the environment in relation to *armed conflicts* in the Sixth Committee, and support the adoption and implementation of its draft principles in Autumn 2022;
- ➡ Adopt, implement, and promote the revised ICRC *Guidelines on the Protection of the Natural Environment in Armed Conflict*;
- ➡ Call for greater attention to the environmental consequences of the use of explosive weapons in populated areas in Ireland's draft political declaration; and
- ➡ Advocate for the highest possible standards of victim assistance and environmental remediation under the Treaty on the Prohibition of Nuclear Weapons at the first Meeting of State Parties in early 2022.

Authors: Doug Weir and Brittany Roser



1 See the Open Debate on Maintenance of international peace and security: Climate and security available via the UN Security Council Open VTC, 24 July 2020, <https://media.un.org/en/asset/k1h/k1hn443o70>; Open Debate on Maintenance of international peace and security: Climate and security – UN Security Council Open VTC, 23 February 2021, <https://media.un.org/en/asset/k1d/k1dh7ykxr1>.

2 This has already included appointing an Environmental Security Advisor and launching Environmental Standard Operating Procedures in the African Union Mission in Somalia. See: African Union Mission in Somalia, AMISOM launches environmental Standard Operating Procedures, <https://amisom-au.org/2020/08/amisom-launches-environmental-standard-operating-procedures/>.

3 See “Exploring environmental harm from explosive weapons in populated areas,” PAX, 2020 <https://blogs.paxvoorvrede.nl/2020/05/28/exploring-environmental-harm-from-explosive-weapons-in-populated-areas>; or “Comments on the draft political declaration on explosive weapons in populated areas,” CEOBS, 2021, https://www.dfa.ie/media/dfa/ourrolepolicies/peaceandsecurity/submissions3-5march/CEOBS_proposed_amends_EWIPA_dec_draft_290121.pdf.



Disarmament and development

Women's International League for Peace and Freedom

Background

There are many direct and indirect links between military expenditure, the arms trade, violent conflict, and the reduction of available resources for social and economic development. These relationships are compounded by problematic “development” frameworks, which can perpetuate capitalist exploitative economic systems dictated by the Global North. Governments that spend excessive financial, technological, and human resources on militarism, weapons, war, and extraction divert resources from economic, social, and environmental programmes that are necessary to ensure human well-being and ecological regeneration.

National military-industrial complexes absorb vast amounts of funding that could otherwise be spent on human security, including the achievement of the Sustainable Development Goals (SDGs).¹ Militaries are among the greatest polluters and consumers of resources. In addition, ever-increasing military expenditure stands in stark contrast to the lack of investment in social infrastructure and environmental regeneration. This creates unequal access to resources and further impedes poverty reduction initiatives.

Article 26 of the UN Charter tasks the UN Security Council to create a plan for the regulation of armaments and reducing military expenditure—a task it has not just neglected but vigorously undermined with its permanent members’ excessive military spending, rampant arms trading, and engagement in and facilitation of conflicts worldwide. The UN General Assembly (UNGA) has tried to grapple with the connections between disarmament and development for the past four decades. The International Conference on the Relationship

between Disarmament and Development in 1987 adopted an action plan that included commitments to allocate resources released by disarmament to development and to consider reducing military expenditure. This followed an in-depth study by the UN in 1982 that set out the negative impacts of a large military sector on long-term economic growth and the structural changes required for economic development. The 1992 Rio Declaration, Agenda 21, and the 1995 Beijing Declaration and Platform for Action contained commitments on innovative finance, including reallocating military resources toward sustainable peace.

Current context

The world continues to face the worst public health and economic crisis in a century. The crisis is affecting all countries, although impacts are distinct across regions and different groups of societies, exacerbated by unequal access to vaccines and health care services. The health and socioeconomic repercussions of COVID-19 are posing significant setbacks to the achievement of the SDGs and sustainable development more broadly, and the long-term consequences of the pandemic remain uncertain at this point. Impacts of COVID-19 exacerbate humanitarian catastrophes in conflict-affected countries but also aggravate armed violence in non-conflict settings.

Yet, total world military expenditure rose to an estimated US \$1981 billion in 2020, an increase of 2.6 per cent from 2019, the highest number ever recorded. Against the backdrop of extreme hardship all over the world, deepening inequalities, lack of adequate health care services, intensified armed violence, and other major challenges to

sustainable socioeconomic development, the rise in military expenditure is unconscionable.

Reducing military spending and armed violence can be a catalyst for achieving the SDGs and their targets. Target 16.4 seeks to reduce illicit arms flows, which could be accomplished via robust implementation of the UN Programme of Action on small arms and light weapon (UNPoA) and the Arms Trade Treaty (ATT). The fulfilment of obligations relating to women, gender, sexual violence, and gender-based violence that are included in treaties such as the ATT or the Treaty on the Prohibition of Nuclear Weapons would also help advance SDG 5 on gender equality, as reaffirmed by the [UN Secretary-General's 2018 Agenda for Disarmament](#).

But silos remain between efforts for disarmament and development. This undermines the transformative intent of the 2030 Agenda. In 2019, when the [High-Level Political Forum \(HLPF\)](#), the main accountability platform for the SDGs, reviewed SDG 16, only a handful of states [made references](#) to disarmament. At the 2020 HLPF, impacts of armed conflict and violence on sustainable development were largely missing from discussions, and key issues such as disarmament were “[completely absent](#)”. The trend [continued](#) in 2021 when SDG 16 was reviewed again. The HLPF’s [Ministerial declaration](#) includes but one reference to arms, committing to “significantly reduce by 2030 illicit ... arms flows”.

The UNGA should ensure increased coordination between disarmament efforts and the 2030 Agenda. It could commission a new study on military spending, following a similar approach to the 1982 report, providing recommendations for reducing military expenditure and arms production and redirecting resources to just and equitable development. The UNGA First Committee could also work to implement practices or policies related to increasing the participation of lower-income countries in disarmament forums.

1 See for example Nan Tian, Diego Lopes da Silva and Alexandra Kuimova, “Military spending and the achievement of the 2030 Agenda for Sustainable Development,” and Ray Acheson and Madeleine Rees, “A feminist approach for addressing excessive military spending,” in *Rethinking unconstrained military spending*, *UNODA Occasional Papers*, No. 35, April 2020.

Recommendations

During First Committee, delegations should:

- ➡ Recognise and reinforce the specific ways in which disarmament, non-proliferation, and arms control can advance development in a way that promotes human and planetary well-being, equality, and justice;
- ➡ Address the issue of underrepresentation of lower-income countries and regions in multilateral disarmament forums, and suggest practical measures to correct this; and
- ➡ Suggest new ways for the UNGA to effectively engage in this issue.
- ➡ Beyond First Committee, states should
 - ➡ Recognise COVID-19 as an opportunity to fundamentally change unsustainable and destructive systems that negatively impact people and the planet, including capitalism and militarism;
 - ➡ Reduce military budgets and redirect funds to social and economic development;
 - ➡ Support programmes of sponsorship, training, and capacity building;
 - ➡ Raise the visibility of marginalised lower-income countries and regions by supporting the consistent collection, monitoring, and analysis of participation data, to improve awareness and measure progress;
 - ➡ Identify how current practices in disarmament and arms control can facilitate progress toward fulfilling certain of the SDGs and build on those practices; and
 - ➡ Consider how security reform resources and initiatives can support the SDGs to achieve mutual objectives.

Author: Katrin Geyer



Youth and disarmament education

International Disarmament Institute, Pace University

Background

There is broad international consensus that disarmament has an educational dimension. During its 1982-1992 World Disarmament Campaign, the United Nations (UN) interpreted this as building political will for disarmament. In the last two decades, disarmament education has focused more on programmatic activities than public mobilisation.

Nevertheless, a [2002 report](#) by the UN Secretary-General (UNSG) on “Disarmament and nonproliferation education”(in response to a 2000 General Assembly [resolution](#)) clarified that disarmament education is not just education *about* disarmament but, most crucially, education *for* disarmament. The UNSG reports biennially on implementation of the report’s recommendations; the General Assembly passes biennial resolutions calling for ongoing implementation, attracting little opposition. Unfortunately, few states submit reports to the UNSG as requested by successive resolutions and there is little substantive programming. Education policy and practice has also changed significantly since the UNSG study.

But there are new opportunities for action. The preamble of the 2017 Treaty on the Prohibition of Nuclear Weapons (TPNW) [recognised](#) “the importance of peace and disarmament education in all its aspects.”

In 2018, the UN Security Council (UNSC) [renewed](#) its 2015 resolution “Youth, Peace and Security”. The UNSG’s report [noted](#) “young people’s essential role in peace and security” but also “structural barriers limiting” their participation, including “violations of their

human rights; and insufficient investment in facilitating their inclusion and empowerment.”

UNSG António Guterres specifically addressed disarmament education as a contribution to Sustainable Development Goal (SDG) target 4.7 (including “promotion of a culture of peace and non-violence”) in his 2018 agenda for disarmament, [Securing Our Common Future](#). The following year the United Nations Office for Disarmament Affairs (UNODA) launched its [Youth4Disarmament initiative](#), which has built a network of young people interested in disarmament through events, training opportunities, [a website](#), and social media.

Current Context

In 2019, the General Assembly unanimously adopted its first resolution “[Youth, disarmament and non-proliferation](#),” calling for “meaningful and inclusive participation of young people in discussions ... of disarmament and non-proliferation.” Last year, the General Assembly aligned the latest biennial resolution “[Disarmament and non-proliferation education](#),” with the Youth and disarmament resolution and [Securing Our Common Future](#).

In a 2020 joint civil society [statement](#) to the First Committee, Pace University student Cindy Kamtchoum noted that “youth” are not a homogenous group, coming “to disarmament work through social movements” addressing “intersecting issues of racism, exploitation, disability, LGBTQIA rights, the environment, gender-based violence, and the rights of Indigenous Peoples.” One of the “most powerful ways to bolster” disarmament education, she said, “is to combine it with

tangible action,” including on the “climate catastrophe.” Kamtchoum drew attention to the “overwhelming effects of COVID-19” as “a major challenge for ... disarmament education.”

The 2021 **Seoul Youth Declaration for Disarmament and Non-proliferation**, adopted at a global youth meeting hosted by Republic of Korea and UNODA, acknowledged “the fundamental importance of youth-led disarmament education.” It called for a Youth Empowerment Fund, a youth quota and “incorporating the perspective of youth” in policy discussions. The Declaration urged leaders to ensure “equitable, full and effective participation of all genders” and “gender-responsive disarmament education.”

Republic of Korea will again sponsor its biennial youth and disarmament resolution in First Committee in 2021. Other upcoming policymaking opportunities include the nuclear Non-Proliferation Treaty (NPT) Review Conference and TPNW First Meeting of States Parties.

Recommendations

During First Committee, delegations should:

- ➡ Support the “Youth, disarmament and non-proliferation” resolution, strengthening it by:
 - Incorporating recommendations of the 2021 Seoul Youth Declaration and 2020 joint civil society statement, particularly those regarding diversity, equity, and inclusion;
 - Drawing linkages between youth, disarmament, and other pressing issues such as climate action; and
 - Addressing concerns raised by the COVID-19 pandemic.
- ➡ Call on member states, international organisations, civil society, and educational institutions to make submissions to UNODA for the 2022 UNSG report on implementation of the 2002 study;

➡ In their statements, highlight the importance of disarmament education and its relevance to SDG 4 on education and SDG 16 on peace and justice; honour the crucial role of hibakusha, survivors, civil society, educational institutions and youth in disarmament; welcome UNODA’s Youth4Disarmament initiative, and the inclusion of peace and disarmament education in the preamble of the TPNW; report on their government’s disarmament education initiatives, including efforts to engage youth; and

➡ Vote in favour of any resolution(s) calling on states to join the TPNW.

Beyond First Committee, states should:

- ➡ Include language on disarmament education and youth in outcome documents of both the NPT Review Conference and TPNW Meeting of States Parties;
- ➡ Provide funding and institutional support to peace, disarmament, and non-proliferation education;
- ➡ Take advantage of the UN World Disarmament Campaign’s 40th anniversary and 20th anniversary of the UNSG study on disarmament education to call for a renewed Campaign and new UNSG study in any 2022 First Committee resolution on disarmament education;
- ➡ Make a submission to UNODA for the 2022 report on their support for peace, disarmament, and non-proliferation education; and
- ➡ Implement peace, disarmament, and non-proliferation education in ways that are sensitive to intersectional marginalisation; for instance mainstreaming promotion of gender equality and building capacity of poorly-represented peoples and groups, including survivors of violence.

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Reaching Critical Will

The 2021 session of the UN General Assembly
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