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United Nations General Assembly

Signs of Change in the First Committee

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In this 60th anniversary year of the U.S. atomic bombings of Hiroshima and Nagasaki, the 60th session of the United Nations General Assembly got underway, as the Egyptian representative described it, "in an atmosphere that can at best be described as overcast, especially with regard to the issues of disarmament and international security." In the First Committee of the General Assembly, which deals with disarmament and international security, there was an almost palpable sense of urgency about the need to break out of "business as usual" in the wake of the failed 2005 NPT Review Conference and the stripping of any reference to nuclear nonproliferation and disarmament from the 2005 World Summit Outcome document.

En ce 60e anniversaire des bombardements atomiques américains d'Hiroshima et de Nagasaki, la 60e session de l'Assemblée Générale des Nations Unies s'est ouverte dans une atmosphère qui, pour reprendre les termes du représentant de l'Egypte, « peut être décrite au mieux comme chargée de nuages, spécialement au regard des questions de désarmement et de sécurité internationale ». Au sein de la Première Commission, qui s'occupe de désarmement et de sécurité internationale, il y avait un sentiment d'urgence presque palpable quant au besoin de rompre avec « la routine ordinaire » (« business as usual ») après l'échec de la Conférence de révision du TNP et l'expurgation de toute référence à la non prolifération et au désarmement nucléaires dans le document final du Sommet Mondial de 2005.

Not surprisingly the United States did not share this perspective. According to the U.S. representative: "The United States does not... share the oft-expressed view that those meetings were failures because they did not produce consensus statements. We consider more significant the fact that these meetings demonstrated overwhelming consensus on certain common goals...." He went on to emphasize the dangers of proliferation, pointing the finger at Iran and North Korea, and relegating nuclear disarmament to one short paragraph at the end of his four page opening statement which claims that the United States is fulfilling its obligations under Article VI of the NPT. He also stated that while the U.S. supports the immediate commencement of negotiations in the Conference on Disarmament on a Fissile Materials Cutoff Treaty," we oppose including verification measures in an FMCT." This would render an FMCT virtually meaningless.

On ne s'étonnera pas que les Etats-Unis ne partagent pas cette vision des choses. D'après leur représentant, « les Etats-Unis ne partagent pas... l'idée souvent exprimée que ces réunions ont été des échecs parce qu'elles n'ont pas abouti à des déclarations unanimes. Nous tenons pour plus significatif le fait qu'elles ont prouvé qu'une majorité écrasante s'entendait sur certains objectifs communs... » Il a poursuivi en soulignant les risques de prolifération, montrant du doigt l'Iran et la Corée du Nord et reléguant le désarmement nucléaire à la fin de sa déclaration liminaire de quatre pages, dans un court paragraphe proclamant que les Etats-Unis remplissent leurs obligations au titre de l'article VI du TNP. Il a aussi déclaré que les Etats-Unis soutiennent l'ouverture immédiate, au sein de la Conférence du Désarmement, de négociations sur un Traité d'Isolement des Matériaux Fissiles (Fissile Materials Cutoff Treaty), mais que « nous sommes opposés à l'introduction de mesures de vérification dans le FMCT ». Ceci rendrait un tel traité pratiquement dépourvu de sens.

In his opening statement before the First Committee on 3 October, Under-Secretary-General for Disarmament Affairs, Nobuyasu Abe quoted from Secretary-General Kofi Annan's address to the World Summit: "Twice this year - at the NPT Review Conference and now at this Summit - we have allowed posturing to get in the way of results. This is inexcusable. Weapons of mass destruction pose a grave danger to us all.... We must pick up the pieces in order to renew negotiations on this vital issue..." He added: "It falls in some large measure to this Committee to begin that task of trying to pick up the pieces and provide fresh orientations." And, he recognized the increasingly important role that civil society is playing in international forums, noting that NGOs would be present and interacting with the delegates to the First Committee. "Through these occasions," he suggested, "you may sense the outside temperature and broaden your perspective."

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The 2005 NPT Review Conference, held in New York, was unable to produce a final document because in that forum all agreements must be made by consensus - that is, agreement of all the States parties. The first 15 days of the 20 day conference were entirely taken up by procedural arguments, and in the end, the United States - focusing almost exclusively on Iran and North Korea's alleged proliferation plans - blocked any reference to the disarmament commitments made by the nuclear weapon states at the 1995 and 2000 Review Conferences. Another important multilateral negotiating forum, the Conference on Disarmament in Geneva, has similarly been blocked for the last 9 years. There again the United States is the main government blocking consensus on a Program of Work. In the General Assembly and its Committees, decisions are taken by majority vote.

On the last day of the 2005 NPT Review Conference, in an open letter to the President of the Conference, Mayor Tadatoshi Akiba of Hiroshima wrote, on behalf of Mayors for Peace: "In both Geneva and New York, we have seen countries obstruct work on crucial tasks through crass exploitation of consensus rules. By procedural means, a mere handful of countries can thwart the will of the great majority of countries. Given what is at state for humanity, this is intolerable." Mayor Akiba added: "We will be watching the Conference on Disarmament with a wary eye. Meanwhile, we believe it prudent to begin preparations for an alternative venue not hamstrung by consensus procedures."

In the Hiroshima Peace Declaration issued on 6 August 2005, Mayor Akiba made a specific proposal reflecting the next phase of the Mayors for Peace Emergency Campaign to Ban Nuclear Weapons: "[T]o ensure that the will of the majority is reflected at the UN, we propose that the First Committee of the UN General Assembly, which will meet in October, establish a special committee to deliberate and plan for the achievement and maintenance of a nuclear-weapon-free world. Such a committee is needed because the Conference on Disarmament in Geneva and the NPT Review Conference in New York have failed due to a 'consensus rule' that gives a veto to every country. We expect that the General Assembly will then act on the recommendations from this special committee, adopting by the year 2010 specific steps leading toward the elimination of nuclear weapons by 2020."

In the intervening months, Mayors for Peace and allied nongovernmental organizations and associations including the Middle Powers Initiative and the Abolition 2000 Global Network to Eliminate Nuclear Weapons, worked behind the scenes to identify governments that would be willing to take leadership in implementing the Mayors' proposal. Privately acknowledging the role of Mayors for Peace, on 5 October, Brazil, Canada, Kenya, Mexico, New Zealand, and Sweden circulated a document entitled "Draft Elements of an UNGA60 First Committee Resolution: 'Initiating work on priority disarmament and non-proliferation issues.'" The draft proposed an innovative approach to getting around the roadblock in the Conference on Disarmament and jump-starting negotiations by establishing open-ended ad hoc General Assembly committees to meet until the CD agrees on a Program of Work. Four committees would be established to address nuclear disarmament, negotiation of a Fissile Materials Cut-Off Treaty, Prevention of an Arms Race in Outer Space, and negative security assurances. This list of issues mirrors the nearly-universally agreed proposed Program of Work for the CD. The committees would meet in Geneva. An "explanatory note" circulated with the draft made clear that the resolution was intended to complement the CD and hopefully to serve as a catalyst to unblock that forum, and that participation would be open to any interested UN member State.

The draft proposal was greeted with great enthusiasm by NGOs, including the Abolition 2000 Global Network, which sent a letter to every foreign minister and UN mission urging their support for this resolution, and called on its member groups to contact their own governments. Governments too, expressed a sense of urgency about the need to find new ways forward. In her opening statement, the representative of New Zealand summed up a difficult year: "At a time when progress on disarmament and non-proliferation objectives is more important than ever, we have lost three significant opportunities to work together as a global community to improve the international security situation: the NPT Review Conference, the UN High Level Summit, and the Conference on Disarmament." And she warned, "The willingness by some states to use rules of procedure as a means to prevent progress going forward continues to be of concern.... The longer the impasse continues, the more irrelevant the CD will render itself in international mechanisms." Kenya's representative welcomed the proposal to "re-energize disarmament diplomacy at the

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Conference on Disarmament by forming Working Groups on various issues that would cease as soon as the Conference on Disarmament begins its work." She optimistically concluded: "This approach will help. We believe that political will, carefully calibrated to produce the most desirable results for all, is the silver bullet that will turn the tide."

The United States responded defensively, sending an arrogant and heavy-handed memo to national capitals. In its memo, the U.S. called the proposal "divisive," claiming, rather incredibly, that establishment of Ad Hoc Committees would "compromise our common objective of getting the Conference on Disarmament (CD) to develop a program of work." The reality that it is the U.S. that has effectively paralyzed the CD notwithstanding, the U.S. went on to predict that "... shifting CD issues to the First Committee likely will spell the end for the CD," and darkly warned, "... the supporters of this initiative would be fully responsible." The U.S. memo includes a series of sweeping unilateral declarations: "[T]he United States will NOT participate in any international body to whose establishment the United States does not agree."; "[T]he United States will not consider itself bound in any way by any agreement emerging from such a body."; and "We do not conduct negotiations on vital issues of national and global security via majority vote....This is yet another reason we would NOT participate." (emphasis in original)

Given its "on the record" response, it is not difficult to imagine that the U.S. government was threatening and bribing the would-be sponsors of the resolution behind the scenes. On 12 October, the Canadian representative read a joint statement on behalf of Brazil, Canada, Kenya, Mexico, New Zealand, and Sweden, announcing that '[W]e have decided not to proceed at this time with tabling of our own draft resolution." Although the resolution was withdrawn, the statement by the six co-sponsors was surprisingly forthright and forward looking. As the Canadian representative explained: "The ideas set out in our draft resolution... have generated considerable interest and response. While some have been positive, and some negative, the bulk of them were seeking additional information on the implications of what such an initiative would mean for existing disarmament machinery." He added: "It is clear to us that the ideas we are proposing would benefit from the opportunity to mature and for all delegations to gain a fuller understanding of what they entail." The statement concluded with a strongly-worded challenge: "[W]e wish to give notice that if, for whatever reason, the CD turns in another sterile year in 2006, we will retain the option of reintroducing this initiative as a way of ensuring that there are democratic and multilateral alternatives to a situation where the security interests of the many are being held hostage by the policies of the few." The Canadian representative closed by saying that the group of six will use the intervening time to broaden their base of support, and he especially thanked the NGO community for its involvement.

In separate statements Kenya declared: "It is our democratic right to demand discussion of ways of energizing a process, which if left to die, will undermine international peace and security." New Zealand encouraged ongoing efforts by civil society: "NGOs have played a major part in getting this initiative moving. You will have a continuing major role in keeping this issue to the forefront of governments' attention." And she put certain governments on notice: "There must be movement on these vital issues. We have all been very patient, but that patience is wearing thin."

While many NGOs were disappointed that the new resolution was not introduced, the fact that it came so close demonstrated the influence of civil society and the growing impatience of a diverse group of States with the intransigence the world's leading nuclear weapon state. The harshly defensive reaction by the United States government indicated that the U.S. was feeling some pressure. Further, the initiative put the CD on notice that unless it agrees to a Program of Work, the First Committee will step in and take up the work itself. Thanks in large part to the Mayors for Peace, the initiative got civil society and governments working together to find new ways to address the breakdown of international disarmament machinery. Ambassador Yoshiki Mine of Japan implicitly acknowledged this in his opening statement: "[C]ountries should heed the will of the international community and the voice of the public rather than solely pursuing their own national interests. From this perspective, dialogue with civil society and collaboration with NGOs with expertise in this field is invaluable, as is the promotion of disarmament and non-proliferation education."

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The First Committee will meet until 4 November. It is anticipated that a number of disarmament resolutions, many of them introduced annually with minimal changes, will be adopted by the large majority of Member States. These include Malaysia's annual resolution, "Follow-up to the advisory opinion of the International Court of Justice on the Legality of Threat or Use of Nuclear Weapons," and resolutions introduced by the New Agenda Coalition and Japan.

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