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GENERAL ASSEMBLY FIRST COMMITTEE BACKGROUND GUIDE 2018

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Dear Delegates,

Welcome to the 2018 National Model United Nations New York Conference (NMUN•NY)! We are pleased to welcome you to the General Assembly First Committee (GA1). This year's staff are: Directors Eileen Austin (Conference A) and Marleen Schreier (Conference B), and Assistant Directors Chris Duggan (Conference A) and Ahmad Azari (Conference B). Eileen currently works in general accounting for Danone North America in White Plains, New York. This will be her fourth year on staff. Marleen currently works at the Tent Foundation in New York City. This will also be her fourth year on staff. Chris is currently a student at Florida State University pursuing Bachelor's Degrees in Political Science and International Affairs. This will be his first year on staff. Ahmad is currently enrolled in a Double Undergraduate Degree Program in Chemical Engineering and Chemistry at the American University of Sharjah. This will also be his first year on staff.

The topics under discussion for the General Assembly First Committee are:

1. Cyber Security and Protecting Against Cyber Warfare
2. Measures to Strengthen International Counter-Terrorism Efforts
3. Combating the Illicit Trade in Small Arms and Light Weapons

As one of the six principal organs of the United Nations, the General Assembly is the main deliberative, policymaking, and representative body of the organization. The General Assembly First Committee's role within this framework is to cultivate discussions surrounding disarmament and threats to international peace and security. The General Assembly First Committee works within a forum for multilateral negotiations to ensure global peace and find solutions to any challenges to the international security regime. In order to accurately simulate the committee, it will be key for delegates to emulate the normative and best practice-setting approaches of the General Assembly, as opposed to operational work.

This Background Guide serves as an introduction to the topics for this committee. However, it is not intended to replace individual research. We encourage you to explore your Member State's policies in depth and use the Annotated Bibliography and Bibliography to further your knowledge on these topics. In preparation for the Conference, each delegation will submit a [Position Paper](#) by 11:59 p.m. (Eastern) on 1 March 2018 in accordance with the guidelines in the [NMUN Position Paper Guide](#).

Two resources, to download from the [NMUN website](#), that serve as essential instruments in preparing for the Conference and as a reference during committee sessions are the:

1. [NMUN Delegate Preparation Guide](#) - explains each step in the delegate process, from pre-Conference research to the committee debate and resolution drafting processes. Please take note of the information on plagiarism, and the prohibition on pre-written working papers and resolutions. Delegates should not start discussion on the topics with other members of their committee until the first committee session.
2. [NMUN Rules of Procedure](#) - include the long and short form of the rules, as well as an explanatory narrative and example script of the flow of procedure.

In addition, please review the mandatory [NMUN Conduct Expectations](#) on the NMUN website. They include the Conference dress code and other expectations of all attendees. We want to emphasize that any instances of sexual harassment or discrimination based on race, gender, sexual orientation, national origin, religion, age, or disability will not be tolerated.

If you have any questions concerning your preparation for the committee or the Conference itself, please contact the Under-Secretaries-General for the General Assembly Department, Sarah Walter (Conference A) and Clarissa Manning (Conference B), at usg.ga@nmun.org.

We wish you all the best in your preparations and look forward to seeing you at the Conference!

Conference A

Eileen Austin, Director
Chris Duggan, Assistant Director

Conference B

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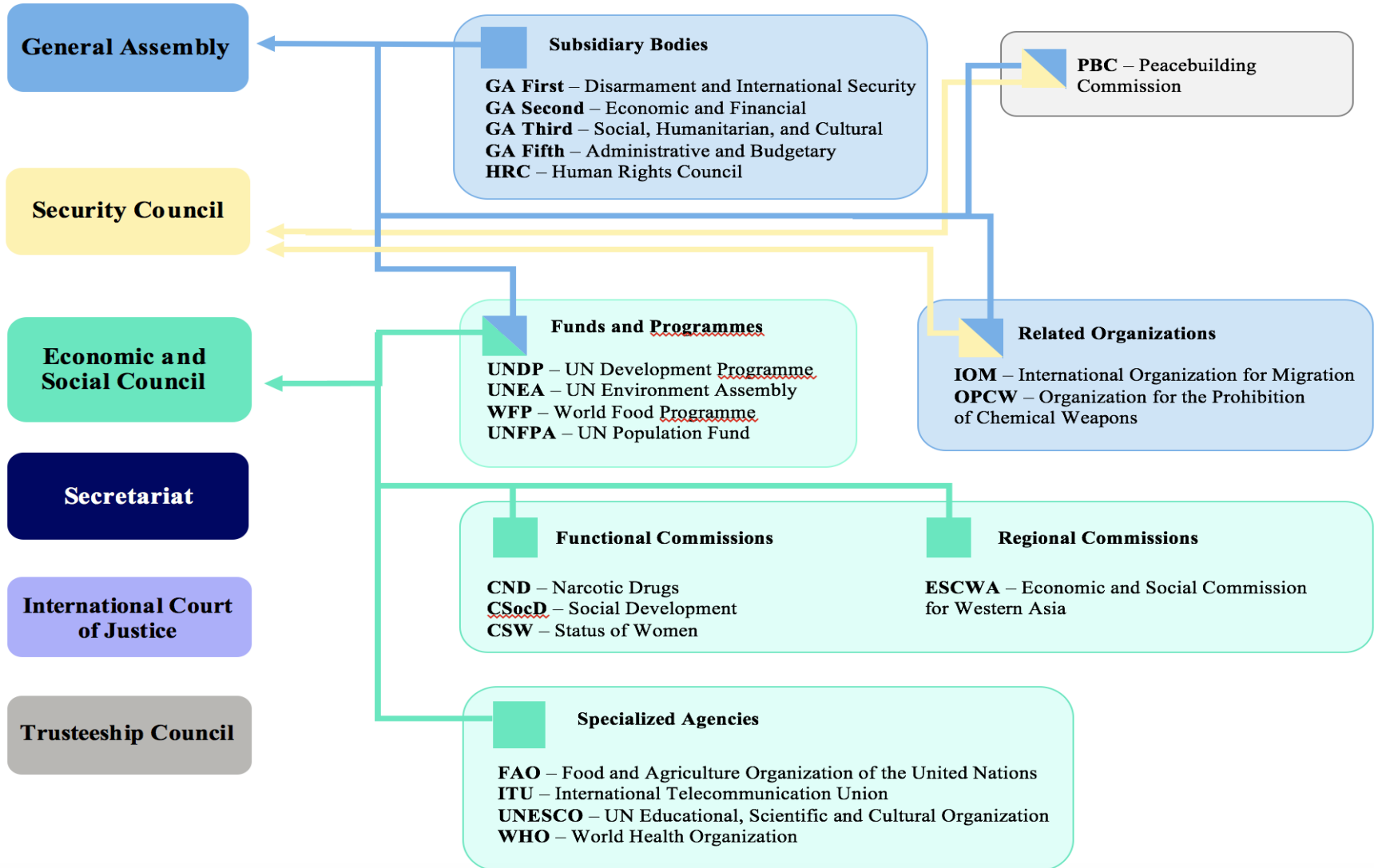
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United Nations System at NMUN•NY

This diagram illustrates the UN system simulated at NMUN•NY and demonstrates the reportage and relationships between entities. Examine the diagram alongside the Committee Overview to gain a clear picture of the committee's position, purpose, and powers within the UN system.





Abbreviations

ATT	Arms Trade Treaty
AU	African Union
BMS	Biennial Meetings of States
CBM	Confidence-Building Measures
CD	Conference on Disarmament
CTITF	Counter-Terrorism Implementation Task Force
EU	European Union
G7	Group of 7
GCA	Global Cybersecurity Agenda
GGE	Group of Governmental Experts
HRC	Human Rights Council
IAEA	International Atomic Energy Agency
IANSA	International Action Network on Small Arms
ICT	Information and communication technology
INTERPOL	International Criminal Police Organization
ITI	International Tracing Instrument
ITU	International Telecommunications Union
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
PAP-T	Partnership Action Plan on Terrorism
RASR	Regional Approach to Stockpile Reduction
RFID	Radio Frequency Identification
SALW	Small arms and light weapons
SDGs	Sustainable Development Goals
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNDC	United Nations Disarmament Commission
UNDC	United Nations Disarmament Commission
UNIDIR	United Nations Institute for Disarmament Research
UNODA	United Nations Office for Disarmament Affairs
WMD	Weapon of mass destruction
WSIS	World Summit on Information Society

Committee Overview

The United Nations (UN) General Assembly has existed since the creation of the UN and is one of the six principal organs of the UN established by the *Charter of the United Nations* (1945).¹

The First Committee considers all matters related to disarmament and international security.² General Assembly resolution 1378(XIV) of 20 November 1959 on “General and Complete Disarmament” was the first resolution co-sponsored by all Member States and considered the question of disarmament the most important question facing the world at the time.³ Consequently, the General Assembly established the United Nations Disarmament Commission (UNDC) in 1952 with a general mandate to discuss topics related to disarmament.⁴ Furthermore, in its 26th session, the General Assembly declared the 1970s as a Disarmament Decade.⁵ During this time, additional institutions were established; in 1979 the Conference on Disarmament (CD) was created as the international community’s multilateral negotiation forum on disarmament, and in 1980, the United Nations Institute for Disarmament Research (UNIDIR) was created with the purpose of undertaking independent research on questions related to disarmament.⁶ Several other disarmament-related entities and other organizations also report to the General Assembly through the First Committee, such as the regional centers on disarmament and the Comprehensive Nuclear-Test-Ban Treaty Organization.⁷ The ratification of the *Treaty on the Non-Proliferation of Nuclear Weapons* (NPT) in 1970 was a fundamental cornerstone in the field of nuclear disarmament.⁸ Efforts leading to this vital agreement started a decade earlier, and an important element in its development took place in the First Committee.⁹ In 1958, when nuclear non-proliferation was on the agenda for the first time, the First Committee recommended the creation of an ad hoc committee studying the dangers of nuclear dissemination, but this resolution failed to be adopted by the General Assembly Plenary.¹⁰ Over subsequent years, this subject was recurrent, and the First Committee adopted a series of resolutions recognizing its central role in pushing negotiations on non-proliferation forward.¹¹

The **General Assembly First Committee** (First Committee) is one of the six Main Committees of the General Assembly. A report is issued to the General Assembly Plenary for each item allocated to a Main Committee.

As the only main body with universal membership, the General Assembly is a unique forum for discussion within the UN system.¹² As such, it represents the normative center of the UN and its main role in the maintenance of international peace and security can be summarized in three principal aspects: a generator of ideas, a place of international debate, and the nucleus of new concepts and practices.¹³ All these points will be further developed in the following sections of this overview. First, a brief explanation of the governance, structure, and membership of the First Committee will be presented, followed by an explanation of its mandate, functions, and powers. Before concluding, a discussion about current efforts and recent activities will offer a more contemporary perspective on work of the committee.

Governance, Structure, and Membership

As outlined in the Charter, the General Assembly is comprised of all Member States of the UN.¹⁴ However, Observer status can also be granted to intergovernmental organizations such as the African Union and states without

¹ *Charter of the United Nations*, 1945, Art. 7.

² UN General Assembly, *Disarmament and International Security*, 2017.

³ UN General Assembly, *General and Complete Disarmament (A/RES/1378(XIV))*, 1959.

⁴ UN General Assembly, *Regulation, Limitation and Balanced Reduction of all Armed Forces and all Armaments; International Control of Atomic Energy (A/RES/6/502)*, 1952.

⁵ UN General Assembly, *Question of General Disarmament (A/RES/2602 E)*, 1969; UN General Assembly, *Final Document of the Tenth Special Session of the General Assembly (S-10/2)*, 1978.

⁶ *Ibid.*

⁷ Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 63.

⁸ Sciora & Stevenson, *Planet UN*, 2009, pp. 77-78.

⁹ UN Audiovisual Library of International Law, *Treaty on the Non-Proliferation of Nuclear Weapons, 1968*, 2012, p. 1.

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² UN General Assembly, *Functions and Powers of the General Assembly*, 2014.

¹³ Thakur, *The United Nations, Peace and Security*, 2006, pp. 91, 162.

¹⁴ *Charter of the United Nations*, 1945, Art. 9.

full UN membership; currently, the Holy See and the State of Palestine are the only two non-Member States with permanent Observer status.¹⁵ In the General Assembly, each Member State has one equal vote.¹⁶

Since its 44th session in 1989, the General Assembly is considered in session the entire year, but the most important time is the General Debate, which takes place from mid-September to the end of December and is called the “main part of the General Assembly.”¹⁷ The remainder of the year, called the “resumed part of the General Assembly,” working group meetings take place and thematic debates are held.¹⁸ Except for decisions on important matters, votes in the General Assembly require a simple majority, and the majority of resolutions are adopted without a vote, illustrating the consensual nature of the General Assembly.¹⁹ Elaborated by the General Assembly Fifth Committee, the budget allocated to disarmament for the biennium 2018-2019 is \$25.6 million and is mainly attributed to multilateral negotiations and deliberations on disarmament and arms limitation.²⁰

The First Committee receives substantive and organizational support from three important entities: the General Committee, UNODA, and the Department for General Assembly and Conference Management.²¹ The General Committee is comprised of the President and the 21 Vice-Presidents of the General Assembly, as well as the Chairpersons of all the six General Assembly Main Committees; all positions are elected every session on a non-renewable basis.²² The General Committee’s main duty, besides making recommendations on organizational issues, is to deal with the agenda of the General Assembly Plenary and its six Main Committees.²³ After receiving a preliminary list of agenda items from the UN Secretariat, the General Committee allocates the different items to each Main Committee.²⁴ The First Committee then votes upon its own agenda based on the allocated agenda items.²⁵ Within the UN Secretariat, UNODA provides “objective, impartial and up-to-date” information and promotes the implementation of practical measures on nuclear disarmament and non-proliferation, disarmament in the field of conventional weapons, and the general strengthening of mechanisms and frameworks bolstering disarmament.²⁶ It further encourages norm-setting at the General Assembly, CD, and UNDC.²⁷ Additionally, the Department for General Assembly and Conference Management also provides valuable technical secretariat support and acts as the intersection between the General Assembly and the Economic and Social Council.²⁸

The First Committee works in close cooperation with the UNDC and the CD.²⁹ The CD has a crucial role in addressing issues of disarmament and has been central to negotiations of international agreements such as the NPT.³⁰ Unlike the CD, the UNDC is a subsidiary organ of the First Committee and is composed of all 193 Member States.³¹ By making recommendations to the General Assembly, it has been important in the formulation of principles and guidelines that have subsequently been endorsed by the committee in its own reports.³² Both bodies report either annually or more frequently to the First Committee.³³ Additionally, as a crucial partner with the UN system, civil society organizations have an important relationship with the General Assembly and are often invited to speak at the General Assembly.³⁴

¹⁵ UN DPI, *About Permanent Observers*, 2017; UN DPI, *Non-member States*, 2017.

¹⁶ *Charter of the United Nations*, 1945, Art. 18.

¹⁷ *Ibid.*, p. 14.

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ UN General Assembly, *Proposed Programme Budget for the biennium 2018-2019 (A/72/6 (Sect. 4))*, 2017, p. 5.

²¹ UN General Assembly, *Disarmament and International Security*, 2017.

²² UN General Assembly, *General Committee*, 2017.

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ UNODA, *About Us*, 2014.

²⁷ *Ibid.*

²⁸ UN DGACM, *Functions of the Department*, 2014.

²⁹ UN General Assembly, *Disarmament and International Security*, 2017.

³⁰ UNOG, *An Introduction to the Conference*, 2014.

³¹ UNODA, *United Nations Disarmament Commission*, 2014.

³² *Ibid.*

³³ UN General Assembly, *Disarmament and International Security*, 2017.

³⁴ Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 31.

Mandate, Functions, and Powers

The mandate of the General Assembly is set in Chapter IV of the *Charter of the United Nations*; Article 11 requires the General Assembly to address questions of international peace and security, particularly disarmament.³⁵ This mandate has evolved over time, and the growing range of issues facing the international community ultimately gave the First Committee its focus on disarmament and international security.³⁶ The question of disarmament is organized in seven clusters: nuclear weapons, other weapons of mass destruction (WMDs), disarmament aspects in outer space, conventional weapons, regional disarmament and security, other disarmament measures and security, and the disarmament machinery.³⁷ The mandate of the General Assembly allows it to be a conduit for ideas that can become the driver of new policies and shared norms through discussion and debate.³⁸ This can be regarded as one of the main differences with the Security Council.³⁹ The Security Council is more concerned with concrete threats to security such as ongoing conflicts, whereas the General Assembly aims to create peace by forming habits of cooperation.⁴⁰ It is important to note, however, that the General Assembly considers matters of international security only when the issue is not under the consideration of the Security Council.⁴¹

The General Assembly and its six Main Committees are the center of the UN System and represent its main deliberative, policymaking, and representative organs; their outcomes thus define new norms that can become treaties or conventions among UN Member States.⁴² The General Assembly is tasked with initiating studies and making recommendations to promote international cooperation in the political field; encouraging the development of international law; promoting the implementation of cultural, social, and human rights; and promoting fundamental freedoms free from discrimination.⁴³ The body often reviews reports issued by “the other principal organs established under the Charter as well as reports issued by its own subsidiary bodies.”⁴⁴ The General Assembly Plenary receives recommendations from the six Main Committees, which can recommend the General Assembly Plenary address the functions or priorities of UN funds and programs.⁴⁵ Once the recommendations are sent to the Plenary Committee, the Plenary then votes on whether to adopt the resolutions as presented.⁴⁶ Although decisions reached by the General Assembly are non-binding, they are often adopted as customary international law and serve as a good indicator of key international policy norms.⁴⁷ Additionally, the General Assembly can request the Secretary-General or other UN organs to issue a report to one of the Main Committees on a specified question such as the implementation of recommendations made by the General Assembly.⁴⁸

The First Committee is capable of introducing resolutions that initiate new negotiations on arms control and disarmament, which, in turn, can lead to the creation and funding of agencies or meetings as well as ad hoc committees or working groups that consider a particular question with the purpose of reporting to the General Assembly.⁴⁹ The General Assembly Plenary must also adopt resolutions adopted in the First Committee before they

³⁵ *Charter of the United Nations*, 1945, Art. 11.

³⁶ UN General Assembly, *Revitalization of the Work of the General Assembly (A/RES/47/233)*, 1993.

³⁷ Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 63.

³⁸ *Ibid.*, p. 10.

³⁹ *Ibid.*

⁴⁰ *Ibid.*

⁴¹ Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 13.

⁴² UN General Assembly, *Functions and Powers of the General Assembly*, 2014.

⁴³ *Charter of the United Nations*, 1945, Art. 12; UN General Assembly, *Functions and Powers of the General Assembly*, 2013; UN General Assembly, *Statement made by the Chairperson of the Fourth Committee (7 May)*, 2013.

⁴⁴ *Charter of the United Nations*, 1945, Art. 15; UN General Assembly, *Functions and Powers of the General Assembly*, 2013; UN General Assembly, *Statement made by the Chairperson of the Fourth Committee (7 May)*, 2013, UN General Assembly, *Statement by the Chairperson of the Fourth Committee (7 May)*, 2013.

⁴⁵ *Charter of the United Nations*, 1945, Art. 4; UN General Assembly, *Functions and Powers of the General Assembly*, 2013; UN General Assembly, *Statement by the Chairperson of the Fourth Committee (7 May)*, 2013; UN General Assembly, *About the General Assembly*, 2016; Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 20.

⁴⁶ UN General Assembly, *About the General Assembly*, 2016.

⁴⁷ *Ibid.*, Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 13.

⁴⁸ UN General Assembly, *About the General Assembly*, 2016; Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, pp. 36, 47.

⁴⁹ Weis, *The United Nations and Changing World Politics*, 2004, p. 161.

are put into effect.⁵⁰ Still, even when adopted by the Plenary, General Assembly resolutions are not legally binding.⁵¹ Nonetheless, the consensus reached in the First Committee often leads to more concrete initiatives at the UN.⁵²

Recent Sessions and Current Priorities

The strategic framework of the *Biennial Programme Plan*, adopted on 9 March 2016, covers the years 2018-2019 and consists of five subprograms: multilateral negotiations on arms limitation and disarmament, WMDs, conventional arms, information and outreach, and regional disarmament.⁵³ In this regard, the main objectives of the First Committee are to: support efforts on agreements toward disarmament, promote non-proliferation of nuclear weapons and other WMDs, facilitate mutual confidence among Member States and the regulation of conventional weapons, increase understanding of Member States and the public on disarmament issues, and promote regional disarmament as a fundamental means toward global disarmament.⁵⁴

During the recent 71st session, the First Committee adopted a total of 64 resolutions.⁵⁵ All of the seven clusters were discussed, with nuclear disarmament being the most reviewed cluster.⁵⁶ The subprograms laid out in the *Biennial Programme Plan* continue to be priority topics each session, in addition to emerging security issues reflective of the complex security environment the international community is confronted with today, such as nuclear terrorism and the relationship between gender and disarmament.⁵⁷ Among the 64 adopted resolutions there are three major thematic areas examined: cybersecurity, nuclear disarmament, and counter-terrorism efforts.⁵⁸ During its 71st session, the First Committee emphasized the importance of preventing terrorists from acquiring WMD, and suggested methods for this, such as advising Member States to monitor the illegal delivery and manufacturing within domestic borders, and ratifying other First Committee texts that address this.⁵⁹ Furthermore, General Assembly resolution 71/38 of 9 December 2016 on “Measures to prevent terrorist from acquiring weapons of mass destruction,” expands on this idea by stating it would be helpful to compile a report of all measures currently being taken by international organizations to prevent terrorists from acquiring WMDs.⁶⁰ Member States review the issues that are faced domestically, and outline which measures can be taken to further meet the needs of the international community.⁶¹

In recent years, a great emphasis has been placed on the role of information security in the context of greater levels of inter-connectedness among Member States.⁶² In 2011, the General Assembly requested the establishment of a Group of Governmental Experts (GGE) to study the existence of threats to Member States with respect to information security and report its findings at its 68th session.⁶³ Between 2013 and 2015, the GGE submitted to the General Assembly reports which included several notable items, such as a declaration against the use of proxies on behalf of Member States to “commit internationally wrongful acts using ICTs [(information and communication technologies)]”, and the importance of international law as it applies to the security of ICTs.⁶⁴ General Assembly resolution 70/237 of 23 December 2015 requested the SG to form a new GGE that would report to the General

⁵⁰ UN General Assembly, *About the General Assembly*, 2016.

⁵¹ *Ibid.*

⁵² *Ibid.*

⁵³ UN General Assembly, *Proposed Strategic Framework for the Period of 2018-2019, Part Two: Biennial Programme Plan, Programme 3: Disarmament (A/71/6 (Prog. 3))*, 2016.

⁵⁴ *Ibid.*

⁵⁵ UN General Assembly, *Resolutions: 71st Session*, 2017.

⁵⁶ *Ibid.*

⁵⁷ UNODA, *The United Nations Disarmament Yearbook, Vol. 39 (Part I)*, 2014.

⁵⁸ UN General Assembly, *Resolutions: 71st Session*, 2017.

⁵⁹ UN DPI, *States Must Support National, Global Action to Stop Weapons from Reaching Terrorist Groups, First Committee Hears, as it Approves 7 texts (GA/DIS/3564)*, 2016.

⁶⁰ UN General Assembly, *Measures to prevent terrorists from Acquiring Weapons of Mass Destruction (A/RES/71/38)*, 2016.

⁶¹ *Ibid.*

⁶² UN General Assembly, *Developments in the field of information and telecommunications in the context of international security (A/RES/66/24)*, 2011.

⁶³ *Ibid.*; UNODA, *Developments in the Field of Information and Telecommunications in the Context of International Security*, 2016.

⁶⁴ UN General Assembly, *Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security (A/68/98)*, 2013; UNODA, *GGE Information Security*, 2015.

Assembly in 2017, and this new GGE had its first meeting in August 2016.⁶⁵ Although this meeting acted as an outlet for Member States to review the current discussions on international cybersecurity, this meeting was highly criticized due to the lack of advancing discussions and concrete ideas.⁶⁶ During the 70th session, General Assembly resolutions 70/273 and 70/21 both addressed the vital role of information technology in the context of international security and disarmament.⁶⁷ General Assembly resolution 71/28 of 9 December 2016 stressed the importance of maintaining the free flow of information, while addressing the threats toward global information security.⁶⁸ The First Committee also discussed the illicit trade of small arms and light weapons (SALW), specifically the importance of collaboration to strengthen the international agreements that are already in place.⁶⁹ General Assembly resolution 71/48 of 5 December 2016 on “The illicit trade in small arms and light weapons in all aspects,” reiterated that SALW are not only a threat to international peace and security, but also have humanitarian and socioeconomic consequences thus recognizing the importance of eradicating the illicit trade of SALW.⁷⁰ Furthermore, this resolution encourages all Member States to work with civil society organizations, non-governmental organizations, and other regional groups to combat the illicit trade of SALW.⁷¹ The First Committee remains committed to the eradication of the illicit trade of SALW through General Assembly resolution 71/44 of 5 December 2016, on “Transparency in armaments,” which requests the continued use of the United Nations Register of Conventional Arms, and calls upon Member States to decide whether to further develop the Register.⁷² Looking forward to the 72nd session, the First Committee will continue to prioritize transparency in armaments, as well as the role of science and technology through the lens of international peace and security.⁷³

Conclusion

Disarmament has been an important issue for the UN and for the achievement of international peace since its founding.⁷⁴ As new threats arise and complicate the question of disarmament, addressing disarmament has become even more important.⁷⁵ Efforts such as those made in the field of combating the illicit trade of SALW and strengthening global counter-terrorism are a testimony of the General Assembly’s dedication toward a safer world. Additionally, working toward more efficient cyber security worldwide continues to be a priority for the First Committee. As a place where new ideas are shaped, the General Assembly has the ability to introduce standards and norms to promote disarmament and eventually a more peaceful world. Nevertheless, it has been argued that the First Committee has not been able to achieve its full potential and has only been reaffirming its resolutions year after year with no introduction of new or improved substantive work.⁷⁶ It is, therefore, the responsibility of the First Committee to achieve new advancements toward the pursuit of international peace and security while continually seeking consensus in collaboration with the whole of the international community.

Annotated Bibliography

Sciora, R., & A. Stevenson. (2009). *Planet UN: The United Nations Confronting the Challenges of the 21st Century*. Geneva: Editions du Tricorne.

Inspired by the documentary Planet UN, this book offers an in-depth analysis of the role of the United Nations and its challenges for the 21st century. It gives special attention to three pillars:

⁶⁵ UNODA, *Developments in the Field of Information and Telecommunications in the Context of International Security*, 2016.

⁶⁶ Valeriano & Pytlak, *Cybersecurity and the Coming Failure of the UN’s Group of Governmental Experts*, Niskanen Center, 2016.

⁶⁷ UN General Assembly, *Developments in the Field of Information and Telecommunications in the Context of International Security (A/RES/70/237)*, 2015; UN General Assembly, *Objective Information on Military Matters, Including Transparency of Military Expenditures (A/RES/70/21)*, 2015.

⁶⁸ UN General Assembly, *Developments in the Field of Information and Telecommunications in the context of International Security (A/RES/71/28)*, 2016.

⁶⁹ UN DPI, *Spotlighting Human Costs of Wide-spread Arms Transfers, First Committee Delegates Say States Must Bolster Global Response to Effectively Stem Illicit Flows (GA/DIS/3558)*, 2016.

⁷⁰ UN General Assembly, *The Illicit Trade in Small Arms and Light Weapons in All its Aspects (A/RES/71/48)*, 2016.

⁷¹ Ibid.

⁷² UN General Assembly, *Transparency in Armaments (A/RES/71/44)*, 2016.

⁷³ UN General Assembly, *Allocation of Agenda Items for the Seventy-Second Session of the General Assembly (A/72/252)*, 2017.

⁷⁴ *Charter of the United Nations*, 1945, Art. 7.

⁷⁵ UN General Assembly, *Resolutions: 71st Session*, 2017.

⁷⁶ Reaching Critical Will, *UN General Assembly First Committee*, 2014.

peace, development, and human rights. It also stresses the importance of the UN's ability to adapt itself to our changing world and to react to new threats such as terrorism or nuclear risks. An account of the genesis of the UN also allows delegates to understand how the UN was started with the intent of creating a system to maintain peace and security and to become the organization it is today. Furthermore, this book contains a series of testimonies of important personalities such as the last five Secretaries-General of the UN.

Switzerland, Permanent Mission to the United Nations. (2011). *The PGA Handbook: A practical guide to the United Nations General Assembly*. Retrieved 23 August 2017 from:

http://www.unitar.org/ny/sites/unitar.org/ny/files/UN_PGA_Handbook.pdf

This publication undertaken by the Permanent Mission of Switzerland to the UN is another contribution by a Member State of introductory information about the UN system. The General Assembly is a central focus of this handbook. A detailed description of its organization, structure, rules, and working methods can be found. Further providing information specific to all six Main Committees, this handbook offers a unique source of information to delegates to understand the work of the General Assembly and its place within the UN system.

Thakur, R. (2006). *The United Nations, Peace and Security*. Cambridge: Cambridge University Press. *Ramesh Thakur, a renowned commentator on the UN, examines the UN from a contemporary perspective and looks at it from new angles such as human security focusing on questions related to international peace and security. By doing so, he critically analyzes the use of force by the UN with the intention of making it more effective in the light of today's threats and with a particular focus on security and how it has evolved over the years and the role of the UN system including the General Assembly. His book is a valuable guide to the UN and will be of useful reading to delegates and offers an interesting perspective on international peace.*

United Nations, General Assembly, Seventy-first session. (2016). *Measures to prevent terrorists from acquiring weapons of mass destruction (A/RES/71/38)* [Resolution]. Adopted on the report of the First Committee (A/71/450). Retrieved 16 July 2017 from: <https://undocs.org/A/RES/71/38>

This resolution encourages Member States to take domestic action to prevent terrorists from acquiring WMDs. General Assembly First Committee stated that this is a multilateral effort, as well as a domestic one. Additionally, it is suggested that Member States implement the International Convention for the Suppression of Acts of Nuclear Terrorism. Delegates will learn about the Convention and will be able to use it as a starting point for their research.

United Nations, General Assembly, Seventy-first session. (2016). *Proposed Strategic Framework for the Period of 2018-2019, Part Two: Biennial Programme Plan, Programme 3: Disarmament (A/71/6(Prog.3))*. Retrieved 16 September 2017 from: [http://www.undocs.org/A/71/6\(prog.3\)](http://www.undocs.org/A/71/6(prog.3))

The Proposed Strategic Framework is drafted biennially and outlines the priorities of each year. In the section on disarmament, there are two main segments, which are overall orientation and legislative mandates. Under the overall orientation, five priority subprograms are listed, which include multilateral negotiations on arms limitations and disarmament, WMD, conventional arms, information and outreach, and regional disarmament. Delegates will gain more knowledge on the General Assembly's current priority for the year from this document, and have a clearer direction on moving forward with their research.

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I. Cyber Security and Protecting Against Cyber Warfare

Introduction

Ensuring international peace and security in cyberspace is currently one of the most prevalent topics of discussion due to the plethora of cyberattacks that threaten countries' stability and overall sustainable development.⁷⁷ The United Nations (UN) system acknowledged that the efforts of the General Assembly First Committee to ensure international peace and security have to focus particularly on securing critical cyber infrastructure and information and communications technologies (ICTs) that dominate everyday life.⁷⁸ The threat not only stems from possible escalation of cyber warfare among states but also criminal and terrorist activities in cyberspace.⁷⁹ Terrorist organizations use the cyber sphere to spread their messages, mobilize human and financial resources, and to directly attack critical infrastructure, such as hospitals, water systems, energy, or financial services, to harm states and their people.⁸⁰ However, in an effort to ensure cyber security, some Member States have taken up measures that violate fundamental human rights recognized in the 1948 *Universal Declaration of Human Rights* (UDHR).⁸¹

The term cyber security commonly comprises “the collection of tools, policies, security concepts, security safeguards, guidelines, risk management approaches, actions, training, best practices, assurance, and technologies that can be used to protect the cyber environment and organization and user’s assets.”⁸² Protecting the cyber sphere against the threat of cyberattacks, cyber warfare, cybercrime, and cyber terrorism, has become a priority for the international community.⁸³ However, these concepts are often used interchangeably and lack internationally agreed-upon definitions.⁸⁴ The UN Institute for Disarmament Research (UNIDIR) defines cyberattacks “as the unauthorized penetration of computers or digital networks.”⁸⁵ Cyberattacks have grown more sophisticated, reaching alarming levels of disruption on a global scale while, at the same time, requiring only simple and easily attainable technology.⁸⁶ Threats have increased continuously to a new five-year high as the proliferation of mobile devices, artificial intelligence, robotics, and the Internet of Things brings new vulnerabilities.⁸⁷

Cyber criminals span from “state-sponsored cyber espionage groups to mass-mailing ransomware gangs.”⁸⁸ Cybercrime describes “any illegal behavior directed by means of electronic operations that target the security of computer systems, the data processed by them (...) illegal possession and offering or distributing information by means of a computer system or network.”⁸⁹ Cyber warfare requires the involvement of a state “to attack and attempt to damage another state’s computers or information networks through, for example, computer viruses or denial-of-service attacks.”⁹⁰ However, cybercrime and cyber warfare are difficult to differentiate as hacking groups engaging in criminal activities against individuals are also often supported by governments to engage in cyber espionage against Member States.⁹¹ The act of cyber terrorism is mostly distinguished by the motives of the perpetrators.⁹² It is often understood as “the use of computer network tools to shut down critical national infrastructures (such as energy, transportation, government operations) or to coerce or intimidate a government or civilian population.”⁹³ To

⁷⁷ UN ITU, *Global Cybersecurity Agenda (GCA)*, 2007, p. 2; Smart, *United Nations Office for Disarmament Affairs*, 2016.

⁷⁸ Smart, *United Nations Office for Disarmament Affairs*, 2016.

⁷⁹ *Ibid.*

⁸⁰ *Ibid.*; UN CTITF, *Countering the Use of the Internet for Terrorist Purposes – Legal and Technical Aspects*, 2011.

⁸¹ Smart, *United Nations Office for Disarmament Affairs*, 2016; UN General Assembly, *Universal Declaration of Human Rights (A/RES/217A (III))*, 1948; Radunovic, *Cybersecurity and International Peace and Security*, 2015.

⁸² UN ITU, *Understanding cybercrime: Phenomena, Challenges and Legal Response*, 2014, p. 7.

⁸³ Lewis & Neunck, *The Cyber Index: International Security Trends and Realities*, 2013.

⁸⁴ Lewis, *Confidence-building and international agreement in cybersecurity*, 2011, p. 57.

⁸⁵ Lewis & Neunck, *The Cyber Index: International Security Trends and Realities*, 2013, p. x.

⁸⁶ Symantec, *Internet Security Threat Report 2017*, 2017, pp. 7-8.

⁸⁷ *Ibid.*, pp. 63-72.

⁸⁸ UN ITU, *Global Cybersecurity Index (GCI) 2017*, 2017, p. 1.

⁸⁹ UN ITU, *Understanding cybercrime: Phenomena, Challenges and Legal Response*, 2014, p. 11.

⁹⁰ RAND, *Cyber Warfare*, 2017.

⁹¹ Beaver, *The United Nations and Cyberwarfare*, *Global Risk Advisors*, 2017.

⁹² Brenner, *At Light Speed: Attribution and Response to Cybercrime/Terrorism/Warfare*, 2007, pp. 386-400.

⁹³ Lewis, *Assessing the Risks of Cyber Terrorism, Cyber War and Other Cyber Threats*, 2002, p. 1.

ensure international peace and security, it is important that the General Assembly First Committee continues its efforts to secure cyberspace and critical cyber infrastructure from all forms of cyberattacks.⁹⁴

International and Regional Framework

The international community has been debating cyber security for the last two decades.⁹⁵ The General Assembly in particular developed an elaborate international framework, adopting annual resolutions around the issue of ICTs and international security since 1999.⁹⁶ The first, resolution 53/70, recognized the potential of ICTs for peoples' development but also noted threats to international order and peace that may arise through the misuse of ICTs.⁹⁷ The General Assembly expanded on its original resolution by establishing a group of governmental experts in resolution 58/32 and addressing respect for human rights and fundamental freedoms regarding ICTs in resolution 70/237.⁹⁸ In 2000, the General Assembly laid the foundations on "combating the criminal misuse of information technologies" highlighting effective legal regimes, prosecution, and information sharing and cooperation among Member States to ensure that ICTs contribute to international development rather than undermining it.⁹⁹ Another collection of noteworthy General Assembly resolutions, 57/239, 58/199, and 64/211, were adopted between 2003 and 2010 on the "creation of a global culture of cybersecurity" addressing Member States' capacity to safeguard their critical information infrastructures from cyberattacks.¹⁰⁰ These documents indicate an important shift from mere law enforcement practices and prosecution of cybercrimes to the prevention of attacks in the cyber sphere and requested a more firm commitment from Member States to secure cyber space and address growing cyber threats.¹⁰¹

In 2007, the International Telecommunications Union (ITU) introduced the Global Cybersecurity Agenda (GCA), which serves as a practical framework for all 193 Member States and more than 700 Sector Members to collaborate on cyber security.¹⁰² The GCA consists of five pillars.¹⁰³ First, "legal measures" focuses on the persecution of unlawful cyber activities with an internationally consistent legislative approach.¹⁰⁴ Second, "technical and procedural measures" looks at the security standards of ICT applications and systems and best practices of risk management.¹⁰⁵ Third, "organizational structures" discusses national policies, and institutional setups allowing for an effective prevention, response to, and crisis management of cyberattacks.¹⁰⁶ Fourth, "capacity building" promotes awareness and technology sharing among all stakeholders.¹⁰⁷ And the last pillar, "international cooperation," promotes dialogue and coordinated action of the international community in dealing with cyber threats.¹⁰⁸

In the context of the *2030 Agenda for Sustainable Development* (2016), the usage of ICTs, and therefore their safeguarding, is critical considering their catalyst role for sustainable development.¹⁰⁹ Four of the 17 Sustainable

⁹⁴ Tikk-Ringas, *Developments in the Field of Information and Telecommunication in the Context of International Security: Work of the UN First Committee 1998-2012*, 2012, p. 10.

⁹⁵ UNODA, *Developments in the field of information and telecommunications in the context of international security*, 2017; UN ITU, *UN Resolutions Related to Cybersecurity*, 2017; Maurer, *Cyber Norm Emergence at the United Nations*, 2011, p. 15.

⁹⁶ *Ibid.*

⁹⁷ UN General Assembly, *Developments in the field of information and telecommunications in the context of international security (A/RES/53/70)*, 1999.

⁹⁸ UN General Assembly, *Developments in the field of information and telecommunications in the context of international security (A/RES/58/32)*, 2003; UN General Assembly, *Developments in the field of information and telecommunications in the context of international security (A/RES/70/237)*, 2015.

⁹⁹ UN General Assembly, *Combating the criminal misuse of information technologies (A/RES/55/63)*, 2001.

¹⁰⁰ UN General Assembly, *Creation of a global culture of cybersecurity (A/RES/57/239)*, 2003; UN General Assembly, *Creation of a global culture of cybersecurity and the protection of critical information infrastructure (A/RES/58/199)*, 2004; UN General Assembly, *Creation of a global culture of cybersecurity and taking stock of national efforts to protect critical information infrastructure (A/RES/64/211)*, 2010.

¹⁰¹ *Ibid.*

¹⁰² UN ITU, *Global Cybersecurity Agenda (GCA)*, 2007.

¹⁰³ *Ibid.*, p. 2.

¹⁰⁴ *Ibid.*, pp. 6-9.

¹⁰⁵ *Ibid.*, pp. 9-12.

¹⁰⁶ *Ibid.*, pp. 12-13.

¹⁰⁷ *Ibid.*, pp. 13-15.

¹⁰⁸ *Ibid.*, pp. 15-19.

¹⁰⁹ UN DESA, *ICTs as a catalyst for sustainable development*, 2016.

Development Goals (SDGs) include explicit targets regarding the use of ICTs (SDGs 4, 5, 9, 17).¹¹⁰ In addition, SDG 16 targets the prevention of terrorism and crime which are also prevalent in cyberspace.¹¹¹ As policymakers and the ICT sector strive to connect the billions of people that are still lacking access to ICTs and the achievement of all SDGs depends on technological innovation and transformative digital services, cyber security always needs to be taken into consideration.¹¹²

The first legally binding agreement governing cyberspace was made on a regional level by the Council of Europe (CoE) which adopted the *Budapest Convention on Cybercrime* in 2001, entering into force in 2004.¹¹³ To this date, almost all CoE Member States have both signed and ratified the convention with the exception of Ireland, Russia, Sweden, and San Marino.¹¹⁴ There are also a number of non-members that have become States parties to the convention such as the United States of America.¹¹⁵ The Budapest Convention is the first international treaty that outlines policies and legislation protecting against cybercrime focusing on the effective prosecution of offenses and encouraging closer cooperation among Member States to address common threats to cyber security.¹¹⁶ In 2014, the *African Union (AU) Convention on Cyber Security and Personal Data Protection* established a standard legal framework for aspects such as online business and digital privacy while addressing emerging issues of cyber security and cybercrime.¹¹⁷ Regulating cyber space and mitigating risks are crucial to guarantee safe usage of ICTs, which are an important driver for African development.¹¹⁸ However, as of June 2017, only Senegal has ratified the convention and many have voiced concerns that domestic cyber legislation derived from the convention may disregard the protection of human rights enshrined in the UDHR, particularly of the freedom of expression, under the guise of cyber security.¹¹⁹

Role of the International System

In 2004, the General Assembly First Committee installed the Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security (GGE).¹²⁰ The GGE is a UN-mandated working group comprised of 15 experts appointed by the Secretary-General examining potential and existing cyber threats.¹²¹ Russia and its allies advocated early on for the First Committee to “address a wider spectrum of threats to include military, terrorist, and criminal uses of ICT,” while the United States and other Western countries preferred a more limited role of the First Committee in information security.¹²² These opposing views left the GGE without any advances until 2009.¹²³ Since then the GGE has met four times and published three reports in 2010, 2013, and 2015.¹²⁴ A crucial point made in the 2010 report (A/65/201) concerns the “increased reporting that States are developing ICTs as instruments of warfare and intelligence, and for political purposes.”¹²⁵ The GGE has produced guidelines and recommendations regarding norms and principles of state behavior and accountability for their actions in the digital sphere.¹²⁶ Other important aspects are the applicability of international law to ICTs and cyberspace; state sovereignty; international cooperation and information sharing to build capacity

¹¹⁰ Ibid.

¹¹¹ UN DESA, *Sustainable Development Goal 16*, 2017.

¹¹² Earth Institute & Ericsson, *ICT & SDGs*, 2016.

¹¹³ Council of Europe, *Convention on Cybercrime*, 2001.

¹¹⁴ Council of Europe, *Chart of signatures and ratifications of Treaty 185*, 2017.

¹¹⁵ Ibid.

¹¹⁶ Council of Europe, *Convention on Cybercrime*, 2001.

¹¹⁷ African Union, *African Union Convention on Cyber Security and Personal Data Protection*, 2014.

¹¹⁸ Fidler & Madzingira, *The African Union Cybersecurity Convention: A Missed Human Rights Opportunity*, *Council on Foreign Relations*, 2015.

¹¹⁹ Ibid.

¹²⁰ Tikk-Ringas, *Developments in the Field of Information and Telecommunication in the Context of International Security: Work of the UN First Committee 1998-2012*, 2012, pp. 5-6.

¹²¹ Ibid.

¹²² Ibid, p. 5.

¹²³ Ibid, pp. 7-9.

¹²⁴ Ibid.; UNODA, *Developments in the field of information and telecommunications in the context of international security*, 2017.

¹²⁵ UN General Assembly, *Report of the Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security (A/65/201)*, 2010, p. 7.

¹²⁶ GIP Digital Watch, *UN GEE*, 2017.

and reduce vulnerabilities; and confidence-building measures to uphold international peace.¹²⁷ The recent 2016-17 GGE consultations addressed further development of international law and norms that should guide Member States' conduct in cyberspace, though the negotiations ended without the adoption of a final report.¹²⁸ While there was agreement on a number of points the members were unable to come to a consensus on what options Member States might have to respond to cyberattacks, and if and how to take the process further under the UN.¹²⁹ The future of the GGE and finding compromise on an approach to cyber security, including prevention and response to cyber warfare, cybercrime, and cyber terrorism, are still to be discussed by the First Committee.¹³⁰ Discussions on the issue of information warfare and cyber weapons and the need for disarmament and non-proliferation hereof have fallen into the background debates regarding criminal and terrorist use of ICTs.¹³¹

The ITU, whose mandate is to help build confidence and security in the use of ICTs, plays a crucial role in identifying and mitigating modern cyber threats.¹³² Its mandate is to help build confidence and security in the use of ICTs.¹³³ The ITU supports national cyber security capacity through establishing National Computer Incident Response Teams.¹³⁴ To further cooperation among governments, the ITU promotes the creation of Regional Cybersecurity Centres and regional cyber security summits strengthening the knowledgebase of Member States, helping them develop cyber security strategies and initiatives, and localizing ITU's cyber security services, such as conducting drills simulating effective responses to cyber threats.¹³⁵ In 2017, the ITU published the new Global Cybersecurity Index (GCI) that assesses Member States' commitment to the five strategic pillars of cyber security.¹³⁶ In addition, the ITU hosts the annual World Summit on Information Society (WSIS) Forum that focuses on the achievement of sustainable development through ICTs.¹³⁷ The June 2017 WSIS Forum led a debate on the possibility for such a treaty complementing existing international law.¹³⁸ Proponents of a cyber convention argue that the room for interpretation and ambiguity is too great, although many experts and Member States argue that a digital convention is neither necessary nor realistic and existing guidelines are sufficient to govern responsible state behavior in cyberspace.¹³⁹

Though traditionally tasked with nuclear disarmament as well as other physical weapons, the United Nations Office for Disarmament Affairs (UNODA) has closely monitored the work of the General Assembly and the Secretary-General on information security.¹⁴⁰ It particularly offers expertise in the area of military confidence-building.¹⁴¹ This expertise could be applied to cyber security, using confidence-building measures (CBMs) to address trust among states' regarding each other's cyber warfare capabilities.¹⁴² Non-military CBMs in this context include actions in various aspects of cyber security to create trust between parties due to increased transparency.¹⁴³ UNIDIR conducts relevant research and analysis in the field of cyber security and offers policy recommendations at the national, regional, and international level.¹⁴⁴ Important projects include legal perspectives on cyber war, the questions of

¹²⁷ Ibid., UNODA, *Developments in the field of information and telecommunications in the context of international security*, 2015.

¹²⁸ GIP Digital Watch, *UN GEE*, 2017.

¹²⁹ Ibid.

¹³⁰ GIP Digital Watch, *Digital Policy Trends in June*, 2017, p. 6.

¹³¹ Tikk-Ringas, *Developments in the Field of Information and Telecommunication in the Context of International Security: Work of the UN First Committee 1998-2012*, 2012, p. 7.

¹³² UN ITU, *ITU Cybersecurity Activities*, 2017.

¹³³ Ibid.

¹³⁴ Ibid.

¹³⁵ UN ITU, *Regional Cybersecurity Centres*, 2017; UN ITU, *ITU Cybersecurity Activities*, 2017.

¹³⁶ UN ITU, *Global Cybersecurity Index (GCI) 2017*, 2017.

¹³⁷ UN ITU, *ITU Cybersecurity Activities*, 2017.

¹³⁸ WSIS, *WSIS Forum 2017: Information and Knowledge Societies for SDGs – Outcome Document*, 2017.

¹³⁹ NATO CCDCOE, *Geneva Conventions Apply to Cyberspace: No Need for a 'Digital Geneva Convention'*, 2017; Tikk-Ringas, *Developments in the Field of Information and Telecommunication in the Context of International Security: Work of the UN First Committee 1998-2012*, 2012, p. 6.

¹⁴⁰ UNODA, *Developments in the field of information and telecommunications in the context of international security*, 2017.

¹⁴¹ Ibid.

¹⁴² UNODA, *Military Confidence-building*, 2017.

¹⁴³ Lewis, *Confidence-building and international agreement in cybersecurity*, 2011, pp. 56, 59; Lewis & Neuneck, *The Cyber Index: International Security Trends and Realities*, 2013, pp. 129-130.

¹⁴⁴ UNIDIR, *Cyber*, 2017.

cyber norms and the applicability of international law to cyberspace, as well as confidence-building and active prevention of the proliferation of malicious ICT tools and techniques.¹⁴⁵

On the international level, there are other multilateral organizations and initiatives that address cyber security and cyber defense. For example, the North Atlantic Treaty Organization (NATO) established a Cooperative Cyber Defence Centre of Excellence (CCDCOE) that conducts research and training regarding cyber defense informing NATO's policies and action plan on resilience and protection of critical networks against cyberattacks.¹⁴⁶ In 2013, the CCDCOE prepared the Tallinn Manual on the International Law Applicable to Cyber Warfare, which focused on cyber war and the prohibition of the use of force as well as Member States right to self-defense in this regard.¹⁴⁷ The manual has been updated as Tallinn Manual 2.0 (2017), expanding specifically on cyber threats and recurring attacks in cyberspace against governments, the private sector, and citizens.¹⁴⁸ The Commonwealth Cybercrime Initiative, a consortium of 35 organizations, uses its convening power to foster cooperation and its technical expertise to assist members in national needs assessments and priority setting regarding cyber security.¹⁴⁹ Lastly, the Global Forum on Cyber Expertise, comprised of 60 organizations and states, aims to formulate a shared global agenda on cyber capacity building.¹⁵⁰ To this end, it partnered with the Global Cyber Security Capacity Centre creating a new global platform promoting cyber capacity building.¹⁵¹

Strengthening Cyber Security and Prevention Strategies

Achieving global cyber security and ensuring peace in cyberspace is a significant challenge.¹⁵² The recent “WannaCry” ransomware strike, in which hackers gained access to and encrypted great amounts of personal data and files, hospital records, and train systems, and demanded a ransom from citizens and institutions if they were to receive access again, affected more than 150 countries.¹⁵³ Global disruptions like these can pose a real threat to international peace and security, especially if they target the digital systems of militaries or nuclear energy facilities.¹⁵⁴ One possibility discussed by UNIDIR to protect countries from such attacks is the prevention of the proliferation of malicious ICT tools and techniques.¹⁵⁵ In addition, effective measures are needed to improve the resilience of networks and guard them from such criminal activities in the first place.¹⁵⁶ The ITU GCI 2017 revealed that huge gaps in security still persist.¹⁵⁷ Though the UN has consistently called upon its Member States to formulate and implement a national cyber security or cyber defense strategy, 50% of the examined countries have not yet developed such a strategy.¹⁵⁸ The ITU recommends that national strategies outline policies to identify cyber risks and threats, mitigation strategies, and develop defense mechanisms in the event of a cyberattack.¹⁵⁹ Further, they can assist governments in setting priorities and include objectives toward legal frameworks, early warning and response mechanisms, capacity building and training, research and development, and international collaboration.¹⁶⁰

Capacity building goes hand-in-hand with international collaboration, as developing countries require assistance to safeguard their networks and cyber infrastructure.¹⁶¹ Cooperation among Member States is a crucial element of the

¹⁴⁵ UNIDIR, *Report of the International Security Cyber Issues Workshop Series*, 2016.

¹⁴⁶ NATO, *Cyber defence*, 2017.

¹⁴⁷ NATO CCDCOE, *Geneva Conventions Apply to Cyberspace: No Need for a ‘Digital Geneva Convention’*, 2017; NATO CCDCOE, *Tallinn Manual on the International Law Applicable to Cyber Warfare*, 2013.

¹⁴⁸ NATO CCDCOE, *Tallinn Manual 2.0 on the International Law Applicable to Cyber Operations*, 2017.

¹⁴⁹ Commonwealth Secretariat, *Commonwealth Cybercrime Initiative*, 2017.

¹⁵⁰ Global Forum on Cyber Expertise, *Working towards a global cyber capacity building agenda in 2017*, 2017.

¹⁵¹ Global Cyber Security Capacity Centre, *Cybersecurity Capacity Portal*, 2017.

¹⁵² Beaver, The United Nations and Cyberwarfare, *Global Risk Advisors*, 2017.

¹⁵³ UN DPI, *In wake of ‘WannaCry’ attacks, UN cybersecurity expert discusses Internet safety*, 2017.

¹⁵⁴ UNIDIR, *Report of the International Security Cyber Issues Workshop Series*, 2016.

¹⁵⁵ *Ibid.*

¹⁵⁶ UN DPI, *Half of all countries aware but lacking national plan on cybersecurity, UN agency reports*, 2017.

¹⁵⁷ UN ITU, *Global Cybersecurity Index (GCI) 2017*, 2017.

¹⁵⁸ UN DPI, *Half of all countries aware but lacking national plan on cybersecurity, UN agency reports*, 2017.

¹⁵⁹ *Ibid.*

¹⁶⁰ CERT India, *Cyber Security & Role of Cert-In*, 2009, p. 14.

¹⁶¹ UN General Assembly, *Developments in the field of information and telecommunications in the context of international security (A/RES/71/28)*, 2016; UN General Assembly, *Developments in the field of information and telecommunications in the context of international security – Report of the Secretary-General (A/71/172)*, 2016.

GGE recommendations.¹⁶² Political will to share cyber capabilities is lacking, especially between countries considering cyberattacks on each other.¹⁶³ Therefore, another strategy recommended by the GGE is to pursue the development of CBMs among states.¹⁶⁴ Conventional CBMs deescalate tensions between countries and aim to build mutual trust by increasing transparency about national military capacities.¹⁶⁵ A similar approach might be possible regarding cyber capacities to avoid conflict.¹⁶⁶ To date, General Assembly resolution 71/39 on “CBMs in the regional and subregional context” makes no mention of cyber-related actions.¹⁶⁷ The Organisation for Security and Co-operation in Europe has advanced efforts on specifying a list of CBMs For Cyberspace that aim primarily at voluntary information sharing on issues pertaining ICT security.¹⁶⁸

Responding to Cyberattacks

While the development of legal frameworks and means of domestic prosecution of cybercrimes has seen substantial progress, military responses still need extensive deliberation in the international arena.¹⁶⁹ There has been no consensus in the GGE on acceptable options Member States may use to respond to cyberattacks perpetrated by or with the involvement of states.¹⁷⁰ The involvement of a state or its favorable view on the attack can complicate investigation and prosecution of cyberattacks committed by criminals and terrorists if they receive protection from the respective country.¹⁷¹ The First Committee has yet to define categories and thresholds of what constitutes an act of war in cyberspace and which countermeasures are appropriate.¹⁷² Developing a catalogue of measures to respond to cybercrimes, cyber terrorism, and cyber warfare is an enormous political and diplomatic challenge.¹⁷³

Attribution in cyberspace is difficult and most countries lack the technological know-how to do so.¹⁷⁴ However, applying international law requires sound evidence of the attacking party.¹⁷⁵ To avoid escalation into cyber war, experts at UNIDIR propose a norm that allows the affected state to only take actions, which have yet to be determined, that do not involve the use of force in responding or retaliating to a cyberattack.¹⁷⁶ If the aggressor is a Member State, some experts suggest involving the Security Council and imposing sanctions.¹⁷⁷ This calls for the definition of a threshold for the damage an attack has caused to justify certain Security Council activities, though said damage may not always be of physical nature, but rather financial or political.¹⁷⁸ The attack may still be considered an act of war by the affected state, opening a discussion around the right to self-defense.¹⁷⁹ Though a single attack may not reach a critical threshold, concerted efforts to weaken the economy or the political stability of a country could potentially be considered a cyberwarfare campaign.¹⁸⁰ Notwithstanding the need to protect against and respond to cyber warfare, the First Committee has not sufficiently discussed the issue of self-defense, appropriate responses to cyberattacks that target national critical cyber infrastructure, and how to avoid escalation.¹⁸¹ The EU has created a cyber diplomacy toolbox that offers guidance on how to address cyberattacks that do not meet

¹⁶² GIP Digital Watch, *UN GEE*, 2017.

¹⁶³ Beaver, *The United Nations and Cyberwarfare*, *Global Risk Advisors*, 2017.

¹⁶⁴ GIP Digital Watch, *UN GEE*, 2017.

¹⁶⁵ UNODA, *Military Confidence-building*, 2017.

¹⁶⁶ Lewis, *Confidence-building and international agreement in cybersecurity*, 2011.

¹⁶⁷ UN General Assembly, *Confidence-building measures in the regional and subregional context (A/RES/71/39)*, 2016.

¹⁶⁸ NATO CCDCOE, *OSCE Expands Its List of Confidence-Building Measures For Cyberspace: Common Ground on Critical Infrastructure Protection*, 2016.

¹⁶⁹ Brenner, *At Light Speed: Attribution and Response to Cybercrime/Terrorism/Warfare*, 2007, pp. 440-474.

¹⁷⁰ GIP, Digital Watch, *Digital Policy Trends in June*, 2017; Brenner, *At Light Speed: Attribution and Response to Cybercrime/Terrorism/Warfare*, 2007, pp. 421-424.

¹⁷¹ Brenner, *At Light Speed: Attribution and Response to Cybercrime/Terrorism/Warfare*, 2007, pp. 421-424.

¹⁷² UNIDIR, *Report of the International Security Cyber Issues Workshop Series*, 2016.

¹⁷³ *Ibid.*

¹⁷⁴ *Ibid.*, pp. 9-10.

¹⁷⁵ *Ibid.*, pp. 15-16.

¹⁷⁶ *Ibid.*, p. 17.

¹⁷⁷ *Ibid.*

¹⁷⁸ *Ibid.*

¹⁷⁹ Beaver, *The United Nations and Cyberwarfare*, *Global Risk Advisors*, 2017.

¹⁸⁰ *Ibid.*

¹⁸¹ Tikki-Ringas, *Developments in the Field of Information and Telecommunication in the Context of International Security: Work of the UN First Committee 1998-2012*, 2012, p. 10.

the threshold of an armed attack.¹⁸² However, the EU struggles to streamline its cyber security policies into one coherent approach responding to an actual attack on its critical cyber infrastructure.¹⁸³ It also lacks coordination with cyber defense strategies of NATO and remains ad hoc in nature.¹⁸⁴

Conclusion

Cyber security impacts all spheres of life, and sustainable development is dependent on the innovative use of ICTs.¹⁸⁵ However, with the emergence of new technologies there is always a chance that these advancements are used against a country and their people threatening international peace and security.¹⁸⁶ Differentiating between the concepts of cyber warfare, cybercrime, and cyber terrorism has proven difficult.¹⁸⁷ No internationally agreed definitions exist for these terms.¹⁸⁸ Part of the problem is often the inability to conclusively attribute a cyberattack to one specific actor or to potentially link criminal activities by hacker groups to governments, effectively blurring the lines between cybercrime and cyber warfare.¹⁸⁹ The General Assembly First Committee has made slow progress on cyber security over the last 20 years. Even though the need for capacity building and international cooperation has long been recognized by the committee, the lack of trust among Member States and universally agreed cyber norms impede further advancement.¹⁹⁰ This is aggravated by the fact that half of the world has not yet formulated national cyber security or cyber defense strategies and do not realize the potential cyber threats they are facing.¹⁹¹

Further Research

Cyber security is a rapidly evolving issue that is addressed by the First Committee in light of its international peace and security efforts. Moving forward with their research, delegates should consider the following questions: What options are there to bring more clarity to the concepts of cybercrime, cyber warfare, and cyber terrorism? How could capacities be built to identify, prevent, and respond to cyber threats? What role should be played by developed versus developing nations in achieving global cyber security? What hinders international cooperation and which methods can be employed to foster dialogue? What future does the GGE have? How can disagreements be addressed, and compromise reached on issues that are in deadlock while continuing successful work on less contentious areas?

Annotated Bibliography

Beaver, M. (2016, September 28). The United Nations and Cyberwarfare. *Global Risk Advisors*. Retrieved 20 July 2017 from: <https://globalriskadvisors.com/blog/united-nations-cyber-warfare/>

This blog post offers a comprehensive overview of what is commonly understood as cyber warfare, even in the absence of a universally agreed definition, and the involvement of state actors in cyberattacks. It further outlines the efforts of the UN over the last two decades to establish rules and norms regarding global cyber security. Delegates should consult this source to understand the current debate around cyber security and hear a critical voice regarding the UN's capacity to address the issue.

Brenner, S. (2007). At Light Speed: Attribution and Response to Cybercrime/Terrorism/Warfare. *Journal of Criminal Law and Criminology*, 97 (2): 397-476. Retrieved 29 August 2017 from:

<http://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=7260&context=jclc>

This journal article takes an academic and at the same time very practical approach to the issue of defining the different concepts of cybercrime versus cyber warfare versus cyber terrorism. It

¹⁸² Bendiek, Europe's Patchwork Approach to Cyber Defense Needs a Complete Overhaul, *Council on Foreign Relations*, 2017.

¹⁸³ *Ibid.*

¹⁸⁴ *Ibid.*

¹⁸⁵ WSIS, *WSIS Forum 2017: Information and Knowledge Societies for SDGs – Outcome Document*, 2017.

¹⁸⁶ *Ibid.*

¹⁸⁷ Maurer, *Cyber Norm Emergence at the United Nations*, 2011.

¹⁸⁸ *Ibid.*

¹⁸⁹ GIP, Digital Watch, *Digital Policy Trends in June, 2017*; Brenner, *At Light Speed: Attribution and Response to Cybercrime/Terrorism/Warfare*, 2007, pp. 421-424.

¹⁹⁰ Beaver, The United Nations and Cyberwarfare, *Global Risk Advisors*, 2017.

¹⁹¹ UN DPI, *Half of all countries aware but lacking national plan on cybersecurity, UN agency reports*, 2017.

presents delegates with possible categories based on which the distinction could be made when it comes to policies. It looks most prominently at the issue of attribution of cyber hostilities as well as the motivation of actors committing cyberattacks. This article helps delegates to understand the difficulty of the issue and may guide them in developing their countries position on the matter.

Geneva Internet Platform, Digital Watch. (2017). *Digital Watch Observatory* [Website]. Retrieved 30 August 2017 from: <https://dig.watch/>

The Digital Watch Observatory of the Geneva Internet Platform is a great resource for delegates to explore various aspects of cyber security. The website offers an overview about cyber norms and various subtopics of cyber security, such as cybercrime, critical infrastructure, and cyberconflict. It also offers policy updates and frequent newsletters that help delegates stay up-to-date on current cyber security concerns and new developments toward the conference. Considering the fast-paced digital landscape, keeping track of the latest cyberattacks, such as WannaCry as well as relevant cyber-events such as WSIS Forum 2017, is very important.

Geneva Internet Platform, Digital Watch. (2017). *UN GEE* [Website]. Retrieved 20 July 2017 from: <https://dig.watch/processes/ungge>

This platform is the perfect source for all essential information on the UN Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security. The GGE has published two reports outlining the global cyber security agenda and introducing the principle that international law applies to the digital space. Its work is absolutely crucial for the topic at hand. Tasked with examining cyber threats and making recommendations in this regard, the GGE has not been able to agree on a final report at this point. Delegates should monitor this process closely in the run-up to the conference.

Radunovic, V. (2015). *Cybersecurity and International Peace and Security*. Retrieved 31 August 2017 from: <http://www.gp-digital.org/wp-content/uploads/2015/06/GCCS2015-Webinar-Summary-International-Peace-and-Security.pdf>

This summary on the topic of cyber security and international peace and security provides a concise overview of the issue itself and its importance—including its relevance to human rights—to the international community. It also looks at how it has been addressed so far, by whom, where, and when. This way it helps delegates to build a general understanding of cyber security in the context of the UN General Assembly First Committee's mandate. This source also presents a comprehensive list of mostly regional actors in the field which delegates should research further depending on the regional affiliation of their delegation.

Tikk-Ringas, E. (2012). *Developments in the Field of Information and Telecommunication in the Context of International Security: Work of the UN First Committee 1998-2012*. Retrieved 20 July 2017 from: <http://www.ict4peace.org/wp-content/uploads/2012/08/Eneken-GGE-2012-Brief.pdf>

Although this policy brief published by the ICT4Peace foundation is already 5 years old, it is a great resource to learn how the topic of cyber security has evolved historically within the UN system. It is particularly helpful because it helps delegates to understand the role of the UN General Assembly First Committee in this context and outlines very clearly what the body has been able to do within the boundaries of its mandate and which impediments prevail. Nonetheless, delegates should use this document only as a starting point for their research of the committee's work in more recent years.

United Nations, General Assembly, Seventy-first session. (2016). *Developments in the field of information and telecommunications in the context of international security (A/RES/71/28)* [Resolution]. Adopted on the report of the First Committee (A/71/445). Retrieved 29 August 2017 from: <http://undocs.org/A/RES/71/28>

This resolution is the latest of a series of annual deliberations that the General Assembly First Committee conducts on this topic. The resolution recognizes the importance of ICTs for everyday life and therefore emphasizes the need to ensure its secure usage. From its first proposal in 1998 to 2016, the text has been expanded several times to reflect new developments in the field. Delegates should read this resolution to receive a quick overview what the major concerns of the First Committee are in regards to anything related to cyber and maintaining international peace and security.

United Nations, International Telecommunication Union. (2017). *Global Cybersecurity Index (GCI) 2017* [Report]. Retrieved 20 July 2017 from: https://www.itu.int/dms_pub/itu-d/opb/str/D-STR-GCI.01-2017-R1-PDF-E.pdf
The Global Cybersecurity Index surveys Member States' commitment to five pillars of cyber security (legal, technical, organizational, capacity building, and cooperation). The 2017 report emphasizes the need for improvement of cooperation at all levels and capacity building which should be a key focus for delegates at the conference. In this report, delegates can also find information specifically regarding their country or region to develop their position for negotiations.

United Nations, International Telecommunication Union. (2017). *UN Resolutions Related to Cybersecurity* [Website]. Retrieved 20 July 2017 from: <http://www.itu.int/en/action/cybersecurity/Pages/un-resolutions.aspx>
This website is a great resource for delegates to research the UN General Assembly's consideration of the topic between 2000 and 2010. Most importantly, it includes resolutions on the global culture of cyber security which discuss the assessment of best practices of cyber security. Delegates should read through all resolutions provided on this website to gain a better understanding of the UN's efforts to enhance cyber security globally specifically through building national capacity.

United Nations Office for Disarmament Affairs. (2017). *Developments in the field of information and telecommunications in the context of international security* [Website]. Retrieved 20 July 2017 from: <https://www.un.org/disarmament/topics/informationsecurity/>
This website offers delegates two important resources. It includes a short synthesis on the GGE process and the prominently discussed topics of "norms, rules or principles of the responsible behavior of states in the cyber sphere as well as confidence-building measures, international cooperation and capacity building." Furthermore, delegates may find their country's submission for the annual reports by the Secretary-General to the General Assembly on "Developments in the field of information and telecommunications in the context of international security."

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II. Measures to Strengthen International Counter-Terrorism Efforts

*“Terrorism is a significant threat to peace and security, prosperity and people. The international community continues to pursue a robust and comprehensive response. Collective efforts have disrupted attacks and disabled terrorist networks.”*¹⁹²

Introduction

Terrorism has always been a serious threat to the international community as it impacts the peace and security of states.¹⁹³ Terrorist activities also violate some of the basic principles of human rights, threaten the rule of law, and the protection of civilians that are mentioned in the *Charter of the United Nations* (1945).¹⁹⁴ Since the formation of the United Nations (UN), the international community has never fully agreed on a binding definition of terrorism, despite its prevalence.¹⁹⁵ Several attempts by the international community to define terrorism have been made, though the primary disagreements impeding consensus on its definition are whether such a definition should include states’ use of armed forces against civilians and the potential right of people under foreign occupation to resist in any means necessary.¹⁹⁶ These debates are particularly important because acts of terrorism often occur in areas with regional conflict or occupation.¹⁹⁷ The number of terrorist attacks in countries including Afghanistan, Bangladesh, Egypt, Iraq, the Philippines, Syria, and Turkey has increased since 2015.¹⁹⁸ Terrorist organizations such as the Islamic State of Iraq and the Levant (ISIL) and Boko Haram have been responsible for several of the terrorist attacks in Asia and Africa respectively.¹⁹⁹ Also in Europe, the number of casualties due to terrorist attacks substantially increased in 2015 compared to prior years.²⁰⁰

Despite the lack of an agreed-upon definition, significant work has been done in order to counter the spread of terrorism.²⁰¹ The UN has consistently worked on improving counter-terrorism efforts by creating frameworks where states can collaborate in order to preserve the rule of law, human rights, and protection of civilians as well as spread unity and peace nationally, regionally, and internationally.²⁰² Consequently, the General Assembly adopted resolution 60/288 of 2006 to launch the United Nations Global Counter-Terrorism Strategy, which establishes a common theme and method for the fight against terrorism.²⁰³ The strategy, noting that all forms and manifestations of terrorism would not be tolerated by the international community, outlines several practical procedures in order to prevent and combat these acts of terrorism.²⁰⁴ The international community has been working on an arrangement of procedures to be taken that cover and include strengthening state capacity to coordinate counter-terrorism activities with the UN.²⁰⁵

International and Regional Framework

The basis of efforts by the UN to combat terrorism can be seen in the *International Convention for the Suppression of the Financing of Terrorism* (1999).²⁰⁶ Article 2 specifies that acts violating this convention include those in which

¹⁹² UN Security Council, *Summary record of the 6765th meeting (S/PV.6765)*, 2012.

¹⁹³ Durmaz, *Understanding and Responding to Terrorism*, 2007, p. 66.

¹⁹⁴ *Charter of the United Nations*, 1945, Ch. I; UNFPA, *Human Rights Principles*, 2005.

¹⁹⁵ Human Rights Voices, *There is no UN definition of Terrorism*.

¹⁹⁶ UN, High-level Panel on Threats, Challenges and Change, *A more secure world: Our shared responsibility. Report of the High-level Panel on Threats, Challenges and Change*, 2004.

¹⁹⁷ UN General Assembly, *Follow-up to the outcome of the Millennium Summit: Note by the Secretary-General (A/59/565)*, 2004, p. 47.

¹⁹⁸ National Consortium for the Study of Terrorism and Responses to Terrorism, *Annex of Statistical Information: Country Reports on Terrorism 2015*, 2016.

¹⁹⁹ *Ibid.*

²⁰⁰ DataGraver, *People killed by terrorism per year in Western Europe 1970-2015*, 2015.

²⁰¹ Human Rights Voices, *There is no UN definition of Terrorism*.

²⁰² UN CTITF, *UN Global Counter-Terrorism Strategy*, 2015.

²⁰³ *Ibid.*

²⁰⁴ *Ibid.*

²⁰⁵ *Ibid.*

²⁰⁶ UN General Assembly, *International Convention for the Suppression of the Financing of Terrorism (A/RES/54/109)*, 1999.

funds are collected in full or in part toward the financing of terrorism or terrorist activities.²⁰⁷ Additionally, the *International Convention for the Suppression of Acts of Nuclear Terrorism* (2005) aims at preventing anyone from acquiring or possessing nuclear material with the intent to do harm or threaten international peace.²⁰⁸ The General Assembly previously adopted the *Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons* (1973), which summarizes the codes of protection of diplomats from kidnapping and murder in any context.²⁰⁹ In 1979, taking steps toward the development of a comprehensive legal framework on international counter-terrorism, the General Assembly adopted the *International Convention against Taking of Hostages* and in 1997 the *International Convention for the Suppression of Terrorist Bombing* noting that these actions are a matter of international concern as they threaten international peace and security.²¹⁰

In 2003, the UN adopted the *United Nations Convention against Corruption*.²¹¹ This convention addresses issues such as abuse of power and corruption in private sectors while calling on Member States to ensure transparency.²¹² Required mechanisms of prevention include the establishment of anti-corruption bodies, the criminalization of corruption in all its forms, and the establishment of offices ensuring that terrorist organizations are not being supported by any means including financially.²¹³ Terrorist groups often benefit from high levels of corruption in a country due to impeded rule of law, which facilitates money laundering and the formation of terrorist groups, making anti-corruption efforts an important aspect of counter-terrorism.²¹⁴ Furthermore, the convention calls for international cooperation in terms of providing legal assistance and gathering and transferring.²¹⁵

The Secretary-General established the United Nations' High-Level Panel on Threats, Challenges and Change in 2003 to conduct a study and provide key insight into the threats to international peace and security.²¹⁶ In the resulting report (A/59/565), the panel recommends establishing a comprehensive strategy against terrorism and finalizing a definition for terrorism.²¹⁷ In 2005, the international community took a united stance condemning of all forms of terrorism at the World Summit.²¹⁸ In that context, former Secretary-General Kofi Annan published the 2005 report on "Uniting against terrorism: recommendations for a global counter-terrorism strategy" (A/60/825) in which he hoped that terrorism would be fought on a global level, uniting governments and international organizations on matters of preventing the support for terrorism and defending human rights.²¹⁹ Following this report, the General Assembly adopted resolution 60/288, establishing the United Nations Global Counter-Terrorism Strategy.²²⁰ The strategy consists of four main pillars, which include addressing the conditions conducive to the spread of terrorism; preventing and combating terrorism; building Member States' capacity and strengthening the role of the UN in the fight against terrorism; and ensuring human rights and the rule of law.²²¹ In his report 66/762 to the General Assembly on implementing the strategy, the Secretary-General expresses his support for the victims of terrorism and stresses the importance of global counter-terrorism efforts.²²²

²⁰⁷ Ibid.

²⁰⁸ UN General Assembly, *International Convention for the Suppression of Acts of Nuclear Terrorism* (A/RES/59/290), 2005, pp. 2-3.

²⁰⁹ UN General Assembly, *Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents* (A/RES/3166 (XXVIII)), 1973.

²¹⁰ UN General Assembly, *International Convention against the Taking of Hostages* (A/RES/34/146), 1979; UN General Assembly, *International Convention for the Suppression of Terrorist Bombings* (A/RES/52/164), 1997.

²¹¹ UN General Assembly, *United Nations Convention against Corruption* (A/RES/58/4), 2003.

²¹² Ibid.

²¹³ Ibid.

²¹⁴ UNODC, *UN Instruments and Other Relevant International Standards on Money-Laundering and Terrorist Financing*.

²¹⁵ UN General Assembly, *United Nations Convention against Corruption* (A/RES/58/4), 2003.

²¹⁶ UN General Assembly, *Follow-up to the outcome of the Millennium Summit: Note by the Secretary-General* (A/59/565), 2004.

²¹⁷ UN General Assembly, *Follow-up to the outcome of the Millennium Summit: Note by the Secretary-General* (A/59/565), 2012.

²¹⁸ UN DPI, *The 2005 World Summit High-Level Plenary Meeting of the 60th session of the UN General Assembly*, 2005.

²¹⁹ UN CTITF, *UN Global Counter-Terrorism Strategy*, 2015.

²²⁰ Ibid.

²²¹ Ibid.

²²² UN General Assembly, *United Nations Global Counter-Terrorism Strategy: activities of the United Nations system in implementing the Strategy: Report of the Secretary-General* (A/66/762), 2012, p. 8.

Role of the International System

In 1994, the General Assembly adopted resolution 49/60 on the *Declaration on Measures to Eliminate International Terrorism*, leading to the establishment of the Ad Hoc Committee on Terrorism in 1996 as a supplement to the declaration.²²³ Following the declaration, Member States reached a common understanding allowing counter-terrorism measures to consistently be discussed and for appropriate actions to be taken, including the adoption of the *International Convention for the Suppression of Terrorist Bombings*.²²⁴ The *Comprehensive Convention on International Terrorism* is a proposed convention that has been in deadlock discussion since 1996, which would finalize an internationally agreed-upon definition of terrorism and address all terrorist acts.²²⁵ In 2012, the General Assembly Sixth Committee urged Member States to complete the draft for this convention.²²⁶

One of the main outcomes of cooperation between Member States on terrorism has been the adoption and the implementation of the United Nations Global Counter-Terrorism Strategy (2006).²²⁷ The main objective of the strategy is to preserve human rights while preventing terrorist attacks.²²⁸ In addition to this, in January 2016, the Secretary-General drafted a *Plan of Action to Prevent Violent Extremism*, which was discussed in the context of both the Geneva Conference on Preventing Violent Extremism and the General Assembly's Fifth Review of Global Counter-Terrorism Strategy.²²⁹ The Plan of Action calls upon Member States to set out a plan to combat extremist terrorist organizations such as ISIL and Boko Haram nationally and regionally.²³⁰ The Plan of Action works in a very broad manner focusing not only on improving security but also identifying and preventing people from being exposed to radical content and eventually joining an extremist group.²³¹ Likewise, in 2016, the General Assembly adopted resolution 70/291 in which it calls upon all entities working on combating terrorism including Member States and regional and international organizations to enhance its efforts toward implementing the UN Global Counter-Terrorism Strategy.²³²

In 1998 the Security Council adopted resolution 1189, condemning the impacts of terrorism on international relations and calling for the cooperation and support of international institutions to aid the governments of Kenya and Tanzania, which had both recently suffered from a terrorist attack.²³³ Due to the increase in the number of terrorist attacks in 1998, the Security Council also adopted resolution 1269, which condemned terrorism in all its forms and characterized it as a crime threatening international peace.²³⁴ The resolution called upon all Member States to fully implement all counter-terrorism conventions.²³⁵ In 1999, the Security Council took a firm stance against the terrorist organization Al-Qaida and adopted resolution 1267, which was an attempt to weaken and stop their terrorist activities through a sanctions regime.²³⁶ This resolution, which was the first of its kind, declared Osama bin Laden and his associates as terrorists and set in place an air, financial, and arms embargo.²³⁷ In 2017, the Security Council adopted resolution 2368, which states that all Member States should impose the asset freeze, travel

²²³ UN General Assembly, *Measures to eliminate international terrorism (A/RES/49/60)*, 1994; UN Office of Legal Affairs, *Ad Hoc Committee and established by General Assembly resolution 51/210 of 17 December 1996*, 1996.

²²⁴ UN Office of Legal Affairs, *Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996*, 1996.

²²⁵ UN DPI, *Legal Committee Urges Conclusion of Draft Comprehensive Convention on International Terrorism (GA/L/3433)*, 2012.

²²⁶ *Ibid.*; Livemint, *What is the Comprehensive Convention on International Terrorism*, 2016.

²²⁷ UN CTITF, *UN Global Counter-Terrorism Strategy*, 2015.

²²⁸ *Ibid.*

²²⁹ *Ibid.*

²³⁰ UN General Assembly, *Plan of Action to Prevent Violent Extremism: Report of the Secretary-General (A/70/674)*, 2015.

²³¹ UN CTITF, *Plan of Action to prevent violent extremism*.

²³² UN General Assembly, *The United Nations Global Counter-Terrorism Strategy Review (A/RES/70/291)*, 2016.

²³³ UN Security Council, *On the International Terrorism (S/RES/1189(1998))*, 1998.

²³⁴ UN Security Council, *On the responsibility of the Security Council in the maintenance of international peace and security (S/RES/1269 (1999))*, 1999.

²³⁵ *Ibid.*

²³⁶ UN Security Council, *Afghanistan (S/RES/1267 (1999))*, 1999.

²³⁷ *Ibid.*, pp. 3-4.

ban, and arms embargo against ISIL, Al-Qaida, and any associated individuals or groups from resolutions 1333 and 1390.²³⁸

Security Council resolution 1373 (2001) established the Counter-Terrorism Committee (CTC) which works on criminalizing financing of terrorism, improving information sharing between governments, and preventing any means of assistance for terrorist organizations.²³⁹ The Security Council is also concerned with the proliferation of weapons of mass destructions as related to terrorism, which is why the Security Council, in 2004, adopted resolution 1540 establishing the 1540 Committee.²⁴⁰ The committee is focused on four aspects: monitoring and national implementation; assistance; cooperation with international organization and other UN bodies; and transparency and media outreach.²⁴¹ Under this resolution, Member States are obliged not to cooperate with or support any non-state actors in obtaining, developing, or transporting nuclear, chemical, or biological weapons.²⁴² In addition to that, in 2004 the Security Council adopted resolution 1566 to establish the 1566 Working Group that takes actions against entities that are involved in terrorism but are not subjected to the mandate of the 1267 Committee, which deals with the Al-Qaida sanctions regime.²⁴³ This includes examining measures to be implemented upon entities associated with terrorism and setting up an international fund for the financial aid of victims of terrorism.²⁴⁴

Money laundering and the financing of terrorism are interconnected issues and several organizations have taken steps to address it.²⁴⁵ The International Monetary Fund established the Anti-Money Laundering Initiative in 2001 for the purpose of combating terrorism.²⁴⁶ During the 1989 Group of 7 (G7) Summit in Paris, Member States formed the Financial Action Task Force (FATF) to enforce standards toward promoting legal, regulatory, and operational measures to prevent money laundering.²⁴⁷ The FATF works through a set of international standards which are designed to prevent terrorists from obtaining funds from their supporters.²⁴⁸ However, in order to ensure more effective measures against terrorist financing, more assertive legislation, enforcement capacity, and increased international cooperation are needed.²⁴⁹ The North Atlantic Treaty Organization launched the Partnership Action Plan on Terrorism (PAP-T) which focuses on the economic and financial aspects of countering terrorism.²⁵⁰ PAP-T aims at preventing the smuggling of small arms through information sharing via the Euro-Atlantic Partnership Council Ad Hoc group as well as preventing the use of weapons of mass destruction.²⁵¹ The International Criminal Police Organization (INTERPOL) has also been active in combating terrorism.²⁵² It established the Counter-Terrorism Fusion Centre that investigates terrorist organizations' hierarchies, training, financing, methods, and motives.²⁵³ INTERPOL works toward countering threats from chemical, biological, radiological, nuclear, and explosive weapons by sharing information and intelligence analysis, capacity building and training, and operational and investigative support to each Member State.²⁵⁴

The International Atomic Energy Agency (IAEA) has been working with the G7 and Russia to improve their counter-terrorism responsibilities toward nuclear material which covers promoting safeguards against terrorists,

²³⁸ UN Security Council, *Threats to international peace and security caused by terrorist acts - Preventing terrorists from acquiring weapons (S/RES/2370 (2017))*, 2017.

²³⁹ UN Security Council, *Threats to international peace and security caused by terrorist acts (S/RES/1373(2001))*, 2001, pp. 2-3.

²⁴⁰ UN 1540 Committee, *General Information*.

²⁴¹ UN 1540 Committee, *Letter dated 10 February 2017 from the Chairs of the Security Council Committee established pursuant to resolution 1540 (2004) addressed to the President of the Security Council (S/2017/126)*, 2017.

²⁴² UN 1540 Committee, *General Information*.

²⁴³ Harvard Law School Program on International Law and Armed Conflict, *Security Council Working Group established pursuant to Resolution 1566*, 2015.

²⁴⁴ *Ibid.*, UN Security Council Subsidiary Organs, *Working group established pursuant to resolution 1566*.

²⁴⁵ Lo, *FATF initiatives to combat terrorist financing*, 2002.

²⁴⁶ IMF, *Anti-Money Laundering/ Combatting the Financing of Terrorism*.

²⁴⁷ FATF, *Annual Report 2015 – 2016*, 2017.

²⁴⁸ Lo, *FATF initiatives to combat terrorist financing*, 2002.

²⁴⁹ *Ibid.*

²⁵⁰ NATO, *Money at the root of evil: The Economics of Transnational Terrorism*, 2007.

²⁵¹ NATO, *Partnership Action Plans against Terrorism*, 2002.

²⁵² INTERPOL, *Counter-Terrorism Fusion Centre*.

²⁵³ *Ibid.*

²⁵⁴ INTERPOL, *CBRNE*.

strengthening the international non-proliferation acts.²⁵⁵ These acts include the initiatives on safe disposal of plutonium which is not needed for defense purposes.²⁵⁶ The Organization for the Prohibition of Chemical Weapons has been working on providing protection and assistance to Member States that would face the threat of chemical weapons.²⁵⁷ It hosted a workshop in 2011 about “International response and mitigation of a terrorist use of chemical, biological and toxin weapons or materials.”²⁵⁸ This aimed to strengthen the exchange of knowledge among organizations related to responding to weapons of mass destruction’s attacks.²⁵⁹

The United Nations Global Counter-Terrorism Strategy

The United Nations Global Counter-Terrorism Strategy is a global instrument that unifies the international efforts fighting terrorism.²⁶⁰ The first pillar of the strategy addresses the conditions which promote the spread of terrorism.²⁶¹ For the purposes of the first pillar, former Secretary-General Kofi Annan launched the UN Alliance of Civilizations in 2005.²⁶² The Alliance, initiated by the prime minister of Spain and co-sponsored by the prime minister of Turkey, began when the international community noticed that extremists had caused major instability in terms of acceptance and tolerance between cultures.²⁶³ The Alliance is composed of people with different ideologies and backgrounds striving to create a mutual understanding between people of different backgrounds.²⁶⁴

The second pillar focuses on preventing and combating terrorist attacks.²⁶⁵ Based on this pillar, the General Assembly adopted resolution 71/151 in 2016, which calls upon all Member States to join and implement the *International Convention for the Suppression of Terrorist Bombing* and the *International Convention for the Suppression Acts of Nuclear Terrorism*.²⁶⁶ In addition, it asks Member States to fully incorporate the conventions and protocols into national legislation strengthening prosecution of terrorist acts.²⁶⁷ Moreover, the CTC works to find solutions for effectively countering extreme terrorism, foreign terrorist fighters, and the financing of terrorism by, for instance, sharing intelligence and strengthening law enforcement.²⁶⁸ The CTC’s efforts to impede the financial flows of ISIL were noted in Security Council resolution 2178.²⁶⁹ However, one of the biggest issues is that the lack of coherence and effective direct communication among counter-terrorism entities leads to inefficient counter-terrorism efforts.²⁷⁰ Due to the overlapping mandates among the plethora of counter-terrorism entities, activities often run in parallel rather than in coordination with each other.²⁷¹

The third pillar aims to enhance Member States’ capacity to prevent and combat terrorism through a number of measures, including sharing information, providing technical assistance, and enhancing cooperation among UN bodies like UNODC, INTERPOL, the International Monetary Fund, and Member States.²⁷² Often times, Member States are vulnerable to terrorism because of their instability.²⁷³ The cooperation and coordination measures of this

²⁵⁵ IAEA, *G8 Backs IAEA Role in Countering Terrorism*, 2002.

²⁵⁶ Ibid

²⁵⁷ OPCW, *The OPCW’s Role in Combating Terrorism*, 2001.

²⁵⁸ UN CTITF, *Preventing and responding to WMD terrorist attacks*.

²⁵⁹ Ibid.

²⁶⁰ UN CTITF, *UN Global Counter-Terrorism Strategy*, 2015.

²⁶¹ Ibid

²⁶² UN DPI, *Secretary-General announces composition of High-Level group of Alliance of Civilization (SG/SM/10073/REV.1)*, 2005.

²⁶³ UN DPI, *Secretary-General announces launch of ‘Alliance of Civilizations’ aimed at bridging divides between societies exploited by extremists*, 2005.

²⁶⁴ UN Alliance of Civilizations, *About Us*, 2017.

²⁶⁵ UN CTITF, *UN Global Counter-Terrorism Strategy*, 2015.

²⁶⁶ UN General Assembly, *Measures to eliminate International Terrorism (A/RES/71/151 (2016))*, 2016.

²⁶⁷ Ibid.

²⁶⁸ UN CTC, *Focus Areas*, 2017.

²⁶⁹ UN CTC, *Terrorism financing*.

²⁷⁰ Center on Global Counterterrorism Cooperation, *International Process on Global Counter-Terrorism Cooperation*, 2008, p. 34.

²⁷¹ UN DPI, *With Global Strategy, Member States Expressed Strong Resolve to Defeat Terrorism; Now Actions, Results Needed to Free World from Scourge, General Assembly Told (GA/11259)*, 2012.

²⁷² UN CTITF, *UN Global Counter-Terrorism Strategy*, 2015.

²⁷³ Al-Badayneh et al., *Understanding Terrorism: Analysis of Sociological and Psychological Aspects*, 2007, p. 142.

pillar are particularly important because they not only address counter-terrorism efforts but also allow for coordination between Member States in other areas that serve to improve stability within states.²⁷⁴ To that end, the General Assembly in its resolution 70/291 (2016) called for enhanced dialogue and “greater coordination and coherence among the United Nations entities and with donors and recipients of counter-terrorism capacity-building.”²⁷⁵ Examples of coordination efforts among UN bodies in the field of counter-terrorism include the World Health Organization’s provision of technical assistance to aid Member States to prevent and prepare for any biological acts conducted by terrorists and the IAEA’s efforts to build states’ capacity to prevent terrorist acquisition of nuclear, chemical or radiological materials.²⁷⁶

The fourth pillar promotes human rights and rule of law to ensure that counter-terrorism measures do not conflict with fundamental human rights and to promote the protection of victims of terrorism.²⁷⁷ In support of this pillar, the Office of the High Commissioner for Human Rights appointed a Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.²⁷⁸ This is done by working on developing human rights standards and providing advice on technical cooperation.²⁷⁹ The Special Rapporteur’s mandate includes making recommendations about ensuring the protection of human rights and freedom, integrating a gender perspective in all activities, and regularly reporting to the Human Rights Council and the General Assembly.²⁸⁰ The rule of law is extremely critical as its negligence can lead to corruption, which contributes to global insecurity, the violations of human rights, and the formation of terrorist groups.²⁸¹ Peace and security on an international level cannot be achieved without the adequate installment of rule of law and promoting human rights on a national level.²⁸²

Counter-Terrorism Implementation Task Force

In 2004, the Secretary-General noted that Member States attempting to undertake counter-terrorism activities lacked UN-facilitated technical support and instead sought bilateral cooperation in order to receive operational support for such activities.²⁸³ In response to this need for a framework that would coordinate counter-terrorism activities between UN agencies and Member States, the Secretary-General established the Counter-Terrorism Implementation Task Force (CTITF) in 2005.²⁸⁴ The Task Force consists of 38 international entities which provide policy support, technical assistance, and knowledge to Member States.²⁸⁵ The Task Force’s main objective is to ensure coherence and coordination toward achieving the goals of the United Nations Global Counter-Terrorism Strategy.²⁸⁶ Furthermore, the CTITF has fostered cooperation with several regional and international organizations such as the European Union, the Council of Europe, and INTERPOL.²⁸⁷

Following acknowledgment in resolution 60/288 (2006) that there was a need for an international body that could focus on counter-terrorism efforts, the General Assembly established the United Nations Counter-Terrorism Centre

²⁷⁴ UN DPI, *Conflict prevention, migration and terrorism key concerns for EU and member countries at UN*, 2017.

²⁷⁵ UN General Assembly, *Strengthening the capability of the United Nations system to assist Member States in implementing the United Nations Global Counter-Terrorism Strategy (A/RES/71/291)*, 2017, p. 7.

²⁷⁶ WHO, *Public health response to biological and chemical weapons*, 2004, p. 12; UN CTITF, *UN Global Counter-Terrorism Strategy*, 2015.

²⁷⁷ UN CTITF, *UN Global Counter-Terrorism Strategy*, 2015.

²⁷⁸ UN General Assembly, *Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism*, 2010, pp. 1-2; UN OHCHR, *Human Rights, Terrorism and Counter-Terrorism*, 2008.

²⁷⁹ UN General Assembly, *Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism*, 2010, pp. 1-2; UN OHCHR, *Special Procedures of the Human rights Council*.

²⁸⁰ UN OHCHR, *Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism*, 2017.

²⁸¹ Bistrong, *Corruption’s Impact on the Rule of Law & Security: Moving from the Vicious to the Virtuous*, 2015.

²⁸² UN Chronicle, *The Role of the UN in Promoting the Rule of Law: Challenges and New Approaches*, 2012.

²⁸³ UN General Assembly, *Follow-up to the outcome of the Millennium Summit: Note by the Secretary-General (A/59/565)*, 2004, p. 50.

²⁸⁴ UN CTITF, *About the Task Force*, 2017.

²⁸⁵ UN CTITF, *Coordination and coherence of the counter terrorism efforts of the United Nations*.

²⁸⁶ UN DPI, *Implementation the Global Counter-Terrorism Strategy*, 2007.

²⁸⁷ OSCE, *The Review of the United Nations Global Counter-Terrorism Strategy*, 2014, p. 4.

in September 2011 through resolution 66/10, with the mandate of working within the CTITF and Department of Political Affairs on the implementation of the Global Counter-Terrorism Strategy.²⁸⁸ In 2017, the General Assembly adopted resolution 71/291, combining the CTITF and UN Counter-Terrorism Centre into a single office headed by an Under-Secretary-General, known as the Office of Counter-Terrorism.²⁸⁹ This merger intends to make the CTITF more efficient as it transfers the regular and extra-budgetary resources from the Department of Political Affairs of the Secretariat to the Office of Counter-Terrorism.²⁹⁰ The office has five main functions which include providing leadership to the counter-terrorism mandates set by the General Assembly; improving coordination for the implementation of the four pillars of the UN Global Counter-Terrorism Strategy by managing the 38 Counter-Terrorism Implementation Task force entities; improving the UN counter-terrorism capacity building assistance for each Member State; improving the efforts of the counter-terrorism measures by increasing visibility, support and improve resources; and ensuring the effective work being done on prevention of violent extremism.²⁹¹

Conclusion

Combating terrorism has been a priority topic in the UN for over a decade.²⁹² The Global Counter-Terrorism Strategy is instrumental in the fight against terrorism, discussing several fundamental concepts of terrorism as well as the prevention of and response to terrorism.²⁹³ The UN established the Office of Counter-Terrorism to provide technical support to Member States and effectively and coherently implement the UN Global Counter-Terrorism Strategy.²⁹⁴ The UN encourages Member States and regional and international organizations to join and promote the Global Counter-Terrorism.²⁹⁵ However, the involvement of many different entities working on preventing terrorism and safeguarding human rights makes adequate coordination a serious challenge and hinders the effective implementation of the strategy.²⁹⁶

Further Research

As delegates begin research on this topic, they should consider the following questions: How can Member States further cooperate with UN entities toward the effective implementation of the strategy? How can information sharing between regions aid toward effectively stopping terrorist organizations? What more can the international community provide toward the implementation of the strategy? What procedures should be followed by the international community toward promoting the rule of law and preventing corruption? How can the UN further help the victims of terrorism?

Annotated Bibliography

International Monetary Fund. (2000). *Anti-Money Laundering/Combating the Financing of Terrorism - Topics* [Website]. Retrieved 21 August 2017 from: <https://www.imf.org/external/np/leg/amlcft/eng/aml1.htm>

The International Monetary Fund elaborates on several initiatives it has taken in order to ensure that the international community is fighting against money laundering and financing of terrorist organizations. This website also highlights the efforts being made to combat money laundering and links it to corruption, which would greatly aid delegates toward understanding its importance toward pillars 2 and 4 of the Global Counter-Terrorism Strategy. This source is useful for delegates in understanding how collaboration between UN bodies and Member States in counter-terrorism takes place.

Organisation for the Prohibition of Chemical Weapons. (n.d.). *The United Nations Counter-Terrorism Implementation Task Force (CTITF) and the Working Group on Preventing and Responding to WMD Attacks*

²⁸⁸ UN CTC, *Background*.

²⁸⁹ UN OCT, *About*, 2017.

²⁹⁰ UN General Assembly, *Strengthening the capability of the United Nations system to assist Member States in implementing the United Nations Global Counter-Terrorism Strategy (A/RES/71/291)*, 2017, p. 2.

²⁹¹ UN OCT, *About*, 2017.

²⁹² United States of America, *Country Reports on Terrorism 2016*, 2017

²⁹³ UN CTITF, *UN Global Counter-Terrorism Strategy*, 2015.

²⁹⁴ UN OCT, *About*, 2017.

²⁹⁵ UN CTITF, *UN Global Counter-Terrorism Strategy*, 2015.

²⁹⁶ UN Chronicle, *The Role of the UN in Promoting the Rule of Law: Challenges and New Approaches*, 2012.

[Website]. Retrieved 20 August 2017 from: <https://www.opcw.org/special-sections/ctitf-report/the-united-nations-counter-terrorism-implementation-task-force-ctitf-and-the-working-group-on-preventing-and-responding-to-wmd-attacks/>

This website highlights the ways in which the CTITF has been working on initiatives toward responding to attacks conducted by terrorist organizations using weapons of mass destruction. In addition to that, the website lists all international entities that are part of this working group and the mandate it adheres to. Delegates will find useful links to reports, resolutions, and other information regarding the CTITF's work on preventing WMD attacks.

Organization for Security and Co-operation in Europe. (2012, June 28-29). *Remarks by Anti-terrorism Issues Transnational Threats Department OSCE Secretariat Mr. Thomas Wuchte on the Review of the United Nations Global Counter-Terrorism Strategy on 28-29 June 2012, in New York*. Retrieved 22 August 2017 from: <http://www.osce.org/secretariat/91823?download=true>

Mr. Thomas Wuchte, Head of the Anti-Terrorism Issues Transnational Threats Department of the OSCE wrote this in review to the United Nations Global Counter-Terrorism Strategy. The organization has expressed its pledge to the strategy and has mentioned several recommendations in which the organization is willing to support the strategy. Delegates will find this source useful as it illustrates the importance of international cooperation toward combating terrorism.

United Nations, Counter-Terrorism Implementation Task Force. (2006). *UN Global Counter-Terrorism Strategy* [Website]. Retrieved 16 July 2017 from: <https://www.un.org/counterterrorism/ctitf/un-global-counter-terrorism-strategy>

This website outlines the four main pillars of the UN Global Counter-Terrorism Strategy. Each pillar plays a role in addressing an aspect of elimination of international terrorism. Apart from describing and explaining each pillar, the website also states the different organizations working toward the implementation of each of the pillars. Delegates can greatly benefit from this strategy in order to develop ideas to further combat terrorism.

United Nations, General Assembly, Fifty-fourth session. (1999). *International Convention for the Suppression of the Financing of Terrorism (A/RES/54/109)*. Adopted on the report of the Sixth Committee (A/54/615). Retrieved 17 July 2017 from: <http://undocs.org/A/RES/54/109>

This Convention took effect in 2002 and it outlines legal actions applicable in the event of a person committing the crime of financing terrorism in any sense. This convention also obliges States parties to take legal actions within the laws of that state to prosecute such crimes. Delegates should review this convention to understand the importance of preventing financing of terrorist organizations and the main frame they work within.

United Nations, General Assembly, Fifty-eighth session. (2003). *United Nations Convention against Corruption (A/RES/58/4)*. Retrieved 21 August 2017 from: <http://undocs.org/A/RES/58/4>

This convention was adopted by the General Assembly to address the concept of corruption and also brings up the internationally binding anti-corruption agreements. The convention has seven sections, in an attempt to cover all the work done in preventing corruption. Delegates should review this document learning more about the prevention of corruption and strengthening the rule of law, which is related to the fourth pillar of the UN Global Counter-Terrorism Strategy.

United Nations, General Assembly, Fifty-ninth session. (2004). *Follow-up to the outcome of the Millennium Summit: Note by the Secretary-General (A/59/565)*. Retrieved 20 October 2017 from: <https://undocs.org/A/59/565>

This report of the High-level Panel on Threats, Challenges and Change is an assessment on the current threats to international peace and security. It also includes several recommendations on improving the work of the UN system toward collective security and it provides a summary of recommendations toward prevention of usage of weapons of mass destruction and guidelines on using of force and protecting civilians during an attack. Delegates will benefit from this report as it offers a good overview on the threats of terrorism.

United Nations, General Assembly, Fifty-ninth session. (2005). *International Convention for the Suppression of Acts of Nuclear Terrorism (A/RES/59/290)*. Adopted on the report of the Ad Hoc Committee established by General

Assembly resolution 51/210 of 17 December 1996 (A/59/766). Retrieved 17 July 2017 from: <http://undocs.org/A/RES/59/290>

This international convention was adopted to effectively combat the use of nuclear material for terrorism purposes. It encourages and promotes police and the judicial system to aid in preventing and prosecuting such offenses. Delegates should review this convention to understand what measures have been taken in the prevention of nuclear terrorism and base any policy recommendations on the existing frameworks.

United Nations, General Assembly, Sixty-sixth session. (2012). *United Nations Global Counter-Terrorism Strategy: activities of the United Nations system in implementing the Strategy: Report of the Secretary-General (A/66/72)*. Retrieved 12 August 2017 from: <http://undocs.org/A/66/762>

This report highlights the work that has been made toward the implementation of the UN Global Counter-Terrorism Strategy. It also outlines suggestions made by the UN system concerning future plans improving upon implementation mechanisms. Delegates will find this document helpful to understand the persisting gaps in effective implementation, and think about further recommendations and initiatives to strengthen the strategy.

United Nations, Office of the High Commissioner for Human Rights. (2008). *Human Rights, Terrorism and Counter-terrorism* [Fact Sheet]. Retrieved 11 August 2017 from: <http://www.ohchr.org/Documents/Publications/Factsheet32EN.pdf>

This fact sheet was published in order to explain human rights and its relationship to the Global Counter-Terrorism Strategy, especially the fourth pillar. The report provides practical suggestions for organizations dealing with counter-terrorism measures and human rights, and provides guidance toward ensuring that they work together. Delegates should refer to this document in order to understand the relationship between human rights and countering terrorism.

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III. Combating the Illicit Trade in Small Arms and Light Weapons

*“Small arms do not only make easy the taking and maiming of lives, but also kill economies and social bonds on which every kind of collective institution and progress rely.”*²⁹⁷

Introduction

The illicit trade of small arms and light weapons (SALW) is of significant importance in the General Assembly First Committee, as the activity undermines security provisions and rule of law, and is often responsible for forced displacement of civilians and substantial human rights violations.²⁹⁸ The widespread availability of SALW over the past decade due to national legislation, ease of acquisition, and portability, has been a major factor in the amount of armed conflict and displacement globally.²⁹⁹ SALW unequivocally assist armed forces in matters of national and regional security, and although Member States have an inherent right to self-defense, action with respect to threats and breaches of peace involving armed force must be done so with respect to Chapter VII of the *Charter of the United Nations* (1945).³⁰⁰ Nevertheless, the use of SALW and trade is not always exclusive to a nation’s self-defense, as they often are sold on the black market, fueling illicit trade and violence.³⁰¹ The *Trade Update 2016: Transfers and Transparency* estimates the worth of the international small arms trade at \$5.8 billion, while the United Nations Office for Disarmament Affairs (UNODA) estimates approximately 200,000 people are killed annually due to armed conflict, with far more being left with life changing injuries.³⁰² The effects of SALW and their illicit trade present a challenge to the First Committee as SALW that enter the realm of illicit trade and reach crisis prone areas create dire consequences.³⁰³

Although there is no universally accepted definition of “small arms” or “light weapons,” the *International Tracing Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons* (2005) (ITI) states SALW are any “man-portable” lethal weapons with the capability of launching or expelling by the action of an explosive.³⁰⁴ More specifically, “small arms” are designed for individual use and include self-loading pistols, rifles, sub-machine guns, and light-machine guns; “light weapons” are designed for use by two or more persons working as a crew and include heavy machine guns, self-loading launchers, and anti-tank guns with a caliber of less than 100 millimeters.³⁰⁵ “Arms Trade,” “arms transfers,” and “arms traffic” refer to the leasing, sale, and shipment of weapons, whether that transfer is legal or illegal, and are often used interchangeably.³⁰⁶ SALW are considered “illicit” if they are transferred, marked, manufactured, or assembled without authorization by a competent national authority, in accordance with the proper provisions, authorization from the competent authority of state, or if they are in violation of arms embargoes set by the United Nations (UN) Security Council.³⁰⁷

International and Regional Framework

The *Universal Declaration of Human Rights* (1948), a landmark document highlighting the fundamental human rights of all peoples, is of vital importance to the First Committee with respect to SALW.³⁰⁸ The illicit trade of SALW, having the potential to spur further conflict and organized crime, directly violates key principles of the declaration featured in Articles 3 and 5 pertaining to rights of life, liberty, security, and subjection to cruel and

²⁹⁷ UN DPI, *Human Cost of Illicit Flow of Small Arms, Light Weapons Stressed in Security Council Debate*, 2015.

²⁹⁸ UNODA, *Small Arms: use & misuse*, 2017.

²⁹⁹ UN DPI, *Human Cost of Illicit Flow of Small Arms, Light Weapons Stressed in Security Council Debate*, 2015.

³⁰⁰ UNODA, *Small Arms: use & misuse*, 2017.

³⁰¹ AI, *What We Do: Arms Control*, 2017.

³⁰² Abdalla, *The Road Ahead for Small Arms and Light Weapons- the 2018 Review Conference*, 2016; Pavesi, *Trade Update 2016: Transfers and Transparency*, 2016, p. 14.

³⁰³ UNODA *Small Arms: use & misuse*, 2017.

³⁰⁴ UN PoA-ISS, *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons*, 2012, p. 2.

³⁰⁵ *Ibid.*

³⁰⁶ Holtom & Bromley, *The International Arms Trade: Difficult to Define, Measure, and Control*, 2010.

³⁰⁷ UN PoA-ISS, *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons*, 2012, p. 3.

³⁰⁸ UN General Assembly, *Universal Declaration of Human Rights (A/RES/217A (III))*, 1948.

degrading treatment.³⁰⁹ Subsequently, there are several key documents adopted at the international and regional level in efforts to confront the illicit trade of SALW.³¹⁰ The first of these documents was adopted in 2001, the *UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects* (PoA SALW).³¹¹ The PoA SALW calls upon Member States to establish national, regional, and global measures in relation to SALW, their illicit trade, tracking, tracing, and stockpiling.³¹² The second international agreement on SALW, which succeeded the PoA SALW, is the ITI, a politically binding instrument adopted by Member States in 2005.³¹³ The Instrument was designed to reinforce the provisions established by the PoA SALW, with respect to marking, record-keeping, stockpile management, and tracing, as the PoA SALW identified the areas of particular importance to the international community, with an additional need to proactively define what classifies as an SALW.³¹⁴ The *Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition* (2001), referred to as the Firearms Protocol, supplements the *United Nations Convention against Transnational Organized Crime* (2000), which aims to fight against transnational organized crime and enhance international cooperation.³¹⁵ The Protocol serves to establish a framework for Member States to regulate SALW, prevent illicit diversion, and facilitate the investigation and prosecution of SALW-related offenses without curbing legitimate transfers.³¹⁶ The Protocol also stands as one of the only legally binding documents concerning the illicit trade of SALW at the international level.³¹⁷

The *Arms Trade Treaty* (2013) (ATT), which entered into force in December 2014, calls for States parties to the treaty to commit to establish effective measures and strategies for a regulated international trade of conventional weapons.³¹⁸ These obligations relate to regular reporting efforts, exports and imports, and maintenance of records.³¹⁹ With respect to reporting, the ATT requires parties to provide an initial report to the ATT Secretariat of their efforts to implement the treaty and annual reports indicating any additional measures they may take in the future.³²⁰ Exports under the ATT require Member States to assess risks of undermining international peace and security within the importing state, and requires both exporting and importing parties to take measures to assure appropriate and relevant shipment reports are provided.³²¹ Additionally, record keeping in the Treaty calls for maintenance of records centering on national law, regulation, export, and import of SALW.³²² The ATT is legally binding only if Member States choose to ratify, and according to UNODA only 89 Member States had ratified the document as of August 2017, as the Treaty has received mixed opinions from Heads of States regarding its control standards.³²³

Several regional tools have been brought to fruition to meet the needs of specific Member States, and attempt to create conditions to promote disarmament and reduce global tension.³²⁴ These instruments include, but are not limited to: the *Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials* (1997) and the *Inter-American Convention on Transparency in Conventional Weapons Acquisitions* (1999), which both aim to build actions curbing the fear of attack by parties

³⁰⁹ Ibid.

³¹⁰ UNODA, *Small Arms: use & misuse*, 2017.

³¹¹ UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/15)*, 2001.

³¹² Ibid.

³¹³ UN PoA-ISS, *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons*, 2005.

³¹⁴ Parker, *Improving the Effectiveness of the Programme of Action on Small Arms: Implementation Challenges and Opportunities*, 2011, p. 1.

³¹⁵ UN General Assembly, *Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (A/RES/55/255)*, 2001.

³¹⁶ UNODC, *The Firearms Protocol*, 2017.

³¹⁷ Ibid.

³¹⁸ UN General Assembly, *Arms Trade Treaty*, 2013; UNODA, *Arms Trade Treaty Implementation Toolkit: Module 2*, 2015; UNODA, *ATT: States Parties*.

³¹⁹ UNODA, *Arms Trade Treaty Implementation Toolkit: Module 2*, 2015; UNODA, *ATT: States Parties*.

³²⁰ UN General Assembly, *Arms Trade Treaty*, 2013, p. 5.

³²¹ Ibid., p. 6.

³²² Ibid.

³²³ UNODA, *ATT States Parties*.

³²⁴ UNODA, *Regional Disarmament*, 2017.

in a situation of conflict, known as Confidence-Building Measures (CBM).³²⁵ The *Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa* (2004), established by a group of 11 Member States in the Northeast region of Africa, notes concern on proliferation of illicit SALW in relation to exploitation of natural resources, the aiding and abetting of terrorism, and other crimes in the region.³²⁶ The *Arab Coordination for Combating the Illicit Trade in Small Arms and Light Weapons* (2004), adopted *Resolution 6447*, which further encourages Arab states to take a proactive role in combating the illicit trade of SALW through national capacity building.³²⁷ Lastly, the European Union's (EU) *Council Common Position 2008/944/CFSP* (2008) defines the common rules of governing control of exports of military equipment and technology.³²⁸

The international community's continuous effort to further the Sustainable Development Goals (SDGs) includes combating the illicit trade of SALW as a pivotal piece of achievement.³²⁹ Several of the 17 goals and their targets coincide with the illicit trade of SALW and their effects, but SDG Goal 16, "Peace, Justice, and Strong Institutions" is most notable.³³⁰ The goal aims to promote peaceful and inclusive societies with regards to sustainable development.³³¹ Target 4 of this goal aims to drastically reduce illicit arms flow and combat all forms of organized crime.³³² Dealing with matters of peace and security and combating such activities, the First Committee holds a vested interest in this goal and target.³³³

Role of the International System

The First Committee deals directly with combating illicit trade of SALW and works very closely with other entities, such as the UN Disarmament Commission (UNDC), the Conference on Disarmament (CD) in Geneva, and the Human Rights Council (HRC).³³⁴ The First Committee has emphasized the importance of combating the illicit trade of SALW and coordinating efforts between Member States with the adoption of General Assembly resolutions like 71/48 on "The illicit trade in small arms and light weapons and all its aspects" (2016).³³⁵ Furthermore, the Committee adopted two resolutions with the completion of its seventy-first session in the realm of SALW.³³⁶ The first, General Assembly resolution 71/52 on "Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them" (2016), aims to further reduce the illicit trade of SALW and establishes a provisional agenda for its seventy-second session to continue deliberations on the matter.³³⁷ The second, General Assembly resolution 71/64 titled, "Consolidation of peace through practical disarmament measures" (2016), also focuses on consolidation of peace through disarmament tactics, while drawing special attention on the small arms trade and potential illicit actions.³³⁸ With respect to human rights law, Human Rights Council resolution 29/10 on "Human rights and the regulation of civilian acquisition, possession, and use of firearms" (2015) requests Member States to do the utmost they can to incorporate legislation to ensure regulation of firearms is done effectively and that SALW do not present an adverse effect on human life.³³⁹

³²⁵ UNODA, *UN regional approach to Disarmament, non-proliferation, and arms control*, p. 2.

³²⁶ UN PoA-ISS, *Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa*, 2004, p. 1.

³²⁷ League of Arab States Ministerial Council Resolution, *Resolution (6447) on Arab Coordination for Combating the Illicit Trade in Small Arms and Light Weapons*, 2004, p. 1.

³²⁸ EU Council, *Council Common Position 2008/944/CFSP*, 2008, p. 1.

³²⁹ UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015, Goal 16; UN General Assembly, *Disarmament and International Security (First Committee)*, 2017.

³³⁰ UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015, Goal 16.

³³¹ *Ibid.*

³³² UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015, Goal 16, Target 4.

³³³ UN General Assembly, *Disarmament and International Security (First Committee)*, 2017.

³³⁴ *Ibid.*

³³⁵ UN General Assembly, *The illicit trade in small arms and light weapons and all its aspects (A/RES/71/48)*, 2016.

³³⁶ *Ibid.*

³³⁷ UN General Assembly, *Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them (A/RES/71/52)*, 2016.

³³⁸ UN General Assembly, *Consolidation of peace through practical disarmament measures (A/RES/71/64)*, 2016.

³³⁹ UN HRC, *Human rights and the regulation of civilian acquisition, possession and use of firearms (A/HRC/RES/29/10)*, 2015.

The UN Security Council remains active in the realm of illicit SALW trade as shown in Security Council resolution 2117 (2013) on “Illicit arms, destabilization of munitions, and capacity building.”³⁴⁰ Resolution 2117 reminds Member States of their obligations to effectively cooperate and comply with measures to deter SALW illicit trade, maintain proper record-keeping, and use adequate marking methods as outlined in the ITI.³⁴¹ Further documents adopted by the Security Council, such as resolution 1325 (2000) on “Women and Peace and Security,” call for women to be included at all levels of the decision-making process with regards to matters of peace and security, while Security Council resolution 1612 (2005), on “Children and armed conflict,” expresses serious concern on the impact of illicit trade of SALW on children, especially regarding their recruitment as child soldiers, and aims to curb such activity that violates basic human rights indefinitely.³⁴²

The UNDC, serviced substantively by UNODA, generates annual reports comprising of statements from Member States in an effort to form practical CBM in the realm of SALW and nuclear disarmament through capacity building at the state level.³⁴³ The CD, established in 1979 and consisting of 65 Member States and 38 observers, meets annually as the only multilateral disarmament negotiating forum, often spurring discussion on disarmament and transparency in arms.³⁴⁴ The CD reports regularly to the First Committee, and has played significant roles in facilitating past negotiations of disarmament agreements such as the *Treaty on the Non-Proliferation of Nuclear Weapons* (NPT)(1970).³⁴⁵

To keep Member States active in PoA SALW and disarmament affairs, participation in the Biennial Meetings of States (BMS) is encouraged.³⁴⁶ Occurring every two years, these meetings provide Member States with the opportunity to share their best practices and “to consider the national, regional, and global implementation of PoA SALW.”³⁴⁷ The Sixth Biennial Meeting of States was held in June 2016 and included further commitments to combating illicit trade and trafficking of SALW highlighting the implications of efforts on the realization of the *2030 Agenda for Sustainable Development* (2015).³⁴⁸ Additionally, a review conference is held every six years instead of a BMS to assess the progress made by PoA SALW, with the third such conference to be held in June 2018.³⁴⁹ Additionally, since SALW stockpiles present a constant threat of illicit proliferation and trade, regional organizations such as the Regional Approach to Stockpile Reduction (RASR) work to address the threats posed by loosely secured and at-risk stockpiles of SALW and munitions in South East Europe.³⁵⁰ RASR encourages affected governments to take proactive measures in securing and destroying stockpiles of excess SALW.³⁵¹

Small Arms Trade and Tracking

Illicit transfers and trade of arms mostly occur in the black market at the local and regional level of a Member State.³⁵² A 2013 study found that SALW in small numbers are often purchased legally in one Member State, and then smuggled across borders for transfer to criminal organizations.³⁵³ While most of these illicit transfers and trades are conducted by private entities, such as brokers, governments can also contribute by deliberately arming groups involved in insurgencies against rival governments, terrorist organizations, and other non-state actors, despite UN

³⁴⁰ UN Security Council, *Small arms and light weapons (S/RES/2117 (2013))*, 2013, pp. 1-6.

³⁴¹ *Ibid.*

³⁴² UN Security Council, *Women and Peace and Security (S/RES/1325 (2000))*, 2000, pp. 1-4.; UN Security Council, *Children and armed conflict (S/RES/1612(2005))*, 2005, pp. 1-5.

³⁴³ UN General Assembly, *Report of the Disarmament Commission for 2017 (A/72/42)*, 2017, p. 13.

³⁴⁴ UN CD, *Report of the Conference on Disarmament to the General Assembly of the United Nations (CD/2080)*, 2016.

³⁴⁵ *Ibid.*

³⁴⁶ UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/15)*, 2001.

³⁴⁷ UNODA, *Sixth Biennial meeting of States on the Programme of Action*, 2017.

³⁴⁸ UN General Assembly, Sixth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, *Report of the Sixth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/BMS/2016/2)*, 2016.

³⁴⁹ UNODA, *Third Review Conference on the Programme of Action*, 2017.

³⁵⁰ The Regional Approach to Stockpile Reduction, *Regional Approach to Stockpile Management*, 2017.

³⁵¹ *Ibid.*

³⁵² Small Arms Survey, *Illicit Trafficking*, 2017.

³⁵³ *Ibid.*

arms embargoes.³⁵⁴ Brokering, which is the use of an intermediary to bring together relevant parties for a potential transaction, is a pivotal piece of the arms trade and is often used to set up legal trade of SALW between legitimate parties.³⁵⁵ However, brokering has a history of being used to transfer SALW and ammunition to illegitimate destinations, including Member States under UN arms embargo and parties to armed conflict.³⁵⁶ The illicit sales by these brokers directly coincides with the globalization of arms trade, as they have taken over the roles that are commonly held by government officials, thus complicating oversight on legitimate and illegitimate action.³⁵⁷ Initiatives such as the ATT have been taken to create a better understanding of illicit brokering and to ensure that any proposed transfer of small arms will not pose a substantial risk to human rights law.³⁵⁸ Nevertheless, common understanding and action have been elusive.³⁵⁹

Tracing operations of SALW stand on three pillars of marking, record-keeping, and cooperation, to properly identify the point in a transfer chain at which a weapon enters the illicit market.³⁶⁰ According to UNODA, many illicit SALW begin as legally manufactured and imported weapons.³⁶¹ The ITI commits all Member States to specific marking and records management standards to establish a common foundation for tracing cooperation.³⁶² Regionally, state-of-the-art tools, used by groups such as the International Criminal Police Organization (INTERPOL), allow for information exchange and cooperation between law enforcement at the international level in order to properly track and trace illicit firearms that may have been involved in a crime.³⁶³ Due to lack of thorough planning and adequate attention to safe storage, handling, trading, and disposal of weaponry, small arm and ammunition stockpiles are often susceptible to diversion, particularly by non-state actors and terrorist organizations.³⁶⁴ This is a common issue in Member States suffering from violent conflict, changing military doctrines, and poor governance.³⁶⁵ Although disposal of surplus SALW is best done through destruction, many are transferred or sold to other states.³⁶⁶ In turn, those that are not sold are often stockpiled for extensive periods of time.³⁶⁷ As technology continues to adapt for ease of use and convenience, so does that of SALW, with conventional arms technology often establishing itself in correlation to applications in other industries.³⁶⁸ The implementation of materials not traditionally used for design, such as polymers and 3-D printing serve as one example of this development.³⁶⁹ Radio Frequency Identification (RFID) tags and readers, which use radio waves to capture information on a stored tag, are an unconventional tool that can be utilized.³⁷⁰ With RFID, accountability into where and when a firearm exchanges hands becomes possible from the radio waves emitted from the weapon, especially since tags do not need to be in direct line of sight and can be read from several feet away.³⁷¹ Discussions about the role of new technologies have increased in the First Committee as shown by a recent draft resolution on the “Role of science and technology in the context of international security and disarmament” presented to the Committee at its seventy-second session in 2017.³⁷²

³⁵⁴ Ibid.

³⁵⁵ Small Arms Survey, *Brokering*, 2017.

³⁵⁶ Ibid.

³⁵⁷ UN Security Council, *Small arms: Report of the Secretary-General (S/2011/255 (2011))*, 2011, p. 2.

³⁵⁸ Wood, *International Initiatives to prevent illicit brokering of arms and related materials*, 2009, p. 11.

³⁵⁹ Small Arms Survey, *Brokering*, 2017.

³⁶⁰ Small Arms Survey, *Marking, Record-Keeping, and Tracing*.

³⁶¹ UNODA, *Small Arms: Tracing*, 2017.

³⁶² Small Arms Survey, *Marking, Record-Keeping, and Tracing*, 2017.

³⁶³ INTERPOL, *INTERPOL Illicit Arms Records and tracing Management System (iARMS)*, 2017.

³⁶⁴ UNODA, *Small Arms: stockpile Management*, 2017.

³⁶⁵ Ibid.

³⁶⁶ Small Arms Survey, *Stockpile Management and Security*, 2017.

³⁶⁷ Ibid.

³⁶⁸ UNODA, *Small Arms: new technologies*, 2017.

³⁶⁹ Ibid.

³⁷⁰ Aktinol, *RFID in Small Arms*, 2007.

³⁷¹ Ibid.

³⁷² UN General Assembly, *Role of science and technology in the context of international security and disarmament (A/C.1/72/L.52/Rev.1)*, 2017.

Impact of Illicit Small Arms and Light Weapons Trade

Due to their relatively cheap nature, availability, and portability, it has become increasingly common for civilians to possess and use SALW.³⁷³ This widespread availability poses a great threat to international, national, and regional security, as their presence enables conflict, which then enables unregulated circulation and illicit trafficking due to lack of rule of law.³⁷⁴ Furthermore, even after a conflict has officially subsided, SALW remain in post-conflict zones where ex-combatants, civilians, and criminals reside, fueling an opportunity for additional fighting and mishandling of weaponry.³⁷⁵ Exacerbated ethnic and political rivalries and disruption of economic activity are additional outcomes from the continued presence of SALW in areas of post-conflict.³⁷⁶ The long-term effects of illicit SALW trade in regards to economic and social development are detrimental to society as a whole by damaging human development and reducing access to adequate health-care, proper education, community participation, and overall standard of living.³⁷⁷ The International Dialogue on Peacebuilding and Statebuilding, founded in 2008 by members of the International Network on Conflict and Fragility, the g7+ group of fragile and conflict-affected states, and members of the Civil Society Platform for Peacebuilding and Statebuilding, aims to assist those at risk of illicit arms flow.³⁷⁸ The International Dialogue brings Member States together to develop best practices for inclusive transparency and conflict resolution.³⁷⁹

The International Action Network on Small Arms (IANSA), a global network of civil society organizations that aims to halt proliferation and misuse of SALW, indicated in a recent report that women are subjected to high rates of domestic violence, and rates of such violence are more than five times higher when firearms are present.³⁸⁰ Since women and their dependents make up a large proportion of the population in areas of conflict, women are often confronted with a heavy burden to provide for their families in adverse circumstances.³⁸¹ Consequently, many women participate in the illicit arms trade, as it presents a viable option to support their families and alleviate economic stress.³⁸² As youth make up a large proportion of the population, they are also uniquely vulnerable in areas of conflict and often victims of illicit SALW trade.³⁸³ Youth suffer an array of consequences in armed conflicts, which are often facilitated by the widespread availability of SALW.³⁸⁴ These consequences include poverty, unemployment, and poor education, as well as recruitment as child soldiers, human trafficking, sexual violence, and death.³⁸⁵ Therefore, rehabilitation and reintegration into society for youth in areas of armed conflict becomes crucial, as it presents an opportunity to break the cycle of violence and illicit arms flow in areas prone to such activity.³⁸⁶ The First Committee, with the adoption of the ATT, set forth guidelines in the exportation process of SALW that aim to assess the risk of violent acts against women and children.³⁸⁷ Additionally, collaborative efforts by the international community over previous decades has resulted in tangible progress for women and youth in areas of armed conflict, with Security Council resolutions 1325 (2000) and 1612 (2005) being most notable.³⁸⁸ However, existing frameworks that aim to curb illicit trade of SALW, such as the PoA, only reference woman and children as victims of SALW violence, rather than recognizing their potential for advocacy and involvement in all levels of the decision-making process.³⁸⁹ Although this hinders the potential effectiveness of resolutions focused on women and

³⁷³ Saferworld, *Impact of small Arms and light weapons on conflict, security, and human development*, p. 3.

³⁷⁴ *Ibid.*, p. 5.

³⁷⁵ *Ibid.*

³⁷⁶ *Ibid.*

³⁷⁷ *Ibid.*, p. 6.

³⁷⁸ International Dialogue on Peacebuilding & Statebuilding, *About the International Dialogue*, 2017.

³⁷⁹ *Ibid.*

³⁸⁰ Barr & Masters, *Why Women? Effective Engagement for Small Arms Control*, 2011, p. 10.

³⁸¹ UNODA, *Mainstreaming gender for the effective implementation of the UN PoA: Update of the 2006 CASA guidelines*, 2010, p. 8.

³⁸² *Ibid.*

³⁸³ UN Office of the Special Representative of the Secretary-General on Children and Armed Conflict & UN DESA, *Youth and Armed Conflict*, 2013, p. 1.

³⁸⁴ *Ibid.*

³⁸⁵ *Ibid.*

³⁸⁶ *Ibid.*

³⁸⁷ UN General Assembly, *Arms Trade Treaty*, 2013, p. 6.

³⁸⁸ UN Office of the Special Representative of the Secretary-General on Children and Armed Conflict & UN DESA, *Youth and Armed Conflict*, 2013, p. 3.

³⁸⁹ Barr and Masters, *Why Women? Effective Engagement for Small Arms Control*, 2011, p. 13.

youth, parties such as the UNODA Regional Disarmament Branch and IANSA have taken steps to further strengthen women and youth roles in combating illicit SALW trade.³⁹⁰ Highlighting the importance of women and children's perspectives and increased participation and empowerment of women and youth in disarmament affairs, have been presented as viable options to generate more concrete results in combating the illicit trade of SALW.³⁹¹

Conclusion

The First Committee remains committed toward combating the illicit trade of SALW, but there is still room for progress, especially with regards to increased transparency and regular reporting of SALW trade.³⁹² Resolutions and treaties addressing the illicit trade of SALW, such as the PoA SALW, ITI, the Firearms Protocol, and ATT have taken strides in establishing international guidelines in respect to conventional arms and their trade.³⁹³ However, such tools are only useful if Member States ratify and proactively implement the guidelines set forth, especially with respect to human rights.³⁹⁴ Developments in technology for the purpose of effectively tracking and tracing SALW have been discussed by the First Committee in most recent sessions, and as ease of use continues to trend, such technology presents potential for increased accountability.³⁹⁵ Finally, the role of women and youth in combating the illicit trade of SALW remains vital in finding comprehensive solutions in the future.³⁹⁶ As the First Committee continues its deliberations, the considerations on the greater impact of illicit SALW trade on the realization of the SDGs becomes increasingly important.³⁹⁷

Further Research

Given the consistent discussion of illicit trade in SALW by the First Committee, delegates should consider the following questions: What actions should Member States take in cases of stockpiled SALW and ammunition in post-conflict areas? How can the First Committee encourage implementation of recent development in technologies that allow for increased accountability and tracing of SALW and their trade? How can the First Committee work to empower Member States to curb the effects of illicit arms trade, and can they do so with the incorporation of newer technology? How can the First Committee further address the roles of women and children in illicit trade? What can the First Committee do in the realm of SALW to protect populations from illicit trade of SALW and their consequences with respect to the SDGs?

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The International Action Network on Small Arms is a global network of civil society organizations working together to combat the proliferation and misuse of SALW, with a focus on gender and women's rights. This report highlights the role women currently play in relation to illicit SALW trade, a thorough understanding of the problem, and ways to incorporate women into existing frameworks to allow another perspective and promote effectiveness. Delegates will find this

³⁹⁰ Ibid.

³⁹¹ Ibid.

³⁹² UNODA, *Military Confidence-building*, 2017.

³⁹³ UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/15)*, 2001; UN PoA-ISS, *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons*, 2012, p. 2; UN General Assembly, *Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (A/RES/55/255)*, 2001; UNODA, *Arms Trade Treaty Implementation Toolkit: Module 2*, 2015; UNODA, *ATT: States Parties*.

³⁹⁴ UNODA, *Arms Trade Treaty Implementation Toolkit: Module 2*, 2015; UNODA, *ATT: States Parties*.

³⁹⁵ UNODA, *Small Arms: new technologies*, 2017.

³⁹⁶ Barr & Masters, *Why Women? Effective Engagement for Small Arms Control*, 2011, p. 10; United Nations Youth, *Youth and Armed Conflict*, 2013, p. 1.

³⁹⁷ Ibid.

source useful when conducting their research as it provides potential for a different viewpoint and an option to further expand on existing policy.

Ministers of Foreign Affairs (2004). *The Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa*. Retrieved 24 August 2017 from: <http://www.poa-iss.org/RegionalOrganizations/RECSA/Nairobi%20Protocol.pdf>

The protocol addresses the problem of small arms proliferation and illicit trade in the Great Lakes Region and Horn of Africa. The document works to identify key definitions of SALW trade, calling upon States parties to draft national legislation to establish criminal offenses for illicit small arms trade, manufacturing, and possession of SALW. This document is a great example of a regional framework and initiative taken to curb the effects of illicit firearms. Delegates can use this document in their research, as it is one of the earliest regional pieces conceived.

Pavesi, I. (2016). *Trade Update 2016: Transfers and Transparency*. Geneva, CH: Small Arms Survey. Retrieved 22 August 2017 from: <http://www.smallarmssurvey.org/fileadmin/docs/S-Trade-Update/SAS-Trade-Update.pdf>

The Trade Update 2016: Transfers and Transparency provides an overview of the international SALW trade in 2013, with sections dedicated to major importers and exporters of small arms and the overall value of SALW trade. The study of the Small Arms Survey, a center based in Geneva, Switzerland, works to provide impartial, evidence-based knowledge on all aspects involving small arms and armed conflict. The Trade Update document is useful to delegates as it provides a background of the Small Arms Survey and data regarding trade and transparency of SALW.

United Nations, Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects. (2001). *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects (A/CONF.192/15 (2001))*. Retrieved 23 August 2017 from: <http://www.un.org/events/smallarms2006/pdf/N0150720.pdf>

This conference created the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects, and stands as the first major step toward the eradication of the illicit small arms trade taken by the international community. The report identifies key pledges to be taken to combat illicit trade of SALW, as well as assurance of the implementation at BMS and review conferences. Delegates can use this report to analyze the pledges outlined in the PoA SALW, as it stands as a pivotal piece in the fight against illicit arms trade. Using the document to draw comparisons with their own delegation's initiatives in combating the illicit trade of SALW is encouraged.

United Nations, General Assembly, Sixth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects. (2016). *Report of the Sixth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects (A/CONF.192/BMS/2016/2 (2016))*. Retrieved 23 August 2017 from: <http://undocs.org/en/A/CONF.192/BMS/2016/2>

The Biennial Meeting of States is a conference held every two years to consider implementation of PoA. This report for the most recent meeting in 2016 highlights agenda items considered to be of utmost importance to the PoA SALW. The topics discussed at the meeting include implementation at the national and regional level, the 2030 Agenda for Sustainable Development, Implementation of the International Tracing Instrument, and capacity building. The report will be of use to delegates, as they will be able to gauge what has been addressed in past meetings by Member States regarding the PoA SALW and illicit arms trade.

United Nations, General Assembly, Sixty-seventh session. (2013). *Arms Trade Treaty*. Retrieved 22 August 2017 from: <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/06/English7.pdf>

After years of discussion, the General Assembly adopted a landmark document on the eradication of illicit small arms and light weapons and their diversion. The Arms Trade Treaty is legally binding and plays an important role in the future of illicit SALW trade, but since entering into force in December of 2014 it has yet to be ratified by a majority of Member States. The ATT can be a focal point of delegates research of this topic when considering means to encourage further ratification of the document by other Member States.

United Nations Office for Disarmament Affairs (n.d.). *UN regional approach to Disarmament, non-proliferation, and arms control* [Outcome Document]. Retrieved 24 August 2017 from: https://unoda-web.s3-accelerate.amazonaws.com/wp-content/uploads/assets/disarmsec/Perspective/UN_regional_approach_Disarmament_non-proliferation_arms_control.pdf

This document provided by UNODA highlights some key initiatives taken at the regional level to combat the illicit arms trade. By providing examples of regional framework, the document allows the reader to see what has been done at local levels to combat illicit arms flow, and compare to that of the international system. Delegates can make excellent use of this resource, as some of the regional frameworks highlighted have made attempts to better implement existing international framework.

United Nations Office for Disarmament Affairs. (2017). *Small Arms: use & misuse* [Website]. Retrieved 22 August 2017 from: <https://www.un.org/disarmament/convarms/salw/>

UNODA's webpage on disarmament and conventional arms provides exceptional information on small arms, with sections dedicated to tracking, tracing, stockpile management, and many others. The information provided on this website also leads to past reports and resolutions of the international system, as well as regional initiatives. Delegates of the First Committee can make use of this source as a starting point for their research, as UNODA plays a vital role in the international system with respect to combating illicit trade of SALW.

United Nations, Office of the Special Representative of the Secretary-General on Children and Armed Conflict & United Nations, Department of Economic and Social Affairs. (2013). *Youth and Armed Conflict* [Report]. Retrieved 24 August 2017 from: <http://www.un.org/esa/socdev/documents/youth/fact-sheets/youth-armed-conflict.pdf>

The document provided by the Office of the Special Representative of the Secretary-General on Children and Armed Conflict notes that children and youth make up most of the population in countries experiencing some form of armed conflict. Because of their age, children are susceptible to the scourge of war through recruitment as child soldiers, sexual violence, and dismal education. The international system has taken strides to protect children in areas prone to such violence, but illicit SALW trade makes such efforts difficult or even null. Delegates will find this an essential source in understanding the role of youth in the fight against illicit trade of SALW.

United Nations, Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects. (2005). *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons*. Retrieved 23 August 2017 from: http://www.poa-iss.org/InternationalTracing/ITI_English.pdf

The International Instrument of the PoA SALW is a key framework in combating the illicit arms trade. The purpose of the instrument is to allow Member States to identify and trace illicit SALW and promote international cooperation in marking and tracing. The ITI is pivotal to delegates' research because it provides the defining characteristics of what makes a weapon an SALW, with portability being key.

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