# UNITED NATIONS GENERAL ASSEMBLY FIRST COMMITTEE

# BACKGROUND GUIDE

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14TH CANADIAN INTERNATIONAL MODEL UNITED NATIONS





United Nations Association in Canada Association canadienne pour les Nations Unies

# A WELCOME FROM THE DAIS

#### Canadian International Model United Nations

Dear delegates,

February 23-26, 2017

Lord Elgin Hotel Ottawa, Ontario

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Cover Photo: UN Photo by JC McIlwaine Welcome to the First Committee of the United Nations General Assembly also known as the Disarmament and International Security Committee (DISEC)! We are super excited for CANIMUN 2017 and are eagerly awaiting opening ceremony. Just a little bit about us, collectively we know a dozen languages, 6 human and 6 programming, and have been to 25 countries. Outside of MUN, Samaikya enjoys reading scientific papers and conducting experiments at home. Patricia is passionate about politics and interactions among nations and other international entitles, and is currently doing extended research and working with the Government of Canada.

The following topics will be discussed by the First Committee:

- 1. The Relationship Between Disarmament And Development
- 2. Developments In The Field Of Information And Telecommunications In The Context Of International Security

Your goal during the duration of the conference will be to explore these topics in-depth, identify the challenges surrounding those issues, and figure out what, if any, solution should be implemented to address the problems. As the First Committee, your top priority is to focus on the Disarmament and Security aspects of the issue and collaborate with your fellow delegates to resolve any conflicts through discussion, debate, and negotiation. Bear in mind the scope of what the First Committee can decide to do, ultimately resolutions cannot be forced upon another sovereign nation nor can the First Committee prevent nations from withdrawing from existing agreements.

We hope that you will find this Background guide useful in your preparation to the conference. You are also encouraged to do your own research to explore in-depth your own Member State's policies. The bibliography and the UN website is a good starting point for all your research and preparation.

Each delegate will also be required to submit a Position paper before the 16th February, 2017 to unga1@canimun.org. Guidelines and requirement are available on CANIMUN website under the Delegates' Resources section. Prior to the conference, make sure you review the Rules of Procedure and Delegates Code of Conduct that can also be found on the website.

If you have any questions regarding the committee or the conference or are experiencing any difficulty with your research, please feel free to contact us, we are always ready to help.

We wish you all the best in your preparation and look forward to meeting you at CANIMUN 2017!

Samaikya Karri	
Director	

Patricia Kumbakisaka Chair

## **COMMITTEE OVERVIEW**

"We the peoples of the United Nations determined, to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind..." –UN Charter Preamble

#### Introduction

After the numerous horrors, widespread destruction, and harrowing loss of life during World War 1 it was clear that many countries in the world were yearning for peace. On the 10th January 1920, these nations collectively came to form an organization that sought "to secure international peace and security" called the League of Nations.<sup>1</sup> However, with the advent of World War II, it became clear that the League of Nations had failed its primary purpose. Having come to a similar conclusion at the end of WWII, on June 26, 1945, 50 nations signed the *Charter of the United Nations*, with the hopes that the UN would succeed where the League of Nations had failed.<sup>2</sup>

The United Nations General Assembly (UNGA) is "the main deliberative, policymaking and representative organ of the UN" and is one of these six principal organs to process policymaking where all UN members are given representation with equal voting rights.<sup>3</sup> The First Committee of the UNGA is the Disarmament and International Security Committee (DISEC), which was specifically tasked with the questions that the League of Nations has failed to properly address.<sup>4</sup> Several notable UNGA resolutions touch on such issues and set the precedent for interpretations of the both the remit of First Committee and the extent of the mandate the UN Charter provides.

The role of First Committee and the interpretation of its mandate under the UN Charter is viewed more liberally as new issues arise that were not major concerns at the end of World War II. With the emergence of non-state actors, technological progress, and large refugee populations, First Committee also considers the dangers of terrorists groups, threats to cyber security, and internal conflicts which have international spillovers.<sup>5</sup> The questions of what could endanger international peace and security have also extended to other contentious issues such as climate change, economic stability, resource security, sustainable development, and information distribution.<sup>6</sup>

*Resolution 1* (1946) directly addresses the issues of nuclear weapons and nuclear armaments while laying the foundations for future treaties on the issue, including the *Nuclear Non-Proliferation Treaty* (NPT) (1968) and the *Nuclear Test Ban Treaty* (NTBT) (1963). *Resolution 260* (1948) known as the *Convention on the Prevention and Punishment of the Crime of Genocide* defines genocide and authorizes relevant UN organs to take actions to prevent or suppress Genocide. *Resolution 377A*(1950) was passed after a series of vetoes from the USSR had prevented the United Nations Security Council (UNSC) from responding to the Korean.<sup>7</sup> 377A enables the General Assembly to consider the matter and take any action "to maintain international peace and security" in the event the UNSC

<sup>&</sup>lt;sup>1</sup> Avalon Project The Covenant of the League of Nations, 1919

<sup>&</sup>lt;sup>2</sup> United Nations UN Charter, 1945

<sup>&</sup>lt;sup>3</sup> United Nations General Assembly

<sup>&</sup>lt;sup>4</sup> United Nations Disarmament and International Security

<sup>&</sup>lt;sup>5</sup> United Nations Allocation of Agenda Items to the First Committee

<sup>&</sup>lt;sup>6</sup> Ibid

<sup>&</sup>lt;sup>7</sup> United Nations Uniting for Peace General Assembly Resolution 377 (V), 1950

fails to respond accordingly.<sup>8</sup> *Resolution 1962* (1963) gives the First Committee literal universal mandate to discuss any actions that would lead to a breach of peace in outer space.

With the dissolution of many colonial empires in the decades following World War II it became imperative for the General Assembly to respond to changing membership. As the dissolution of the 4th French Republic was done by referendum, the 5th French Republic was de facto considered the natural successor. The rise of communism in China culminated in *Resolution 2758* (1971) replacing the Republic of China with the People's Republic of China, this also led to the Russian Federation being recognized as the successor to the former USSR.<sup>9</sup>

#### Governance, Structure, and Membership

As the First Committee is a main committee of the General Assembly, Rule 103 of the Rules of Procedure dictates that a Chairman, three Vice-Chairmen, and a Rapporteur "be elected on the basis of equitable geographical distribution, experience and personal competence" from amongst the present members.<sup>10</sup> The Chairman of First Committee is not granted a vote but as per Rule 104 "another member of his delegation may vote in his place".<sup>11</sup> The members elect a chairman three months before the start of a session, as per Rule 99, and elect the remaining officers within the first week of the session.<sup>12</sup> The elected officers of the First Committee for the 71st session are Chairman Sabri Boukadoum of Algeria, Vice-Chairmen Kamapradipta Isnomo, Maria Soledad Urruela Arenales , and Rene Zeleny of Indonesia, Guatemala, and the Czech Republic respectively, and Rapporteur Darren Hansen of Australia.<sup>13</sup>

All 193 members of the General Assembly are equally represented in First Committee. An additional variety of states and non-governmental organizations are granted observer status. Observers are granted the right to speak at debates, sign working papers and resolutions, and vote on procedural matters but they may not sponsor resolutions, submit amendments, or vote on substantive matters.<sup>14</sup> The European Union stands out in that it is the only non-member observer granted all rights, except the right to vote on substantial matters.<sup>15</sup> Full membership requires that states agree to be bound by the obligations set forth in the UN Charter, that the UNSC vote to recommend the state to the UNGA for full membership, requiring simple majority and no vetoes, and that the UNGA approve the recommendation with a two-thirds majority vote.<sup>16</sup> Once granted, members may withdraw from the UNGA and, by extension, the First Committee at any time.<sup>17</sup>

First Committee convenes annually at the UN Headquarters in New York City, the duration of the session is decided upon by the General Assembly as per Rule 2, however in practice sessions tend to continue until all items on the agenda are addressed, which often tends to be shortly before the start of the next session.<sup>18</sup> A special session may be "convoked by the Secretary-General at the request of

<sup>&</sup>lt;sup>8</sup> Ibid

<sup>&</sup>lt;sup>9</sup> United Nations Resolution 2758, 1971

<sup>&</sup>lt;sup>10</sup> United Nations *Rules of Procedure* 

<sup>&</sup>lt;sup>11</sup> Ibid

<sup>12</sup> Ibid

<sup>&</sup>lt;sup>13</sup> United Nations Bureau of the 71st Session, 2016

<sup>&</sup>lt;sup>14</sup> United Nations Rules of Procedure

<sup>&</sup>lt;sup>15</sup> Phillips, Leigh. "EU Wins New Powers at UN, Transforming Global Body." EUobserver, 2011

<sup>&</sup>lt;sup>16</sup> United Nations UN Charter, 1945

<sup>17</sup> Ibid

<sup>&</sup>lt;sup>18</sup> United Nations Rules of Procedure

the Security Council or of a majority of the Members of the United Nations".<sup>19</sup> Similarly if the need arises for an emergency special session, Resolution 377A allows for the "General Assembly [to] meet in emergency special session within twenty-four hours of the request therefor."<sup>20</sup> The emergency special session requires either 9 votes in favor by any of the Security Council members or by a simple majority of the UNGA.<sup>21</sup> As First Committee is a main committee it debates, discuses, and drafts resolutions for submission to the United Nations General Assembly, whereupon the draft resolutions are voted as per the order dictated in the agenda.<sup>22</sup> As per Rule 58, First Committee is the only main committee entitled to verbatim records. First Committee may also create sub-committees, pursuant to Rule 102; the officers of which are elected by the sub-committee.<sup>23</sup>

While the agenda is voted upon by the UNGA, there is substantial leniency in how the First Committee chooses to address the items on the agenda. The First Committee may prioritize any issue it sees fit when taking into consideration the closing of the session and items under the agenda, as per Rule 99.<sup>24</sup> It may further allocate specific times for discussion of certain agenda items, set target deadlines for when discussion of certain items need to be finished, and limit the number of meetings for each item under discussion.<sup>25</sup> As per Rule 106, the Chairman is granted the power to decide upon the order of speakers, the direction of the discussion of the committee, the observance of the rules of procedure, and the ruling of any points of order.<sup>26</sup> In addition, the Chairman is granted complete control over the proceedings of the meeting and may propose limitations on the duration, frequency, and closure of speeches made on the speakers list.<sup>27</sup> Additionally the Chairman may propose a meeting be adjourned or discussion on agenda item be adjourned.<sup>28</sup>

#### Mandate, Functions, and Powers

First Committee derives its mandate from the UN Charter, specifically Article 1, and as a result of *Resolution 377A*, all matters under the Security Council mandate that cannot be resolved due to the abuse of the veto power.<sup>29</sup> As per Article 1 Clause 1, these matters include but are not limited to all discussions of international peace and security, the questions of what measures if any should be taken to prevent or remove threats to peace, and the suppression of acts of aggression.<sup>30</sup> Furthermore *Resolution 3314* delineates and extends the definition of aggression to include invasion, bombardment, blockades, attacks, violations of armed forces agreements, aiding or actively permitting other acts of aggression. As a main committee to the UNGA, all draft resolutions submitted by First Committee are put forth to the General Assembly for the final vote.<sup>31</sup> For this reason, consensus building is prioritized for all resolutions submitted by First Committee and

<sup>&</sup>lt;sup>19</sup> Ibid

<sup>&</sup>lt;sup>20</sup> United Nations Uniting for Peace General Assembly Resolution 377 (V), 1950

<sup>&</sup>lt;sup>21</sup> Ibid

<sup>&</sup>lt;sup>22</sup> United Nations Rules of Procedure

<sup>&</sup>lt;sup>23</sup> Ibid

<sup>&</sup>lt;sup>24</sup> Ibid

<sup>&</sup>lt;sup>25</sup> Ibid

<sup>&</sup>lt;sup>26</sup> Ibid

<sup>&</sup>lt;sup>27</sup> Ibid

<sup>&</sup>lt;sup>28</sup> Ibid

<sup>&</sup>lt;sup>29</sup> United Nations UN Charter, 1945

<sup>&</sup>lt;sup>30</sup> Ibid

<sup>&</sup>lt;sup>31</sup> United Nations Transcript Of Press Conference By Secretary-General Kofi Annan, 2005

requires cooperation among all member states, observers, both governmental and non-governmental organizations (NGOs), and other UN bodies.<sup>32</sup> The consensus rule, however, isn't procedural and is not required for a resolution to pass, former Secretary General Kofi Annan criticized it as leading to resolutions that are "negotiated down to the lowest common denominator" or no resolution at all.<sup>33</sup> The First Committee also cooperates heavily with United Nations Disarmament Commission and the Conference on Disarmament to regulate the use and production of armaments and promote cooperative measures that seek to ensure regional stability.

To those end goals, the UNGA creates an agenda of items for consideration of First Committee.<sup>34</sup> These agenda items may include issues raised in the report of the Secretary General, reports submitted by the Security Council, the Economic and Social Council, the International Court of Justice, or other UN bodies.<sup>35</sup> Additionally, any member of the UNGA may raise issues to be added to the agenda and, as per Article 35 Clause 2 of the UN Charter, non-members may also raise issues regarding any dispute to which that non-member is a party.<sup>36</sup> While Draft Resolutions may result in a pacific settlement of disputes, additional measures are required to be first sought after, under Article 33 these include but are not limited to negotiating claims, the use of mediator, seeking a court ruling, or implementing regional solutions.<sup>37</sup> Furthermore the First Committee receives annual and special reports from the UNSC on all matters of international peace and security and any actions or measures taken by the UNSC in response to threats to the breach of peace. While the General Assembly and by extension First Committee may not dictate the actions of the Security Council, Article 14 permits the General Assembly to "recommend measures for the peaceful adjustment of any situation".<sup>38</sup>

Through several resolutions the powers and function of First Committee have been modified and extended beyond simply making recommendations via Draft Resolution. *Resolution 59/95* invites the use of "interactive debates based on a program and format elaborated through informal consultations" and encourages the focus of discussions on matter brought forth by expert groups such as the United Nations Institute for Disarmament Research and the Advisory Board on Disarmament Matters. *Resolution 48/87* requests that agenda items be categorized into topic areas such as, but not limited to, Nuclear Weapons, Conventional Weapons, Regional Disarmament and Security, Confidence-building measures, Outer Space, and Disarmament machinery upon which final draft resolutions would be considered. Resolution *53/300* gives specific mention of the Committee on Information and the Department of Public Information and invites the former to actively engage in the process of restricting the latter. As the nature of international peace and security and the threats presented to it has changed since the signing of the UN Charter, these resolutions seek to improve the efficiency and efficacy of the General Assembly in responding to modern breaches to the peace.

<sup>32</sup> Ibid

<sup>33</sup> Ibid

<sup>&</sup>lt;sup>34</sup> United Nations Allocation of Agenda Items to the First Committee

<sup>&</sup>lt;sup>35</sup> United Nations Rules of Procedure

<sup>&</sup>lt;sup>36</sup> United Nations UN Charter, 1945

<sup>37</sup> Ibid

<sup>&</sup>lt;sup>38</sup> Ibid

To help carry out its functions several subcommittees, organizations, and partners directly address highly specific measures such as the United Nations Register of Conventional Arms, United Nations Disarmament Information Program, United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, and the United Nations Standing Advisory Committee on Security Questions in Central Africa.<sup>39</sup> The UNGA also partners with several NGOs and the private sector to ensure that the strategic goals of First Committee are met at the local and regional levels. As of the 71st session, assistance from these partners help to maintain the continued compliance to the *African Nuclear-Weapon-Free Zone Treaty*, the continued peaceful use of space, further increase in the transparency of armaments, and the provision of aid to small conflict ridden states to help combat the illegitimate weapons market.<sup>40</sup> Finally these collaborations also help to carry out the General Assembly's mandate to commission studies and collect information regarding the progress of past and currents measures taken to ensure international peace.

#### **Recent Sessions and Current Priorities**

The 71st session of the UNGA that started in September 2016, set a very comprehensive agenda for the First Committee to address.<sup>41</sup> The top issues, in order of the Chairman's suggested program, are nuclear proliferation in the Middle East, the prevention of an arms race in outer space, the restriction of and the use of certain conventional weapons, which are excessively or indiscriminately destructive.<sup>42</sup> These are very broad priorities requiring years, if not decades, worth of discussions and negotiations to resolve and thus it is no surprise that these items have been discussed in every single session in the recent past.

As the major justification for nuclear weapons has been the use of them as a deterrent in the form of second strike capabilities, in 2012, non-nuclear member states once again raised the issue of the use of nuclear weapons and request a legally binding unconditional pledge for the non-use of nuclear weapons against them.<sup>43</sup> While the NPT has been in force for nearly half a century, member states still expressed apprehension over the fact that "possession, use or threat of use of nuclear weapons" could actually worsen a volatile situation instead of acting as a deterrent.<sup>44</sup> Other member states criticized the disarmament machinery itself and suggest that there was a "trust deficit" that has arisen from the "flawed step-by-step approach" that has yielded little result from nuclear states to disarm.<sup>45</sup> In addition to this, attempts by nuclear states to modernize their nuclear arsenal and the existence of nuclear arsenal sharing programs among the member nations of NATO has impeded efforts to disarm.<sup>46</sup>

In the 67th session, concerns were raised about the lack progress made in space law since the 1960's and the possibility that a single country weaponizing outer space would irreversibly damage peaceful usage of space and permanently open it to the military theatre.<sup>47</sup> These deficiencies in space law include the lack of a definition of outer space and whether certain space warfare technology should

<sup>&</sup>lt;sup>39</sup> United Nations Disarmament and International Security

<sup>&</sup>lt;sup>40</sup> United Nations "Nuclear-Weapon States in First Committee Justify Deterrence Policies...", 2016

<sup>&</sup>lt;sup>41</sup> United Nations Allocation of Agenda Items to the First Committee

<sup>&</sup>lt;sup>42</sup> Ibid

<sup>&</sup>lt;sup>43</sup> United Nations "Non-Nuclear-Weapon States Urge New Global Order...",2012

<sup>&</sup>lt;sup>44</sup> Ibid

<sup>&</sup>lt;sup>45</sup> Ibid

<sup>&</sup>lt;sup>46</sup> Ibid

<sup>&</sup>lt;sup>47</sup> United Nations "Full-Spectrum Dominance of Outer Space Can Turn Frontier into 'Military Theatre'...", 2012

be considered weapons of mass destruction.<sup>48</sup> In the 68th and 69th session, further discussion on prevention of a space based arms race took place, with "no first-placement" initiative being viewed as vital to such a goal.<sup>49</sup> In the 71st session, delegates called for the adoption of "legally binding instruments with reliable guarantees" on Outer Space, with an updated version Chinese-Russian draft from the Conference on Disarmament in 2014 being up for consideration.<sup>50</sup>

The 68th session of the UNGA, has member states discuss the effects of various arms which were considered "Excessively Injurious" including "cluster munitions, landmines, and improvised explosive devices" (IEDs). <sup>51</sup>These arms have indefinite lifespans in the field and indiscriminately target both civilians and military personnel that happen upon them. Over the past 30 years landmines alone were responsible for over 1 million permanent injuries or deaths.<sup>52</sup> While there exists a framework for protecting civilians including the *Mine-Ban Convention and the Convention on Cluster Munitions* and near universal agreement that such arms fail to meet the obligation of being able to distinguish between civilians and combatants, casualties still arise from these arms as they have been deployed before these treaties and agreements were signed.<sup>53</sup> IEDs have also gained notoriety from their use by terrorist and rebel groups. As these IEDs are cheap to assemble and manufacture, and indiscriminate, by their nature, in their target there have been strong calls to curb the trafficking of light or small arms to these groups.<sup>54</sup>

In the past 2 years, there have also been calls for reallocating defense budgets to development efforts. Many member states recognized an intrinsic relationship between development and disarmament and called upon member states to "ensure that disarmament efforts supported, rather than thwarted, global economic and social development".<sup>55</sup> Some members stated that nuclear weapons were increasing tensions in politically vulnerable scenarios and at times prevented proper a humanitarian response.<sup>56</sup> Small arms and light weapons were also directly cited as having "led to unprecedented carnage", these disruptions to local communities impacts their ability to live "meaningful and productive lives" because of constant threat to their peace and security.<sup>57</sup> With several thousand satellites in orbit around Earth providing telecommunications, remote sensing capabilities, meteorological data, navigation signals, astronomical data, atmospheric monitoring, and reconnaissance there exists a systemic and structural dependency on their continued peaceful existence. Member states recognized that if threats to weaponize outer space were to rise, it would be possible for a single actor to cause widespread damage to all space infrastructures.<sup>58</sup> Because of the nature and alarming amount of space debris, even the placement of a few weapons in space could jeopardize existing telecommunications infrastructure and would further the distrust among

<sup>48</sup> Ibid

<sup>49</sup> Ibid

<sup>&</sup>lt;sup>50</sup> United Nations "Debating Proposals on Common Principles to Ensure Outer Space Security...", 2016

<sup>&</sup>lt;sup>51</sup> United Nations "Focus in First Committee on 'Excessively Injurious' Effects of Cluster Munitions...", 2013

<sup>&</sup>lt;sup>52</sup> United Nations "Security Council Considers Involvement of Children in Armed Conflict...",1998; United Nations Development Programme "ANNUAL CONFERENCE FAST FACTS" 2013

<sup>&</sup>lt;sup>53</sup> Ibid

<sup>&</sup>lt;sup>54</sup> Ibid

<sup>&</sup>lt;sup>55</sup> United Nations "Disarmament Efforts Must Support...", 2016

<sup>&</sup>lt;sup>56</sup> Ibid

<sup>57</sup> Ibid

<sup>58</sup> United Nations "Explorations in Cyber International Relations D." 2011

members states in the relaying and communication of reconnaissance data.<sup>59</sup> Furthermore, in the 70<sup>th</sup> session, it was recognized that threats to cyber security and new methods of cyber warfare might lead to a virtual arms race.<sup>60</sup>

### Conclusion

The First Committee concerns itself will all matters of international peace and security not taken upon by the Security Council. Its main goal is to facilitate the resolution of disputes through peaceful means such as negotiation, arbitration, and judicial resolution whenever possible and also has the mandate to review cases in case of Security Council deadlock. As any draft resolutions that get ultimately adopted are only legally binding upon the General Assembly, the First Committee prioritizes consensus based agreements to have true universal acceptance. It reviews reports submitted by the Security Council, the Secretary General, and other UN Organs such as the ICJ and the Trusteeship Council to identify key issues that pose a threat to the breach of peace and makes appropriate recommendations to restore that peace. As all member states have equal representation and voting rights, the First Committee is able to offer multilateral solutions to international disputes by using the resources and information provided by the governments of the member states as well any assistance from the non-member states, governmental organizations and NGOs that are observers.

The First Committee is under a period of reform where many of the disarmament machinery is being refined or replaced given the rise of new threats and the modern day consequences of long existing threats. The widespread effects of disarmament and causes of militarization are being explored and further emphasis has been put on the dangers of widespread humanitarian issues that are the result of conventional and non-conventional weapons being used. The First Committee will also continue to shape discussion of the use of weapons, nuclear arms, and the peaceful use of outer space for the foreseeable future.

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<sup>&</sup>lt;sup>59</sup> Ibid

<sup>60</sup> Ibid

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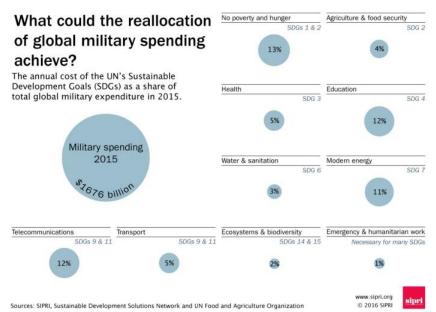
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# TOPIC 1: THE RELATIONSHIP BETWEEN DISARMEMENT AND DEVELOPMENT

#### Introduction

According to estimates maintained by the Stockholm International Peace Research Institute (SIPRI), the global military expenditure for 2015 exceeded 1.6 Trillion USD. <sup>1</sup> This tremendous figure is approximately equal to the entire gross domestic product (GDP) of Canada in 2016 and includes spending on armaments, personnel, research and development, military infrastructure, armed and

peacekeeping forces, military aid, and military operations.<sup>2</sup> The opportunity cost of such an enormous expenditure is the limited resources given to socio-economic reform programs, healthcare, and education among many other avenues of investment. The United Nations Development Program (UNDP) estimates that currently "more than 800 million people are still living on less than US\$1.25 a day", this result of which is that many people suffer from a lack of access to clean water, sufficient food, and proper



infrastructure.<sup>3</sup> As of 2014, an estimated 90 million children, 5 and under, are considered "dangerously underweight" and a total of 795 million people being classified as "chronically undernourished".<sup>4</sup> SIPRI, in collaboration with the United Nations (UN) Food and Agriculture Organization (FAO) calculate the annual cost of achieving several of the Sustainable Development Goals as a fraction of the global military expenditure. Notable among these figures, is the fact that both poverty and hunger could be eliminated by 2030 with an overall lifetime cost of less than 2 years' worth of military expenditure (See figure above). The issue of military expenditure is further exacerbated by the fact that lack of investment into infrastructure slows down potential progress and benefits of development aid. While several Millennium Development Goals achieved their end targets, the distribution of progress was not universal in nature. For example, while the target to "Halve, between 1990 and 2015, the proportion of people whose income is less than \$1.25 a day" has been met 5 years ahead of schedule,<sup>5</sup> much of the decrease, from 1.9 billion people living in extreme poverty to 836 million people living in extreme poverty to the million people living in extreme poverty.

<sup>&</sup>lt;sup>1</sup> SIPRI Military Expenditure Database, 2015

<sup>&</sup>lt;sup>2</sup> World Bank World Development Indicators database, 2016 ;SIPRI Sources and methods, 2015

<sup>&</sup>lt;sup>3</sup> UNDP Sustainable Development Goals, 2016

<sup>&</sup>lt;sup>4</sup>Ibid

<sup>&</sup>lt;sup>5</sup> UN Millennium Development Goals, 2015

China and India<sup>76</sup>. Military expenditure disproportionately affects these developing countries, such as in Sub-Saharan Africa, as it increases hostility and prolongs conflicts that often result in destruction or damage of the already existing infrastructure further hampering efforts to develop the region.

Just as military expenditure presents a direct opportunity cost from development programs, programs that invest in infrastructure, development and humanitarian aid, and socio-economic growth results in fewer hostilities and reduces the chances of escalation of conflict between countries.<sup>7</sup> For example, France and Germany have been historically on opposing sides of both World War I and World War II, however, due to the strong social integration, economic development, and political ties created by the European Union, the European and Schengen Agreement; these countries will likely resolve any disputes at the negotiation table as opposed to the battlefield.-<sup>8</sup>The investment in common infrastructure, economic growth, and the freedom of movement that came with these agreements led to a strong mutual exchange in many different areas that has effectively secured peace through interdependency.9The European Union was awarded the Nobel Peace Prize in 2012 for their contributions to sustaining and securing peace in Europe in the 70 years following World War II.<sup>10</sup> The role of infrastructure in development has been well known, as investment in public works projects, education, healthcare, and other long term projects are "a key ingredient for productivity and growth"<sup>11</sup>. The existence of such projects reduces the likelihood of economic and financial instability as well lowering the chances of escalation of conflicts as the cost effectiveness of defense measures decreases an increase the size and scale of existing infrastructure.<sup>12</sup> However, the converse is also true and engagement in conflicts reduces the likelihood that investments in long term infrastructure will be made as those resources are necessary to prevent immediate violence and to address the humanitarian needs of conflicts.<sup>13</sup>

#### International and Regional Framework

As the First Committee of the United Nations General Assembly is concerned with all matters relating to international peace and security it is no surprise that the one of the agenda items for the 71<sup>st</sup> session of the General Assembly specifically includes the relationship between disarmament and development (A/71/152). <sup>14</sup>As per the implementation of *Resolution 70/32* (2015), the UNGA and the Secretary General have been tasked with coordinating inter-agency cooperation to address the "development-related aspects of arms regulation and disarmament".<sup>15</sup> While the *Anti-personnel Landmine Convention* (1997), also known as the *Ottawa Treaty*, prohibits the further use of small cluster munitions and landmines and orders the destruction of existing stockpiles, it is far too late for the landmines already deployed in the field. One of the key players in disarmament of these mines is the Inter-Agency Working Group on Mine Action which seeks to address the issues of landmines that remain in operation well after periods of conflict have terminated. The group further collaborates

<sup>&</sup>lt;sup>6</sup> UNDP <u>Sustainable Development Goals</u>, 2016

<sup>&</sup>lt;sup>7</sup> Geneva Declaration More Violence, Less Development, 2010

<sup>&</sup>lt;sup>8</sup> Nobel Lecture by the European Union et. al. From War to Peace: A European Tale, 2012

<sup>9</sup> Ibid

<sup>&</sup>lt;sup>10</sup> Ibid

<sup>&</sup>lt;sup>11</sup> World Bank Infrastructure and Growth, Luis Serven June 2010

<sup>&</sup>lt;sup>12</sup>African Development Bank Challenges of Infrastructure Rehabilitation and Reconstruction In War-affected Economies Anke Hoeffler 1999

<sup>13</sup> Ibid

<sup>&</sup>lt;sup>14</sup> UNGA A/71/152, Relationship between disarmament and development, Report of the Secretary-General 2016 <sup>15</sup> Ibid

with the Coordinating Action on Small Arms mechanism, chaired by the Office for Disarmament Affairs, to comprehensively cover the long term unintended consequences of the usage of landmines and cluster munitions.<sup>16</sup> The First Committee recognizes that with vast swaths of land being riddled with mines, the cost effective usage of that land becomes difficult further frustrating poverty alleviation efforts.<sup>17</sup>

Over the past 30 years, a number of resolutions recognizing the relation between development and disarmament. In 1987, the final document produced at the International Conference on the Relationship between Disarmament and Development emphasized that "Disarmament and development are two of the most urgent challenges facing the world today" and specifically called attention to the fact that "that true and lasting peace and security" requires interdependence built upon "rapid progress in both disarmament and development".<sup>18</sup> The 1992 Treaty on Open Skies, which entered into force in 2002, was a landmark resolution by the United Nations Office of Disarmament Affairs (UNODA), allowing for member states to actively engage in unarmed aerial surveillance of all member states. The treaty fundamentally operates as a mutual trust building exercise allowing for information to replace firepower and thus reducing the size of stockpiles of arms created out of the fear of losing an arms race.<sup>19</sup> -As an extension to this treaty, the General Assembly officially adopted Resolution 51/38 in 1997 which requests the Secretary-General to collect information submitted by the member states on military expenditure and circulate the reports annually. It further viewed to increase the participation rate by using standardized reporting methods and making changes as necessary to promote transparency and openness in military expenditure.<sup>20</sup> These reports are made available to the public, via a Database maintained by the UNODA, and help the First Committee agree to specific targets for military expenditure reduction and achieve regional stability by reducing the likelihood of a pre-emptive arms race.<sup>21</sup>

The 2006 *Resolution 60/61* tied disarmament to the Millennium Development Goals(MDGs) and specifically requested that the next 5 year review be done noting the contributions that disarmament had for humanitarian and development activities. In 2009, Resolution 63/52 additionally called for member states to voluntarily contribute portions of their budget, previously dedicated to the production of arms, to organizations that focus on economic and social development.<sup>22</sup> The *Arms Trade Treaty* (ATT) (2013) sought to curb the illicit trade of arms and further places obligations on member states to monitor the export of arms to prevent the sale or distribution of those arms to those human rights abusers and terrorist groups. The treaty applies to a wide range of armaments, from tanks, warships, and combat equipped aircraft to small munitions and light weapons, and seeks to monitor all aspects of international trade of those arms and specifically focused on establishing national control systems to limit exports to groups that would undermine the peace and security of a region.<sup>23</sup> The ATT has a wide range of impact on several major issues including sustainable development, by reducing and control the exports of conventional weapons to groups that would destabilize the peace and security of a region, the ATT has a substantial impact on policies geared

<sup>&</sup>lt;sup>16</sup> UNGA A/RES/70/32, Relationship between disarmament and development, 2015

<sup>17</sup> Ibid

<sup>&</sup>lt;sup>18</sup> United Nations International Conference on the Relationship between Disarmament and Development, 1987

<sup>&</sup>lt;sup>19</sup> UNODA, Treaty on Open Skies, 1992

<sup>&</sup>lt;sup>20</sup> UNGA A/RES/51/38, Objective information on military matters, including transparency of military expenditures, 2009

<sup>&</sup>lt;sup>21</sup> UNODA, Promoting Further Openness and Transparency in Military Matters

<sup>&</sup>lt;sup>22</sup> UNGA A/RES/63/52, Relationship between disarmament and development, 2009

<sup>&</sup>lt;sup>23</sup> UNGA, The Arms Trade Treaty, 2013

towards community development.<sup>24</sup> With a reduced threat of armed violence and decrease in causalities in conflict zones, the ATT allows for to be put to use for increased quality and affordability of healthcare and investment in infrastructure such as roads and schools as opposed to defense and peacekeeping forces.<sup>25</sup>

#### Role of the International System

As per Article 26 on the UN Charter, one of the UN's responsibilities is to promote international peace and security with the least diversion to military expenditure.<sup>26</sup> Several UN Bodies and subcommittees directly deal with the issues of disarmament and development, including the UNODA and UNDP. Secondary obligations to the UN include defusing tensions and reducing the likelihood of conflict escalation, promoting cooperation and trust among all member states, and diminishing the risk of armed conflicts.<sup>27</sup> The result of these actions is aimed at increasing stability and freeing up resources which can be reallocated to other development processes. As such, the UN coordinates with a wide variety of agencies, member states, governmental, and non-governmental organizations to help reduce international conflicts and promote conditions for long term peace and security. The First Committee specifically focuses on the creation, implementation, and monitoring of various methods of achieving greater disarmament and development while still ensuring that member states are satisfied with the security protocols in place. On the First Committee's recommendation, the Secretary-General put forth a "Plan of Action to Prevent Violent Extremism" (2015) that addresses the changing nature of violent armed conflict and specifically focuses on terrorist groups and other non-state actors.<sup>28</sup>

The UNODA focuses on all aspects of disarmament including the development of effective strategies and measures to ensure conflicts do not arise again.<sup>29</sup> In addition to maintain a database on military expenditures, but also on various conventional and non-conventional weapons, active armed forces personnel, and the construction and maintenance of military bases.<sup>30</sup> The UNODA has with varying degrees of success contributed to various multilateral agreements among member states in Latin America, the Caribbean, and Sub-Saharan Africa, so that those member states could focus their resources on development related programs.<sup>31</sup> It also advises member states on possible solutions to criminal armed violence within their borders, and focuses on increasing community security through capacity building efforts and incorporating the local private sector to help identify and quickly respond to possible threats to communal and societal well-being. It further explores the relationship between various socioeconomic conditions and the emergence and effects of violence on different genders and seeks to promote disarmament and development with a comprehensive bottom up approach, while looking for both the micro and macro level initiatives.<sup>32</sup>

<sup>&</sup>lt;sup>24</sup> Chatham House, How Joining the Arms Trade Treaty Can Help Advance Development, Elli Kytömäki 2014
<sup>25</sup> Ibid

<sup>&</sup>lt;sup>26</sup> United Nations CHARTER OF THE UNITED NATIONS, 1945

<sup>&</sup>lt;sup>27</sup> UN The relationship between disarmament and development in the current international context, 2004

<sup>&</sup>lt;sup>28</sup> United Nations Plan of Action to Prevent Violent Extremism, 2015

<sup>&</sup>lt;sup>29</sup> UNODA Disarmament: A Basic Guide 2012

<sup>&</sup>lt;sup>30</sup> UNODA The UN Register of Conventional Arms 2016

<sup>&</sup>lt;sup>31</sup> UNODA UN Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean 2015

<sup>&</sup>lt;sup>32</sup> UNODA Gender Perspectives on DISARMAMENT AND DEVELOPMENT 2001

Other UN bodies, such as the UNDP, UN Women, and the United Nations Children's Fund (UNICEF), focus on the logistics of disarmament and development. The UNDP places a specific focus on addressing the quality of life of all those affected by armed violence, including former combatants.<sup>33</sup> Through its Disarmament, Development, and Reintegration Programme, the UNDP aims to cement an otherwise fragile peace by strengthening the national capacities to address the needs of economic needs of ex-combatants including employability and funding of small business entrepreneurship.<sup>34</sup> UN Women focuses on the gender-related issues of both armed conflicts and lack of investment in development programs, with initiatives that allow women to get better maternal care in the field as well as access to contraceptives.<sup>35</sup> Programs such as these, aim to reduce both maternal and infant mortality as violent conflicts might make it unfeasible to attain proper hospital care.<sup>36</sup> UNICEF addresses the needs of children plagued by war or other hostile conflicts, or the secondary effects of those conflicts.<sup>37</sup> It emphasizes protections for refugee or internally displaced populations by providing various resources such as field hospitals to immunize, vaccinate, or treat diseases such as measles or malaria.<sup>38</sup> UNICEF has also taken into consideration how landmines or cluster munitions disproportionately affect children due their smaller sizes making them far more susceptible to permanent or fatal injuries, and provides education and other resources for children who have been disabled as a result of these land mines.<sup>39</sup>

#### Post-Conflict Syria

The First Committee's mandate, over the topic of the relationship between disarmament and development, covers not only the question of how to encourage countries to voluntarily disarm and reallocate resources to socio-economic development during times of peace, but also the question of how to encouragement disarmament and development during and after conflicts. In March 2011, in the wake of the Arab Spring movement, tensions in Syria rise as protests and demonstrations call for President Bashar al-Assad to step down from power.<sup>40</sup> As the protests spread throughout Syria, President al-Assad orders the deployment of the Syrian army to suppress the demonstrations and authorized the usage of lethal force.<sup>41</sup> The events of the years that followed are now well known as the Syrian Civil War, whose belligerents now include the Syrian Army, several armed rebel groups with various allegiances, Russia, Turkey, Iran, and the Combined Joint Task force, consisting of Australia, Belgium, Denmark, France, United Kingdom, and the United States.<sup>42</sup> The Syrian Observatory for Human Rights estimates that during the course of this conflict 3-400,000 people have been killed both as direct casualties of war, and secondary violence arising from the instability.<sup>43</sup> With Russia and China having, on six separate occasions, vetoed UN Security Council Resolutions on the conflict in Syria, it is unlikely that there will be a unified Security Council response to maintain peace and security in the region in the immediate future.

<sup>36</sup> Ibid

<sup>&</sup>lt;sup>33</sup> UNDP Disarmament, Demobilization and Reintegration 2016

<sup>&</sup>lt;sup>34</sup> Ibid

<sup>&</sup>lt;sup>35</sup> UNHCR Refocusing Family Planning in Refugee Settings 2011

<sup>&</sup>lt;sup>37</sup> UNICEF Nearly a quarter of the world's children live in conflict or disaster-stricken countries 2016 <sup>38</sup> Ibid

<sup>&</sup>lt;sup>39</sup> UNICEF Landmines 2015

<sup>&</sup>lt;sup>40</sup> BBC Mid-East unrest: Syrian protests in Damascus and Aleppo 2011

<sup>&</sup>lt;sup>41</sup> Ibid

<sup>42</sup> TIME Who's Fighting Who In Syria Julia Zorthian 2015

<sup>&</sup>lt;sup>43</sup> Syrian Observatory for Human Rights "About 450 thousand were killed..." 2016

The result is a protracted conflict which has produced many refugees and internally displaced persons feeling from the violence. The Office of the UN High Commissioner for Refugees estimates that, as of 2015, there are more than 4 million refugees and a further 7.6 million internally displaced persons.<sup>44</sup> While the First Committee may not directly address the conflict itself as the Security Council has put the matter under consideration, this council may still discuss the development related aspects of the Syrian conflict. With various armed groups, with different allegiances, receiving international aid and weapons the question of how the First Committee can help these groups transition to disarmament and development once the conflict has ended is an important one to address. Given the instability of the region and the knowledge that extremist groups, such as the Islamic State and the Taliban, were formed in similar conditions where international development aid was insufficient to help rebuild post-conflict, this question is one which preemptive action could result in a better chance of lasting peace and development in the area. According to a report by the UNDP, post-conflict states suffer from conflict related violence and the destruction of the "physical, financial, economic, technical, organizational, political, social" systems that are vital to weeding out the roots of further violence.<sup>45</sup> By addressing, the long term priorities for rebuilding and creating the framework for post-conflict development, international organizations can more efficiently address short term needs without compromising long term goals and reassuring donors that the gains made will not be lost to future acts of violence.<sup>46</sup>

#### Secondary Impact on Girls

While men account for the majority of direct deaths, in combat or secondary violence related to conflicts, the impact of lack of development and disarmament on the quality of life on girls is a major issue that often goes unaddressed due to the difficulty of directly quantifying quality of life as a whole.<sup>47</sup> Although development is not causally linked to legal rights afforded to women, women in less economically developed countries are disproportionately affected by certain discriminatory practices that arise out of economic hardship.<sup>48</sup> With resources being diverted to military expenditure instead of achieving food security, families who struggle often deprive girls of proper access to schools and are far more likely to marry their girls off at a younger age.<sup>49</sup> Women in impoverished countries are more likely to die at an earlier age due to insufficient healthcare, are less likely to learn to read or write, and less likely to maintain a source of income outside the agricultural sector.<sup>50</sup> This results in severe economic stagnation as these women contribute substantially less to the GDP of the country, which in turn results in less development in the fields of healthcare and education that are vitally needed to escape the cycle of stagnation.<sup>51</sup>

Certain initiatives, like the World Food Programme's school meal programme, incentivize parents to send their children to schools by offering free daily meals with extra rations being provided to take-

<sup>&</sup>lt;sup>44</sup> Reuters "Syria's neighbors now host four million..." 2015

<sup>&</sup>lt;sup>45</sup> UNDP Capacity Development in Post-Conflict Countries 2010

<sup>&</sup>lt;sup>46</sup> Ibid

<sup>&</sup>lt;sup>47</sup> UN Women "Violence against women and men should not be inevitable" Executive Director Phumzile Mlambo-Ngcuka 2015

<sup>&</sup>lt;sup>48</sup> World Economic Forum *The Global Gender Gap Report 2013* 

<sup>&</sup>lt;sup>49</sup> Ibid

<sup>&</sup>lt;sup>50</sup> Ibid

<sup>&</sup>lt;sup>51</sup> UNDP Gender Inequality Index

home.<sup>52</sup> The programme covers over 350 million children each day and successfully increase school enrollment and decreases the dropout rate, girls who stay in school longer are far less likely to be married at an earlier age and consequently are less likely to die from pregnancy or labor related complications.<sup>53</sup> School meals are also useful for ensuring that adolescent girls are less likely to suffer from micronutrient deficiencies that could lead to permanent damage to their developing bodies, thus saving on the costs of healthcare years down the line.<sup>54</sup> Despite these benefits, families are still more likely to send boys to schools as girls are often needed for domestic work. With cultural expectations on girls to leave the house after marriage, families often neglect to provide for the girls as they will not be able to take care of their parents when they get older.<sup>55</sup> The *Convention on the Elimination of all Forms of Discrimination Against Women* (CEDAW)(1979) has over 180 member states being parties to it, however, enforceability is strongly correlated with economic stability and many underdeveloped member states still struggle to both make available and make accessible the same public resources to men and women.<sup>56</sup>

Because of a combination of cultural practices and economic hardships, women and girls are primarily tasked with domestic chores and child rearing, both of which result in a substantial impact on development as a whole. Without the lack of basic infrastructure, such as water pipelines, nearly 800 million people still lack access to clean drinking water, with women and girls being assigned the duty of fetching water from nearby rivers or streams, an estimated 120 (wo)man-centuries of labor time is lost to this undertaking.<sup>57</sup> Furthermore, as of 2013, more than 40% of married women in South East Asia, West Africa, and Central Africa have been married before the age of 18.<sup>58</sup> Pregnancy related complications are the greatest cause of death for the girls in these areas, resulting in further losses to the labor force or increases in school dropout rates as other children are then required to complete these daily chores.<sup>59</sup> In the most impoverished regions such as Chad, Lesotho, Zimbabwe, and Afghanistan, women have life expectancies below that of males, whereas in most developed countries females usually live nearly 5 years longer than males.<sup>60</sup>

#### Conclusion

The First Committee is concerned heavily with the strong interdependent relationship between development and disarmament and strives to achieve international peace and security while recognizing that military expenditures result in a direct opportunity cost to other important development programs. Given the sizes of military expenditures and the various costs of meeting even global scale development goals such as the SDGs, it has become apparent that even a modest reduction in military expenditure could free up a sizeable pool of funds for various development goals. The progress in disarmament has been slowed by mutual distrust and the lack of confidence surrounding the international framework on its ability to prevent or suppress hostile conflicts, however, there have been several notable successes such as the *Treaty on Open Skies* and the *ATT* which have worked as a combination of trust building measures, while actively addressing the

<sup>&</sup>lt;sup>52</sup> WFP World Hunger Series 2006

<sup>&</sup>lt;sup>53</sup> Ibid

<sup>54</sup> Ibid

<sup>&</sup>lt;sup>55</sup> UN ECOSOC Achieving Gender Equality, Women's Empowerment and Strengthening Development Cooperation 2010

<sup>&</sup>lt;sup>56</sup> Heisoo Shin, CEDAW and Women's Human Rights: Achievements and Obstacles 2004

<sup>&</sup>lt;sup>57</sup> CNN For nearly a billion people, a glass of water means miles to walk Laurie Ure 2011

<sup>&</sup>lt;sup>58</sup> UNFPA *Child Marriage* Report 2012

<sup>&</sup>lt;sup>59</sup> Ibid

<sup>60</sup> UNDP Human Development Reports Life expectancy at birth 2013

dangers of past, present, and future conflict. The ultimate goal of the First Committee is to ensure sustainable development universally, promote security and peace through secondary means such as trade interdependence or regional agreements, and create an efficient framework for member states to resolve disputes.

#### Guiding Questions

- 1) Delegates are expected to discuss a wide variety of issues surrounding disarmament and development, while the amount of military expenditure and casualties in conflicts are easily quantifiable and directly measureable, almost always, there exists no direct metric to quantify the relationship between disarmament and development. Thus discussions of this topic are often postponed indefinitely or mentioned in passing with few specifics. What set of criteria can the UNGA use to create a standardized report to monitor the efficacy of various disarmament and development initiatives?
- 2) How should the UNGA respond to active conflicts such as the Syrian Civil war? What, if any, preemptive decisions should the First Committee make to help start rebuilding post-conflict? Could a general framework be set up to address the needs of post-conflict regions while UN organs such as the Security Council still deliberate on how to end the conflict?
- 3) While the effects of development aid have resulted in substantial progress throughout the past few decades (resulting in higher availability of hospital, schools, clean water, electricity, and roads) there still exists a substantial gender discrepancy in their access. How can the First Committee ensure that the resources committed to development are freely accessible by all people?
- 4) Funding of development aid has always been a major concern for long term projects, as donors renege on their obligations partway through or as economic or financial fluctuations result in fewer contributions by member states, organizations are left trying to fill in funding shortfalls. How should the UNGA encourage reallocation of budgets away from military spending towards development aid? How should different projects be prioritized in case of funding shortfalls or unexpected costs are incurred?

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# TOPIC 2: DEVELOPMENTS IN THE FIELD OF INFORMATION AND TELECOMMUNICATION IN THE CONTEXT OF INTERNATIONAL SECURITY

#### Introduction

The United Nations (UN) General Assembly is one of the six principal organs of the UN and the only one in which all member states have equal representation as 193 Member States gather to debate and find common ground on a range of global issues, including Internet Governance and cyber security. Such issues are categorized in the UN as 'Developments in the Field of Information and Telecommunications in the Context of International Security' and are mostly discussed in the First Committee, also known as the Committee on Disarmament and International Security. In addition, the Second Committee (Economic and Financial Committee) and Third Committee (Social, Humanitarian and Cultural Committee) cover aspects of Internet Governance and freedom of expression on the internet. Each year, after the UNGA has allocated items relevant to its work among its six main committees, the committees then go on to discuss the issues and strive for a common viewpoint across different Member States. Having reached an agreement, the committees present the Assembly plenary meeting with draft resolutions and decisions for consideration.<sup>1</sup>

Information and telecommunication has played a very important role in the General Assembly and this issue important because ITC bridges the vast digital divide that existed between countries and genders, as well as the importance of cybersecurity in today's increasingly dangerous world were among the themes highlighted as the General Assembly held its review of the World Summit on the Information Society. Past secretary General Ban Ki-Moon also raised some concerns, noting that while more than 80 per cent of households in developed countries had Internet access; two out of three in developing countries did not. Additionally, 200 million fewer women than men had access. He urged the international community to bridge those divides especially in light of the new 2030 Agenda for Sustainable Development, which included information and communications technology targets. The Minister of Communication Technologies and Digital Economy of Tunisia, whose country had hosted the World Summit in 2005, also highlighted the divide, noting that it was 50 times more difficult today for an African child to gain access to technology than a child in a developed country. It was also much more difficult for a girl to access technology than a boy.<sup>2</sup>

#### International Framework & Cyber security treaty

The issue of information security has been on the UN agenda since the Russian Federation first introduced a draft resolution in the late 90s, on the subject in the First Committee of the UN

<sup>&</sup>lt;sup>1</sup> UN General Assembly, Resolution A/RES/66/24, Developments in the field of information and telecommunications in the context of international security, December 2, 2011.

http://www.un.org/ga/search/view\_doc.asp?symbol=A/RES/66/24

<sup>&</sup>lt;sup>2</sup> UN General Assembly, Resolution A/RES/53/70, Developments in the field of information and telecommunications in the context of international security

General Assembly. As seen this issue was important t because it's providing an example of security establishment and political elites which occurred in Russia.<sup>3</sup>

It was adopted without a vote by the General Assembly as resolution 53/70 in 1998. Since that time there have been annual resolutions calling for the views of UN Member States on the issue of information security. As seen by Russia's national security establishment and political elites, the security environment along the periphery of Russia is precarious and adds to the internal challenges facing the country. Russian planners are being confronted with a region rife with instability, local conflicts, and foreign powers they view as competing with or openly hostile to Russia in every strategic direction.<sup>4</sup>

The peaceful end of the Cold War and dissolution of the Soviet Union in 1991 signaled the dawn of a new era in European security. After the ideological and military standoff that had divided the continent for more than four decades, Europe—including Russia—was coming together on the basis of a new vision, embraced by all as the foundation for a new security order.

Nevertheless, the statements presented in the First Committee indicate the approximate positions of different countries and their political goals, even though these viewpoints, unless having the support of the majority, are hardly ever reflected in the resolutions voted on year after year. <sup>5</sup>

According to the Council of foreign relations, the 2012-2013 consensus report from the Group of Governmental Experts (GGE) on Developments in the Field of Information and Telecommunications in the Context of International Security recommended regular institutional dialogue with broad participation under the auspices of the United Nations, as well as regular dialogue through bilateral, regional and multilateral forums, and other international organizations. In typical UN fashion, the sentence attempts to please a number of constituencies without saying very much. First, it appeals to the United States and its allies by referring to "broad participation" and regular dialogue in venues outside the UN system. This supports the United States' existing bilateral dialogues and initiatives on cyber issues, as well as signals that cyber discussions cannot only be left to governments given that "broad participation" is required, notably from other stakeholder groups, such as civil society and the business community. Second, it appeals to Russia, China, India, Brazil, and others that would like to see the UN take a more central role in cyber matters, not only on issues related to international peace and security, but when they are related to broader issues like Internet governance. This is exemplified in the Russia and China's proposed Code of Conduct for information security and the joint Brazilian-Indian proposal for a UN Committee for Internet Related Policies in 2011.6

Despite reaching a consensus on the need to talk more, the current GGE group will continue to argue over the appropriate place of the UN in discussions about cyber activity that can

<sup>&</sup>lt;sup>3</sup> "Developments in the Field of Information and Telecommunication in the Context of International Security: Work of the UN First Committee 1998-2012", Cyber Policy Process Brief, ICT for Peace, 2012. <u>https://citizenlab.org/wp-content/uploads/2012/08/UN-GGE-Brief-2012.pdf</u>

<sup>&</sup>lt;sup>4</sup> UN General Assembly, Resolution A/RES/66/24, Developments in the field of information and Telecommunications in the context of international security, December 2, 2011.

http://www.un.org/ga/search/view\_doc.asp?symbol=A/RES/66/24

<sup>&</sup>lt;sup>5</sup> UN General Assembly, Resolution, A/67/404, Developments in the field of information and telecommunications in the context of international security. Report of the First Committee, November 14 . 2012. http://www.un.org/ga/search/view\_doc.asp?symbol=A/67/404

<sup>&</sup>lt;sup>6</sup> "COUNCIL on FOREIGN RELATIONS." Foreign Affairs 89.2 (2010): 171. Web.<

http://blogs.cfr.org/cyber/2015/04/15/the-un-gge-on-cybersecurity-what-is-the-uns-role)>

undermine international peace and security. The GGE will have two options to consider: status quo or something new.

#### Status Quo

Thus far, the bulk of the discussions regarding the destabilizing implications of cyberspace at the UN have taken place in GGEs in 2004-2005, 2009-2010, and 2012-2013, only the last two of which produced consensus reports. While the GGE process has been instrumental in promoting the norm that international law applies to state behavior in cyberspace, the model is not sustainable for two reasons. First, GGEs have to be periodically renewed by the UN General Assembly, a process that can be upheld by politicking, deal-trading on unrelated issues, and pressures on the UN budget.

Second, the cyber GGEs are limited to a small number of states, five of which have always been the permanent members of the UN Security Council, and the membership changes every time a new GGE is created. Cyber issues can be notoriously complex and require a significant amount of expertise accumulated over time before engaging in an intelligent discussion over its political and military implications. Furthermore, some of the diplomats that sit on the GGE can be arms control generalists, not cybersecurity policy experts—an important distinction given the hyperbole that can infiltrate cyber discussions. It is impractical for countries that sit on GGEs on a rotational basis to gain cyber expertise over the life of a GGE only to give up their seat to a newcomer. GGEs only meet in three or four weekly sessions, meaning that precious time can be lost bringing the newcomers up to speed on the previous discussions of the GGE before resuming an informed discussion.<sup>7</sup>

After the already convened two GGE meetings, the UNGA approved the third session for the GGE in 2011 with the purpose of continuing to study existing and potential threats in the sphere of information security and possible cooperative measures to address them.5 GGE is to report back their findings to the 68th session of the UNGA in September 2013. The Third GGE consists of members from Argentina, Australia, Belarus, Canada, China, Egypt, Estonia, France, Germany, India, Indonesia, Japan, Russia, the UK and the USA.6 At its second plenary meeting, on 21 September 2012, the General Assembly, following the recommendation of the General Committee, decided to include the item 'Developments in the Field of Information and Telecommunications in the Context of International Security' in its agenda and to allocate it to the First Committee.7

The General Assembly has adopted various different resolutions, from 1946 to 1975 the first 3,541 resolutions were consecutively numbers. They are resolution A/RES/217 which is the Universal Declaration on Human Rights, resolution A/RES3201 3201st resolution which is the declaration on the establishment of a new international economic order and RES2252 which is Humanitarian assistance. Beginning in 1976, the 31st session which included the Res4425 convention on the rights of the child, Res13/2 United Nations Programme of Action for African Economic Recovery and Development and Res8/2 Questions of Namibia which was the 2nd resolution of the 8th emergency special session.

<sup>&</sup>lt;sup>7</sup> Kane, Angela. "The Rocky Road to Consensus: The Work of UN Groups of Governmental Experts in the Field of ICTs and in the Context of International Security, 1998–2013." *American Foreign Policy Interests* 36.5 (2014): 314-21. Web.

#### International legal instrument (Treaties and conventions)

There were about Nine UN human rights conventions have monitoring bodies to oversee the implementation of the treaty provisions. The treaty bodies are composed of independent experts and meet to consider State parties' reports as well as individual complaints or communications. They may also publish general comments on human rights topics related to the treaties they oversee. The treaty-based bodies tend to follow similar patterns of documentation.

Following the completion of the reform of the Charter-based human rights bodies and the establishment of the Human Rights Council, focus shifted to the reform of the treaty-bodies. On 9 April 2014, the General Assembly adopted a resolution on "Strengthening and enhancing the effective functioning of the human rights treaty body system" <sup>8</sup>

Germany raised several issues attached to a *note verbale* 516/2012. Firstly, Germany is concerned about the 'prevailing ambiguity about what norms apply in cyberspace' and the fact that many states defer or leave off their agenda 'concrete steps to enhance resilience'. Most importantly, the note underlined that Germany will strongly advocate strengthened cyber security within the EU and international organisations and that Germany is supporting 'developing broad, non-contentious, politically binding norms of State behaviour in cyberspace'. It is added that the norms 'should be acceptable to a large part of the international community and should include measures to build trust and increase security'. Germany declared that it is 'ready to work on a set of behavioural norms addressing State-to-State behaviour in cyberspace, including, in particular confidence, transparency-and security-building measures, to be signed by as many countries as possible' and outlined a number of possible elements of such a code of conduct on international norms. Moreover, Germany pointed out the 'necessity to start a debate on an international cooperation in the framework of attribution of cyber attacks' and the need to focus on the issues of state responsibility when the attacks in launched from its territory. In addition, Germany welcomes NATO's commitment to cyber security.<sup>9</sup>

As a result of these discussions, the draft resolution A/C.1/67/L.30 'Developments in the Field of Information and Telecommunications in the Context of International Security'12 was agreed upon and recommended for the plenary meeting of the 67<sup>th</sup> UNGA session for adoption. The text itself does not reflect any new agreements but reiterates the views expressed within the last similar resolutions. According to the resolution, the UNGA invites all Member States to take into account the assessments and recommendations contained in the GGE report13 on 'Developments in the Field of Information and Telecommunications in the Context of International Security', and to continue to report back to the Secretary-General their opinions on the following issues: general appreciation of the issues of information security; efforts taken at the national level to strengthen information security and promote international cooperation in this field; possible measures that could be taken by the international concepts aimed at strengthening the security of global information and telecommunications systems.<sup>10</sup>

<sup>&</sup>lt;sup>8</sup> United Nations General Statement in connection with action on L.30 Developments in the field of information and telecommunications in the context of international security, 6 November 2012,

http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/1c...

<sup>&</sup>lt;sup>9</sup> Kerr, Pauline, and Wiseman, Geoffrey. *Diplomacy in a Globalizing World : Theories and Practices*. New York: Oxford UP, USA, 2013. Print.

<sup>&</sup>lt;sup>10</sup> United Nations Office for Disarmament Affairs, Developments in the field of information and telecommunications in the context of international security. <u>http://www.un.org/disarmament/topics/informationsecurity/</u>

#### Role of the international UN regional system

To date, there have been two Groups of Governmental Experts (GGE), the first one held its meetings in 2004 and 2005. The second Group began its work in 2009 and completed its discussions in 2010. Both Groups have examined the existing and potential threats from the cybersphere and have been exploring possible cooperative measures to address them. Given the relative "newness" of the cyber-sphere and the complexity of the issues involved, the first Group was unable to reach a consensus on a final report. The second more recent Group was able to agree a successful report issued in 2010.

The UNGA has worked on this issue by considering general principles of cooperations in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments and makes the recommendations to UN member states or to the Security Council. The UNGA is the only representative body discussing disarmament and international security issues and its decisions have led to significant developments.

Some of the things that the UN bodies have done is firstly had two subsidiary bodies dedicated to disarmament issues and they were the following: The disarmament and international security committee (IFirst Committee) and the United Nations Disarmament Commission and the UNGA also received input through numerous reporting Mechanisms and GGEs.<sup>11</sup>

In addition to that some major achievements that were occurred of the UNGA was in the field of arms control, non-proliferation and disarmament which included the endorsements of the NPT, convention on the prohibition of bacteriological and toxin weapons in 1972 and convention of prohibition of chemical weapons in 1992.

Information and communications technologies (ICTs) provide immense opportunities and continue to grow in importance for the international community. However, there are disturbing trends that create risks to international peace and security. Effective cooperation among states is essential to reduce those risks. For instance, The UN office for Disarmament Affairs the issue of information security has been on the UN agenda since the Russian Federation first introduced a draft resolution in 1998 on the subject in the First Committee of the UN General Assembly. It was adopted without a vote by the GA as resolution.

In his foreword to the report of the second GGE, the United Nations Secretary-General, notes that the "General Assembly has an important role to play in the process of making information technology and telecommunications more secure, both nationally and internationally.<sup>12</sup>" He adds that *"dialogue among Member States will be essential for developing common perspectives*,"<sup>13</sup> and that

<sup>&</sup>lt;sup>11</sup> "Nuclear Threat Initiative Releases Nuclear Security Index." *Entertainment Close-up* (2016): Entertainment Close-up, Jan 19, 2016. Print. <<u>http://www.nti.org/learn/treaties-and-regimes/united-nations-general-assembly/></u>

<sup>&</sup>lt;sup>12</sup> Wurst, Jim. "UN Battles over Disarmament Bureaucracy.(THE WORLD)(Department for Disarmament Affairs of the United Nations )." *Arms Control Today* 37.2 (2007): 47. Web.

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<sup>&</sup>lt;sup>13</sup> Wurst, Jim. "UN Battles over Disarmament Bureaucracy.(THE WORLD)(Department for Disarmament Affairs of the United Nations )." *Arms Control Today* 37.2 (2007): 47. Web.

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practical cooperation is also vital, to share best practices, exchange information and build capacity in developing countries, and to reduce the risk of misperception, which could hinder the international community's ability to manage major incidents in cyberspace.<sup>14</sup>

In 2010, the General Assembly unanimously approved a resolution calling for a follow-up to the last Group. Such a GGE which will begin its work in 2012, will continue to study existing and potential threats in the sphere of information security and possible cooperative measures to address them, taking into account the assessments and recommendations contained in the 2010 Report. The third GGE will report to the 68th session of the General Assembly in September 2013. This Study Series focuses on the report of the 2009/2010 GGE. It also includes the last two reports of the Secretary-General containing the views of Member States.

#### Case Study – The case of ICTs

The General Assembly resolution 68/243 on the basis of equitable geographical distribution, has established a group of governmental experts to continue to study, with a view to promoting common understandings, existing and potential threats in the sphere of information security and possible cooperative measures to address them, including norms, rules or principles of responsible behaviour of States and confidence -building measures, the issues of the use of information and communications technologies (ICTs) in conflicts and how international law applies to the use of ICTs by States, as well as relevant international concepts aimed at strengthening the security of global information and telecommunications systems.

An open, secure, stable, accessible and peaceful ICT environment is essential for all and requires effective cooperation among Member States to reduce risks to international peace and security. The present report reflects the recommendations of the Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security and builds upon the work of previous Groups (see A/65/201 and A/68/98). The Group examined relevant international concepts and possible cooperative measures pertinent to its mandate. It reaffirmed that it is in the interest of all States to promote the use of ICTs for peaceful purposes and to prevent conflict arising from their use.

There is now broad recognition among many States that existing international law serves as the appropriate framework applicable to activity in cyberspace in a variety of contexts, including in connection with hostilities. This area of international law involves two related bodies of law. The first one is *jus ad bellum*, which is the framework that addresses the use of force triggering a State's right of self-defence; and the second one is *jus in bello*, which is the body of law governing the conduct of hostilities in the context of an armed conflict and is sometimes called the international law of armed conflict, the law of war, or international humanitarian law.

While some attributes of information technologies are unique, existing principles of international law serve as the appropriate framework in which to identify and analyze the rules and norms of behavior that should govern the use of cyberspace in connection with hostilities. In this vein, much work has been done over the last year in developing a better understanding of the issues related to information and telecommunications in the context of international security, in particular,

<sup>&</sup>lt;sup>14</sup> Vili Lehdonvirta and Jonathan Bright, "Crowdsourcing for Public Policy and Government," Policy and Internet

by the ongoing UN Group of Governmental Experts (GGE) on "Developments in the Field of Information and Telecommunications in the Context of International Security.<sup>15</sup>"

The consensus report of the 2010 GGE included two very important recommendations: further dialogue to discuss norms to reduce collective risk and protect critical national and international infrastructure, and the development of confidence-building measures to reduce the risk of misperception.

The 2012-2013 GGE is taking up this important work where the 2010 GGE left off. It is focusing on discussion of a normative framework, confidence-building measures and support for capacity building, and intends to make recommendations in these areas.

During last year's session of the United Nations Framework Classification (UNFC), the introduction of a draft Code of Conduct for Information Security presented an alternative view that seeks to establish international justification for government control over Internet resources. At its heart, it calls for multilateral governance of the Internet that would replace the multi-stakeholder approach, where all users have a voice, with top down control and regulation by states. It would legitimize the view that the right to freedom of expression can be limited by national laws and cultural proclivities, thereby undermining that right as described in the Universal Declaration on Human Rights.

While a key provision of the draft purports to ensure ICT supply chain security, other provisions seem to acknowledge a lack of respect for intellectual property rights when they claim that states use their technology and critical infrastructure for advantage and in their call for an equitable division of relevant resources. Proposals along these lines would discourage the international trade in and the development of information and communications technology (ICT) products and services, which have made the Internet what it is today. We fear that these proposals would also make it easier for governments to suppress free speech, for example through government control over content for the purpose of political domination. States do not have a monopoly on the ability to innovate, develop technical capacity, or grasp economic opportunities.

These activities should be carried out in an appropriate and responsible manner with the participation of all stakeholders. As such, it is unrealistic and undesirable for States to be given the dominant role on Internet operation and development. For example, the United States of America favors international engagement to develop a consensus on appropriate cyberspace behavior, based on existing principles of international law, and we cannot support approaches proposed in the draft Code of Conduct for Information Security that would only legitimize repressive state practices. It is the view of the United States of America that transparency, confidence-building, and stability measures should be developed as a voluntary, cooperative effort whose ultimate objective is to enhance international stability and thereby reduce the risk of conflict in cyberspace. Many States could contribute to this goal. States must unite in the common goal of preserving and enhancing the benefits of information technologies by assuring their security and integrity, while also maintaining

<sup>&</sup>lt;sup>15</sup> International Telecommunication Union, "Impact of Broadband on the Economy," April 2012, p. 4.

<sup>4</sup> MDG Gap Task Force, "Taking Stock of the Global Partnership for Development," United Nations, 2015, pp. 68-69.

an environment that promotes efficiency, innovation, economic prosperity, free trade, and respect for human rights.<sup>16</sup>

#### Conclusion

The General Assembly will continue to deal with information security threats of international security relevance. By its mandate, position and membership, the GA is a unique forum for discussing the 'high end' of information security threats. With over 50 nations having contributed to the First Committee discussions on international information security over the past 15 years, , each having gathered a coalition of like-minded partners. Additionally, a series of bilateral talks and programs related to security in the context of uses of ICTs have been initiated between Russia, China and the United States as well as between several other UN countries

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<sup>&</sup>lt;sup>16</sup> Anonymous. "A Global Agenda: Issues Before the 60th General Assembly of the United Nations." *Library Journal* 131.9 (2006): 57. Print.

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