NMUN•DC

GENERAL ASSEMBLY FIRST COMMITTEE
BACKGROUND GUIDE 2017

Written by: Aiskell Román, Director; Adam Wolf, Assistant Director;
Frank Cassata, Substantive Assistant

NATIONAL MODEL UNITED NATIONS

NATIONAL MODEL UNITED NATIONS

THE WORLD'S LARGEST UNIVERSITY-LEVEL SIMULATION • SINCE 1927
2945 44th Avenue South • Minneapolis, MN 55406
www.nmun.org • info@nmun.org • 612.353.5649

Dear Delegates,

Welcome to the 2017 National Model United Nations Conference in Washington, DC (NMUN•DC)! We are pleased to introduce you to our committee, the General Assembly First Committee (GA1). This year's staff is: Director Aiskell Román and Assistant Director Adam Wolf. Aiskell has a B.A. in Political Science and International Affairs and currently works for Latin American Perspectives, an academic journal on Latin American politics. This will be her second year on DC staff, and she is excited to return to NMUN•DC. Adam holds a B.A. in International Studies and currently works as an Associate with the Alliance for Peacebuilding, an association of peacebuilding organizations that advocates for the effectiveness of violence reduction programs. Adam is a current DC resident and is also excited to return for his second year on staff with NMUN•DC.

The topics under discussion for GA1 are:

1. Cybersecurity and the Threat of Cyberwarfare
2. Addressing The Illicit Trafficking of Small Arms and Light Weapons

The General Assembly First committee focuses on addressing matters related to disarmament and international security. Its main objective is to maintain international peace and security by considering new perspectives, serving as an international forum for debate, and achieving global consensus and policy solutions that promote peace and prevent conflict from arising. As our world becomes more interconnected, it is essential for the General Assembly First committee to focus on how the Sustainable Development Goals can be incorporated in disarmament, peace and security discussions, in order to ensure social and economic development.

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 13 October 2017 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 Deputy Secretary-General, Jess Mace, at dsg.dc@nmun.org.

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

Aiskell Román, *Director*
Adam Wolf, *Assistant Director*

Committee Overview

"It has been said that the United Nations was not created in order to bring us to heaven, but in order to save us from hell. I think that sums up as well as anything I have heard both the essential role of the United Nations and the attitude of mind that we should bring to its support."[1]

Introduction

The United Nations (UN) General Assembly (GA) 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).[2] The General Assembly is divided into six Main Committees.[3] Each of the Main Committees has a specific focus and reports on its work to the General Assembly Plenary.[4]

> 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.

The First Committee considers all matters related to disarmament and international security.[5] Disarmament had a vital role in the very founding of the UN and has featured as one of the most prominent issues discussed on the international agenda in the last few decades.[6] 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 as the most important question facing the world at the time.[7] Consequently, the General Assembly established the United Nations Disarmament Commission (UNDC) in 1952 with a general mandate to discuss topics related to disarmament.[8] Furthermore, in 1979 the Conference on Disarmament (CD) was created as an international multilateral negotiation forum on disarmament, and in 1980, the United Nations Institute for Disarmament Research (UNIDIR) was created to undertake independent research concerning disarmament.[9] Several other disarmament-related entities and other organizations also report to the General Assembly through the First Committee, such as the Organization for the Prohibition of Chemical Weapons (OPCW).[10]

In 2001 the inaugural Conference on the Illicit Trade in Small Arms and Light Weapons (SALW) in All Its Elements was held in New York.[11] This conference created the Programme of Action on SALW, which reports on its Biennial Meeting of States and Review Conference (RevCon) to the General Assembly.[12] 13 years later, recognizing SALW's central role in pushing negotiations disarmament forward, the General Assembly adopted the *Arms Trade Treaty* in 2014 to further regulate the transnational trade of SALW.[13] More recently, ongoing concerns have been raised regarding protection from cyber-attacks and the future of cyber security, which have been addressed through the adoption of resolution 69/237 of 23 December 2015 on "Developments in the Field of Information and Telecommunications in the Context of International Security."[14]

---

[1] UN DPI, *Press Release SG/382: Address by Secretary-General Dag Hammarskjold at University of California Convocation Berkeley, California, Thursday, May 13, 1954, at 10:00 A.M. (Pacific Coast Time)*, 1954, p. 7.

[2] *Charter of the United Nations*, 1945, Art. 7.

[3] New Zealand Ministry of Foreign Affairs and Trade, *United Nations Handbook 2016-2017*, 2016, p. 23.

[4] *Charter of the United Nations*, 1945, Art. 98.

[5] UN General Assembly, *Disarmament and International Security*, 2014.

[6] Thakur, *The United Nations, Peace and Security*, 2006, p. 101.

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

[8] 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.

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

[10] Switzerland Permanent Mission to the United Nations, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 63.

[11] UNODA, *Reports of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/1)*, 2001, pp. 2-5.

[12] Ibid.

[13] UN General Assembly, *The Arms Trade Treaty (A/RES/69/49)*, 2014.

[14] UN General Assembly, *Developments in the Field of Information and Telecommunications in the Context of International Security (A/RES/70/237)*, 2015.

As the only main body with universal membership, the General Assembly is a unique forum for discussion within the UN system.[15] 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.[16]

Governance, Structure, and Membership

As outlined in the Charter, the General Assembly is comprised of all 193 UN Member States.[17] However, Observer status can also be granted to intergovernmental organizations such as the African Union and states without full UN membership; currently the Holy See and the State of Palestine are the only two non-Member States with permanent Observer status.[18] In the General Assembly, each Member State has one equal vote.[19] Since its 44th session in 1989, the General Assembly is considered in session the entire year.[20] 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.[21] Elaborated by the General Assembly Fifth Committee, the budget allocated to disarmament for the biennium 2016-2017 is $24.6 million and is mainly attributed to the UN Office for Disarmament Affairs (UNODA) and UNIDIR.[22]

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.[23] 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.[24] After receiving a preliminary list of agenda items from the UN Secretariat, the General Committee allocates the different items to each Main Committee.[25] The agenda items that correspond to one of seven clusters discussed below are allocated to the First Committee, which in turn votes upon its own agenda.[26] The seven clusters addressed by the First Committee are: nuclear weapons, other WMDs, disarmament aspects in outer space, conventional weapons, regional disarmament and security, other disarmament measures and security, and the disarmament machinery.[27] 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.[28] It further encourages norm setting at the General Assembly, CD, and UNDC.[29] 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.[30]

---

[15] UN General Assembly, *Functions and Powers of the General Assembly*, 2014.
[16] Thakur, *The United Nations, Peace and Security*, 2006, pp. 91, 162.
[17] *Charter of the United Nations*, 1945, Art. 9.
[18] UN DPI, *About Permanent Observers*, 2016; UN DPI, *Non-member States*, 2016.
[19] *Charter of the United Nations*, 1945, Art. 18.
[20] Switzerland Permanent Mission to the United Nations, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 14.
[21] Ibid.
[22] UN General Assembly, *Proposed Programme Budget for the biennium 2016-2017 (A/70/6 (Sect. 4))*, 2015, p. 3.
[23] Ibid.
[24] Ibid.
[25] Ibid, p. 36
[26] Ibid.
[27] Switzerland Permanent Mission to the United Nations, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 63.
[28] UNODA, *About Us*, 2014.
[29] Ibid.
[30] UN DGACM, *Functions of the Department*, 2014.

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 and in particular disarmament.[31] 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.[32] This can be regarded as one of the main differences with the Security Council.[33] 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.[34] In other words, while the Security Council can authorize the use of force in the fight against terrorism and freeze assets to prevent illicit arms trade, the First Committee works towards the development of international conventions to prevent terrorists from acquiring nuclear weapons and other weapons of mass destruction (WMDs).[35] 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.[36]

The General Assembly and its six Main Committees are the center of the UN System and represent its main deliberative, policymaking, and representative organs.[37] 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.[38] The body "receives and considers reports" issued by "the other principal organs established under the *Charter of the United Nations* as well as reports issued by its own subsidiary bodies."[39] Once the recommendations are sent to the Plenary Committee, the Plenary then votes on whether to adopt the resolutions as presented.[40] 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.[41] Additionally, the General Assembly can request the Secretary-General (SG) 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.[42]

The First Committee is capable of introducing resolutions that initiate new negotiations on arms control and disarmament that, 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.[43] The General Assembly Plenary must also adopt resolutions adopted in the First Committee before they take effect.[44] It is additionally important to remember that even when adopted by the Plenary, General Assembly resolutions are not legally binding.[45] Nonetheless, the consensus reached in the First Committee often leads to more concrete initiatives at the UN.[46]

---

[31] *Charter of the United Nations*, 1945, Art. 11.
[32] Thakur, *The United Nations, Peace and Security*, 2006, p. 10.
[33] Ibid.
[34] Ibid.
[35] Weis, *The United Nations and Changing World Politics*, 2004, p. 95.
[36] Switzerland Permanent Mission to the United Nations, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 13.
[37] UN General Assembly, *Functions and Powers of the General Assembly*, 2014.
[38] *Charter of the United Nations*, 1945, Art. 12; 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.
[39] Ibid.
[40] UN General Assembly, *About the General Assembly*, 2016.
[41] UN General Assembly, *About the General Assembly*, 2016; Switzerland Permanent Mission to the United Nations, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 13.
[42] Ibid, pp. 36, 47.
[43] Weis, *The United Nations and Changing World Politics*, 2004, p. 161.
[44] UN General Assembly, *About the General Assembly*, 2016.
[45] Ibid.
[46] Ibid.

The First Committee also works in close cooperation with the UNDC and the CD.[47] The CD has a crucial role in addressing issues of disarmament and has been central to negotiations of international agreements such as the *Treaty on the Non-Proliferation of Nuclear Weapons* (1968) .[48] Unlike the CD, the UNDC is a subsidiary organ of the First Committee and is composed of all 193 Member States.[49] Essentially 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.[50] Both bodies report either annually or more frequently to the First Committee.[51] 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.[52]

Recent Sessions and Current Priorities

During the most recently completed 71st session, the First Committee approved a total of 69 resolutions to be sent to the General Assembly Plenary.[53] These resolutions covered a wide array of themes falling under the seven clusters, with a majority focused on disarmament of conventional weapons.[54] General Assembly resolution 71/44 on "Transparency in Armaments" of 5 December 2016 reaffirmed the UNs' determination to ensure effective operation of the United Nations Register of Conventional Arms.[55] Additionally, the adoption of resolution 71/36 on "Preventing and Combating Illicit Brokering Activities" of 5 December 2016 called upon Member States to increase their commitment to international law regarding the prevention of illicit brokering of conventional weapons.[56]

In recent years, an emphasis has been placed on the role of information security in the context of greater levels of inter-connectedness among Member States.[57] 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.[58] The most recent report of the GGE was issued on 19 July 2016 and included a series of self-reported progress status reports from Member States.[59] Of the states which submitted reports, the majority had included adequate progress and recognition of the urgency to increase protection against cyber attacks.[60] Additionally, the SG submits an annual report to the General Assembly on the views of Member States with respect to information security.[61] General Assembly resolution 70/237 of 23 December 2015 requested the SG to form a new GGE that would report to the General Assembly in 2017, and this new GGE had its first meeting in August 2016.[62] The fourth and final meeting of the fifth GGE is to be held in Geneva, Switzerland from 19-23 June 2017, at which time the objective of the body will be to produce a consensus-based final outcome document on the negotiations and work of the body.[63] During the 71st session of the General Assembly, resolution 71/28 on "Developments in the Field of Information and Telecommunications in the Context of International Security" addressed the vital role of information technology in the context of international security and disarmament

---

[47] UN General Assembly, *Disarmament and International Security*, 2014.
[48] UNOG, *An Introduction to the Conference*, 2014.
[49] UNODA, *United Nations Disarmament Commission*, 2014.
[50] Ibid.
[51] UN General Assembly, *Disarmament and International Security*, 2014.
[52] Switzerland Permanent Mission to the United Nations, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 31.
[53] UN DPI, *First Committee Sends 69 Texts to General Assembly, Concluding Session by Approving Drafts on Chemical Weapons, Improvised Explosive Devices*, 2016.
[54] Ibid.
[55] UN General Assembly, *Transparency in Armaments (A/RES/71/44)*, 2016.
[56] UN General Assembly, *Preventing and Combating Illicit Brokering Activities (A/RES/71/36)*, 2016.
[57] UN DPI, *As First Committee Approves 10 Texts, Delegates Spotlight Rights to Self-Defence, Raising Concerns About Conventional Weapons Treaties*, 2016.
[58] UN General Assembly, *Developments in the Field of Information and Telecommunications in the Context of International Security (A/RES/66/24)*, 2011.
[59] UN General Assembly, *Developments in the Field of Information and Telecommunications in the Context of International Security: Report of the Secretary-General*, 2016.
[60] Ibid.
[61] UNODA, *GGE Information Security*, 2015.
[62] UNODA, *Developments in the Field of Information and Telecommunications in the Context of International Security*, 2016.
[63] Geneva Internet Platform, *UN Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security: Third Session*, 2017.

through calling on Member States to review the assessments made in the report of the GGE, addressing the challenges of cybersecurity.[64] The most recent report of the SG in 2016 had shown an increase in the number of reporting states from the previous cycle.[65]

Additionally, issues surrounding human security as it relates to sustainable development have become a key component of the post-2015 development agenda.[66] In September 2015, the General Assembly adopted the Sustainable Development Goals (SDGs) as a follow-up to the expiring Millennium Development Goals (MDGs).[67] While the SDGs focus largely on sustainable development indicators, the role of security is highlighted particularly in SDG 11, "make cities and human settlements inclusive, safe, resilient and sustainable," and SDG 16, "promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels."[68] As such, while many of the SDGs do not specifically reference matters within the First Committee's purview, the maintenance of international security is a foundational issue as conflict negatively impacts human and economic development.[69]

Finally, the continuous emergence of armed conflicts imposes a great threat on all individuals' safety, especially marginalized groups, such as women, children, and people with disabilities.[70] A major challenge currently facing the UN is the gap between gender sensitivity and disarmament, and this should be a priority in future debates.[71] The First Committee can encourage Member States to take action, including addressing violence against women through policy reform, as well as reiterating gender diversity during discussions.[72] The continued protection of marginalized groups aligns with SDGs five and 13 taking strides to increase equality between gender as well as reduce inequalities across society to provide a more sustainable and safe future for all.[73]

Conclusion

Disarmament has been an important issue for the UN and 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 nuclear disarmament or non-proliferation are a testimony of the General Assembly's dedication towards a nuclear weapons free world.[76] 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.[77] It is, therefore, the responsibility of the First Committee to achieve new advancements towards the pursuit of international peace and security while continually seeking consensus in collaboration with the international community.[78]

Annotated Bibliography

New Zealand, Ministry of Foreign Affairs and Trade. (2016). *United Nations Handbook 2016 - 2017.* Retrieved 20 May 2017 from: https://mfat.govt.nz/assets/_securedfiles/Handbooks/United_Nations_Handbook-2016-2017.pdf

---

[64] UN General Assembly, *Developments in the Field of Information and Telecommunications in the Context of International Security (A/RES/71/28)*, 2016.
[65] UN General Assembly, *Developments in the Field of Information and Telecommunications in the Context of International Security: Report of the Secretary General (A/71/72)*, 2016.
[66] UN General Assembly, *Transforming Our World: The 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015.
[67] UNDP, *Sustainable Development Goals*, 2016.
[68] Ibid.
[69] Ibid.
[70] Reaching Critical Will, *Statement on Gender and Disarmament to the UN General Assembly First Committee*, 2015, p. 39.
[71] Ibid.
[72] Ibid.
[73] UNDP, *Sustainable Development Goals*, 2017.
[74] UN General Assembly, *Disarmament and International Security*, 2014.
[75] Ibid.
[76] Ibid.
[77] Thakur, *The United Nations, Peace and Security*, 2006, p. 162.
[78] UN General Assembly, *Disarmament and International Security: First Committee*, 2017.

This handbook, published by the Ministry of Foreign Affairs and Trade of New Zealand, is an attempt to contribute to the strengthening of information available to the international community on the UN system. It provides extensive information on the structure and membership as well the purpose of UN organs. As such, it represents the perfect introduction to the UN system as a whole for individuals less familiar with its complexity. Therefore, delegates should consider this a must-read during preparation for the conference.

Switzerland Permanent Mission to the United Nations. (2011). *The PGA Handbook: A practical guide to the United Nations General Assembly.* Retrieved 20 May 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. The author's focus is 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). *Developments in the Field of Information and Telecommunications in the Context of International Security: Report of the Secretary General (A/71/172)* [Report]. Retrieved 18 April 2017 from: http://undocs.org/A/71/172
The most recent Report of the Secretary-General provides a comprehensive series of reports from the Office of the Secretary-General as well as a multitude of Member States regarding their status in advancements towards increased security in the field of information and telecommunications. The general report of the SG provides a basic overview of the direction the field is headed in, while the Member State reports provide a more localized approach where regional blocs can be understood and the challenges which are still present in advancing international security. This source is useful to delegates looking to create a baseline of the changes being made in the field of international security as well as provides the most recent reports issued, with the potential for a 2017 report to be issued in the later months of this year.

United Nations Office at Geneva. (2014). *An Introduction to the Conference* [Website]. Retrieved 20 May 2017 from: http://www.unog.ch/80256EE600585943/%28httpPages%29/BF18ABFEFE5D344DC1256F3100311CE9?OpenDocument
This source provides an excellent introduction to the formation of the Conference on Disarmament (CD), through utilizing a semi-chronological ordering the website provides information from the creation through the multitude of changes that have occurred over time to meet the demands of a changing global climate with membership and mandate expansion and reduction. Expanding on the changes and policies implemented by the Conference, the website provides a series of embedded links to other pertinent matters such as rules of procedure and work of non-Member States to the Conference as well as Members. Delegates seeking to gain a basic understanding of the CD should refer to this source to form a basic level of comprehension where independent research can expand based on Member State and topicality.

Bibliography

Charter of the United Nations. (1945). Retrieved 20 May 2017 from:
http://www.un.org/en/documents/charter/index.shtml

Geneva Internet Platform. (2017). *UN Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security: Third Session* [Website]. Retrieved 29 June 2017 from: https://www.giplatform.org/events/un-group-governmental-experts-developments-field-information-and-telecommunications-context-0

New Zealand Ministry of Foreign Affairs and Trade. (2016). *United Nations Handbook 2016 - 2017.* Retrieved 20 May 2017 from: https://mfat.govt.nz/assets/_securedfiles/Handbooks/United_Nations_Handbook-2016-2017.pdf

Reaching Critical Will. (2015). *Statement on Gender and Disarmament to the UN General Assembly First Committee* [Website]. Retrieved 20 May 2017 from: http://www.reachingcriticalwill.org/resources/statements/10407-statement-on-gender-and-disarmament-to-the-un-general-assembly-first-committee

Switzerland Permanent Mission to the United Nations. (2011). *The PGA Handbook: A practical guide to the United Nations General Assembly.* Retrieved 20 May 2017 from: http://www.unitar.org/ny/sites/unitar.org.ny/files/UN_PGA_Handbook.pdf

Thakur, R. (2006). *The United Nations, Peace and Security.* Cambridge: University Press.

United Nations, Conference on Disarmament. (2016). *Report of the Conference on Disarmament to the General Assembly of the United Nations.* Retrieved 19 May 2017 from: http://undocs.org/CD/2080

United Nations, Department for General Assembly and Conference Management. (2014). *Functions of the Department* [Website]. Retrieved 20 May 2017 from: http://www.un.org/Depts/DGACM/functions.shtml

United Nations, Department of Public Information. (1954). *Press Release SG/382: Address by Secretary-General Dag Hammarskjold at University of California Convocation Berkley California Thursday May 13, 1954 at 10:00 A.M. (Pacific Coast Time).* Retrieved 19 May 2017 from: http://ask.un.org/loader.php?fid=481&type=1&key=2e793a4d1e2f8c6ac35d5860974cf93c

United Nations, Department of Public Information. (2016). *About Permanent Observers* [Website]. Retrieved 20 May 2017 from: http://www.un.org/en/sections/member-states/about-permanent-observers/index.html

United Nations, Department of Public Information. (2016). *As First Committee Approves 10 Texts, Delegates Spotlight Rights to Self-defence, Raising Concerns About Conventional Weapons Treaties* [Meeting Coverage]. Retrieved 19 May 2017 from: https://www.un.org/press/en/2016/gadis3565.doc.htm

United Nations, Department of Public Information. (2016). *First Committee Sends 69 Texts to General Assembly, Concluding Session by Approving Drafts on Chemical Weapons, Improvised Explosive Devices* [Meeting Coverage]. Retrieved 19 May 2017 from: https://www.un.org/press/en/2016/gadis3567.doc.htm

United Nations, Department of Public Information. (2016). *Non-member States* [Website]. Retrieved 20 May 2017 from: http://www.un.org/en/sections/member-states/non-member-states/index.html

United Nations Development Programme. (2016). *Sustainable Development Goals* [Website]. Retrieved 20 May 2017 from: http://www.undp.org/content/undp/en/home/sustainable-development-goals.html

United Nations, General Assembly, Sixth session. (1952). *Regulation, Limitation and Balanced Reduction of all Armed Forces and all Armaments; International Control of Atomic Energy (A/RES/6/502).* Retrieved 28 June 2017 from: http://www.un.org/documents/ga/res/6/ares6.htm

United Nations, General Assembly, Fourteenth session. (1959). *General and Complete Disarmament (A/RES/1378 (XIV))*. Retrieved 28 June 2017 from: http://www.un-documents.net/a14r1378.htm

United Nations, General Assembly, Tenth special session. (1978). *Final Document of the Tenth Special Session of the General Assembly (S-10/2)* [Resolution]. Adopted on the report of the Ad Hoc Committee of the Tenth Special Session. Retrieved 28 September 2016 from: http://undocs.org/a/res/s-10/2

United Nations, General Assembly, Twenty-fourth session. (1969). *Question of General Disarmament (A/RES/2602E (XXIV))*. Retrieved 28 June 2017 from: http://www.un.org/documents/ga/res/24/ares24.htm

United Nations, General Assembly, Sixty-sixth session. (2011). *Developments in the field of information and telecommunications in the context of international security (A/RES/66/24)*. [Resolution]. Retrieved 20 May 2017 from: http://undocs.org/A/RES/66/24

United Nations, General Assembly. (2013). *Statement by the Chairperson of the Fourth Committee on 7 May 2013*. Retrieved 28 June 2017 from: http://www.un.org/en/ga/president/67/issues/revitalization/Statement%20by%20the%20Chairperson%20of%20the%20Fourth%20Committee%20(7%20May%20-%20English)%20.pdf

United Nations, General Assembly, Sixty-ninth session. (2014). *The Arms Trade Treaty (A/RES/69/49)* [Resolution]. Adopted on the Report of the First Committee (A/69/440). Retrieved 17 May 2017 from: http://undocs.org/A/RES/69/49

United Nations, General Assembly. (2014). *Functions and Powers of the General Assembly* [Website]. Retrieved 20 May 2017 from: http://www.un.org/en/ga/about/background.shtml

United Nations, General Assembly. (2015). *Proposed Programme Budget for the Biennium 2016-2017*. Retrieved 29 June 2017 from: http://www.un.org/ga/search/view_doc.asp?symbol=A/70/6(Sect.4)

United Nations, General Assembly, Seventieth session. (2015). *Proposed Programme Budget for the Biennium 2016-2017 (A/708/6 (Sect. 4))*. Retrieved 20 May 2017 from: http://undocs.org/A/70/6(Sect.4)

United Nations, General Assembly, Seventieth session. (2015). *Transforming Our World: The 2030 Agenda for Sustainable Development (A/RES/70/1)*. Retrieved 20 May 2017 from: http://undocs.org/A/RES/70/1

United Nations, General Assembly. (2016). *About the General Assembly* [Website]. Retrieved 20 May 2017 from: http://www.un.org/en/ga/about/index.shtml

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]. Retrieved 14 June 2017 from: http://undocs.org/A/RES/71/28

United Nations, General Assembly, Seventy-First Session. (2016). *Developments in the Field of Information and Telecommunications in the Context of International Security: Report of the Secretary General (A/71/172)* [Report]. Retrieved 18 April 2017 from: http://undocs.org/A/71/172

United Nations, General Assembly. (2017). *Disarmament and International Security: First Committee* [Website]. Retrieved 29 June 2017 from: http://www.un.org/en/ga/first/

United Nations, General Assembly, Seventy-First session. (2016). *Preventing and Combating Illicit Brokering Activities (A/RES/71/36)* [Resolution]. Retrieved 30 June 2017 from: http://undocs.org/A/RES/71/36

United Nations, General Assembly, Seventy-First session. (2016). *Transparency in Armaments (A/RES/71/44)* [Resolution]. Retrieved 30 June 2017 from: http://undocs.org/A/RES/71/44

United Nations Office at Geneva. (2014). *An Introduction to the Conference* [Website]. Retrieved 20 May 2017 from:
http://www.unog.ch/80256EE600585943/%28httpPages%29/BF18ABFEFE5D344DC1256F3100311CE9?OpenDocument

United Nations Office for Disarmament Affairs. (2001). *Reports of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/1).* Retrieved 13 May 2017 from: https://disarmament-library.un.org/UNODA/Library.nsf/96d5a6bbca98158d85256c36007b1428/cb2052285b8ed25485256c170062b361/$FILE/GA192.1.pdf

United Nations Office for Disarmament Affairs. (2014). *About Us* [Website]. Retrieved 20 May 2017 from: http://www.un.org/disarmament/about/

United Nations Office for Disarmament Affairs. (2014). *United Nations Disarmament Commission* [Website]. Retrieved 20 May 2017 from: https://www.un.org/disarmament/institutions/disarmament-commission/

United Nations Office for Disarmament Affairs. (2015). *Developments in the Field of Information and Telecommunications in the Context of International Security* [Fact Sheet]. Retrieved 18 May 2017 from: https://unoda-web.s3-accelerate.amazonaws.com/wp-content/uploads/2015/07/Information-Security-Fact-Sheet-July2015.pdf

United Nations Office for Disarmament Affairs (2015). *GGE Information Security* [Website]. Retrieved 20 May 2017 from: http://www.un.org/disarmament/topics/informationsecurity/

Weis, T., et al. (2004). *The United Nations and Changing World Politics.* Boulder: Westview Press.

I. Cybersecurity and the Threat of Cyberwarfare

Introduction

The rapid advancement of information and communication technologies (ICTs) has led to increased global interconnection, and has become a fundamental aspect of social and economic development.[79] Because ICTs are an integral part of our everyday life, the malicious use of ICTs can disrupt the flow of our daily tasks on a global scale.[80]

A cyberattack can be described as the indefinite interruption or disablement of a computer or digital network to deny access, misuse information or carry out some illicit purpose.[81] Cyberwarfare is defined as "warfare conducted in cyberspace through cyber means and methods."[82] Cyberwarfare can have negative consequences beyond the cyber realm into the physical world by affecting individuals, military, or private enterprise's computer-related operations.[83] As a tool to combat cyberattacks, according to the International Telecommunication Union (ITU), cybersecurity is defined as "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."[84] Thus, cybersecurity measures should be adapted according to the unique needs and challenges faced by the public and private sectors.[85]

In May 2017, a worldwide cyberattack affected at least 150 Member States and more than 200,000 individuals.[86] The cyberattack was carried through malware software called WannaCry that prevented users from accessing their electronic devices, encrypted the data, and then asked for money in exchange for the files.[87] Both national governments and private companies were affected; for instance, the United Kingdom's National Health System's operations were disrupted and led to hospitals having to deny care visits to patients.[88] FedEx also had their computer system infected causing shipping delays.[89] Thus, it is important for the international community to not only consider how cyber threats affect society's everyday operations, but also the need for Member States to enhance their own cybersecurity measures in order to combat cybercrimes at the national and international level.[90]

International and Regional Framework

The issue of cybersecurity was first introduced in 1999 in United Nations (UN) General Assembly resolution 53/70, titled "developments in the field of information and telecommunications in the context of international security," which called for a global framework to strengthen ICTs to counter cyber terrorist or criminal attacks.[91] In 2002, the UN General Assembly adopted resolutions 55/63 of 2001 and 56/121 on "combating the criminal misuse of information technologies," recognizing the need for Member States to incorporate the criminalization of the misuse of ICTs into their national legislation as well as to adopt prevention and protection mechanisms against cyberwarfare.[92] As cybersecurity gained momentum in UN discussions, the General Assembly adopted resolution 57/239 in 2013, titled "creation of a global culture of cybersecurity," calling for the creation of a global culture of cybersecurity based on principles of awareness, responsibility, security, respect, freedom, confidentiality, current

---

[79] ITU, *Understanding Cybercrime: Phenomena, Challenges and Legal Response*, 2014, p. 1.
[80] UN General Assembly, *Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security: Note by the Secretary-General (A/70/174)*, 2015, p. 6.
[81] UNIDIR, *The Cyber Index: International Security Trends and Realities*, 2013, p. x.
[82] Melzer, *Cyberwarfare and International Law*, 2011, pp. 4-5.
[83] Ibid.
[84] ITU, *Overview of cybersecurity*, 2008, p. 2.
[85] Ibid, p. 7.
[86] *World's biggest cyberattack sends countries into 'disaster recovery mode'*, CNN, 2017.
[87] Ibid.
[88] Ibid.
[89] Ibid.
[90] ITU, *Global Cybersecurity Index & Cyberwellness Profiles Report 2015*, 2015, p. 29.
[91] UN General Assembly, *Developments in the field of information and telecommunications in the context of international security (A/RES/53/70)*, 1999.
[92] UN General Assembly, *Combating the criminal misuse of information technologies (A/RES/55/63)*, 2001, p. 2; UN General Assembly, *Combating the criminal misuse of information technologies (A/RES/56/121)*, 2002, p. 2.

and future risk assessment.[93] As the internet became more intertwined in the public and private lives of individuals, the UN General Assembly also adopted resolution 58/199 in 2004 on "creation of a global culture of cybersecurity and the protection of critical information infrastructures" to highlight the importance of incorporating measures of protection of critical information in the overall culture of cybersecurity.[94] This resolution served as the base for General Assembly resolution 64/211 in 2010 titled "creation of a global culture of cybersecurity and taking stock of national efforts to protect critical information infrastructures," which provides a voluntary self-assessment tool guide to help Member States assess, determine and understand challenges and advantages faced by national cybersecurity efforts while also protecting their critical information infrastructures.[95] Likewise, regional initiatives such as the European Union Agency for Network and Information Security (ENISA) assist Member States in adopting and reviewing National Cyber Security Strategy (NCSS) as a national framework to achieve social and economic benefits from cyberspace while also ensuring a safe and secured cyberspace.[96]

ICTs are also an integral component in the achievement of the Sustainable Development Goals (SDGs) by the year 2030 through digital growth. They are essential in order to ensure an accessible, transparent, safe, and secured cyberspace for social and economic development.[97] Hence, Member States and the private sector can foster technology development and cybersecurity good practices to further the SDGs, including goals 5, 9, 11, and 17.[98] Goal 16 is particularly important for a secured cyberspace as its targets promote the rule of law, combating all forms of organized crime, and strengthening national institutions through cooperation and capacity building.[99] As way to recognize the importance that ICTs play in our everyday lives and to bridge the global digital divide, the World Summit on the Information Society (WSIS) was endorsed in a two phases.[100] On 2003 in Geneva, phase one consisted of a high level meeting with governmental, private and civil society representatives to gain political support toward taking specific steps to promote and ensure ICTs for all, which resulted in the adoption of Geneva's Declaration of Principles and Plan of Action.[101] In 2005, phase took place in Tunis and it placed emphasis in the implementation of the Geneva's Plan of Action and to further discussions about Internet governance, capacity building and financing.[102] Thereafter, the WSIS Forum has been held annually to promote these principles and objectives; thus, the WSIS Forum 2017 highlighted the critical role that SDGs play in promoting ICTs for development, specifically for poverty eradication, education, equality, Internet access as well as the role of cybersecurity for electronic social, economic and health platforms.[103]

Role of the International System

In an effort to recognize the comprehensiveness of cybersecurity, the General Assembly First Committee recommended the creation of the United Nations Group of Governmental Experts (GGE) on Developments in the Field of Information and Telecommunications in the Context of International Security, which was established in UN General Assembly resolution 66/24 in 2011.[104] The work of the GGE includes examining existing and potential cyber threats, encouraging an environment of peaceful and secure use of ICTs, promoting collaboration and responsible principles between Member States and examining international cyber law.[105] The work of GGE falls under the purview of the General Assembly First Committee and it makes biannual recommendations to the

[93] UN General Assembly, *Creation of a global culture of cybersecurity (A/RES/57/239)*, 2003, pp. 2-3.
[94] UN General Assembly, *Creation of a global culture of cybersecurity and the protection of critical information infrastructures (A/RES/58/199)*, 2004, pp. 2-3.
[95] UN General Assembly, *Creation of a global culture of cybersecurity and taking stock of national efforts to protect critical information infrastructures (A/RES/64/211)*, 2010, pp. 3-5.
[96] ENISA, *An evaluation Framework for National Cyber Security Strategies*, 2014, p. iii.
[97] The WSIS Coalition, *Public-Private Cooperation to Support Cybersecurity for Development*, 2016, p. 1.
[98] Ibid.
[99] UN Sustainable Development, *Goal 16: Promote just, peaceful and inclusive societies*, 2017.
[100] ITU, *Basic Information: About WSIS*, 2015.
[101] Ibid.
[102] Ibid.
[103] ITU, *Implementation of WSIS Action Lines for Eradicating Poverty and Promoting Prosperity in a Changing World*, 2017.
[104] UN General Assembly, *Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security: Report of the Secretary-General (A/68/98)*, 2013, p. 5.
[105] DIG Watch, *UN GGE*, 2017.

committee.[106] The 2015 UN GGE report made recommendations on norms, principles, and confidence building measures for Member States to build stability as well as foster global cooperation for implementation of international ICT and cybersecurity laws.[107] In 2015, the General Assembly First Committee recommended the mandate of the GGE for 2016-2017, adopted in General Assembly resolution 70/327, to continue assessing and making recommendations on how to combat present and future cyber threats through capacity building measures and international cooperation.[108]

As a specialized agency, the ITU focuses on a broad spectrum of issues related to ICTs, which includes working on cybersecurity activities through projects such as the Global Cybersecurity Index (GCI).[109] The 2015 GCI report presents 105 states' efforts to enhance security preparedness and readiness against cyber threats and highlighted good practices based on the Global Cybersecurity Agenda's (GCA) five pillars: "legal measures, technical measures, organization measures, capacity building and cooperation."[110] The GCA was created to promote Confidence-Building Measures (CBMs) and security through international cooperation to curb the adverse effects of cyberattacks.[111] Also, the ITU has a consultation platform formed by information security experts from around the globe called ITU High-Level Expert Group on Cybersecurity (HLEG).[112] The HLEG's objective is to support Member States technically, strategically and legally to ensure international response to the constantly changing challenges of cybersecurity.[113] The HLEG will also make recommendations to broaden and prioritize the GCA's pillars; for instance HLEG recognized that Member States should engage with the ITU to enhance international cooperation through capacity building activities and best practices for cybersecurity management.[114]

In addition to ITU, the United Nations Institute for Disarmament Research draws attention to the role of cyberspace in governmental, civil and military operations, and it aims to build international support through capacity building and coherence in the implementation of cyber-related activities.[115] Also, the United Nation Office on Drugs and Crime is engaged in enhancing cybersecurity responses, information sharing and regional cooperation to better understand the role of ICTs and prevent cybercrime.[116] Furthermore, civil society organizations such as The Global Information Society Watch (GISWatch) ensure that global ICT commitments for social and economic development are met by Member States.[117] GISWatch share the civil society perspectives through annual reports, such as 2016 report on Economic, Social and Cultural rights and the Internet, which analyzes the state of ICTs in development.[118]

A major regional group working on cybersecurity is the European Union (EU) by improving the level of security of cyberspace through regional strategies, legislations, funding, networking, and organizations.[119] For instance, the EU adopted the Cybersecurity Strategy to work on all main areas related to creating a resilient, secured, and technologically advance cyberspace based on comprehensive international policy.[120] Furthermore, as a military intergovernmental alliance, the North Atlantic Treaty Organization (NATO) mainly focuses on strengthening cyber defense in cooperation with its allies.[121] As such, NATO is closely working with the EU and signed a Technical Arrangement on Cyber Defense to support the EU's cybersecurity capabilities through information sharing, best practices, and prevention measures to combat cyberattacks.[122] NATO is working with private industries, through the

---

[106] Ibid.
[107] Ibid.
[108] UN General Assembly, *Developments in the field of information and telecommunications in the context of international security (A/RES/70/237)*, 2015.
[109] ITU, *ITU Cybersecurity Activities*, 2017.
[110] ITU, *Global Cybersecurity Index & Cyberwellness Profiles Report 2015*, 2015, p. 28.
[111] ITU, *ITU Global Cybersecurity Agenda*, 2017.
[112] ITU, *High-level experts set out road map for cybersecurity*, 2017.
[113] Ibid.
[114] Ibid.
[115] UNIDIR, *Cyber*, 2013.
[116] UNODC, *Cybercrime*, 2017.
[117] GISWatch, *About*, 2017.
[118] GISWatch, *About*, 2017.
[119] EC, *EU Cybersecurity initiatives working towards a more secure online environment*, 2017, pp. 2-7.
[120] Ibid.
[121] NATO, *Cyber Defense*, 2016.
[122] NATO, *NATO and the European Union enhance cyber defense cooperation*, 2016.

NATO Industry Cyber Partnership, to collaborate on information sharing and to enhance prevention, response, and recovery mechanisms when faced with cyber threats.[123] NATO also has partnered with allied states to establish several facilities to provide education, research, and training in ICTs and cyber defense.[124]

Cybersecurity, Cyberwarfare, and Human Rights

The UN Human Rights Council (HRC) recognized the crucial role of human rights in cyberspace by emphasizing the importance of guaranteeing and protecting basic universal human rights, such as freedom of expression, freedom of speech, and the right to privacy for socio-economic and technological development.[125] Cyber campaigns and protests organized by civil society actors and the public emphasize the importance of fighting against government control and the restriction of the Internet, so as to protect our rights to freedom of expression and of association.[126] Nevertheless, these efforts must not undermine democracy and development or place public and private institutions at risk of cyber threats.[127] Furthermore, the right to privacy is essential to create an open and secured cyberspace as highlighted by the UN General Assembly resolution 68/167 calls upon Member States "to respect and protect the right to privacy, including in the context of digital communication."[128] For example, cybercrime targets financial and electronic information, but also "against confidentiality, integrity and accessibility of computer systems."[129] To promote the realization of human rights in the cyberspace, cybersecurity measures for investigation and prosecution of cybercrimes must ensure that international human right laws are upheld and the right to privacy is protected even in the collection of information for criminal investigations.[130] Therefore, when considering the implementation of cyber laws, legislation must balance human rights protections with privacy protection, crime prevention, and the adoption of procedural safeguards to ensure individual's privacy during investigations.[131]

Confidence-Building Measures for Cybersecurity

Confidence-Building Measures (CBMs), in the context of cybersecurity, foster transparency, cooperation, and stability to prevent conflict escalation and manage existing conflicts.[132] CBMs encourage Member States to commit to sharing and exchanging information on possible ICT threats, best practices for security, policy and technical mechanisms to protect critical infrastructures, and to foster cooperation for an emergency response.[133] An example of regional cooperation to create a comprehensive approach to adopt CBMs in the realm of cybersecurity and use of ICTs is given by the Organization for Security and Co-operation in Europe (OSCE).[134] In 2013 and later expanded in 2016, OSCE Member States adopted a framework of CBM measures that focus on voluntary information sharing to foster cooperation and prepare states to properly assess and respond to challenges and conflicts resulting from the use of ICTs.[135] The objective is to increase transparency, build resilience and ensure stability at the national and regional level.[136]

---

[123] NATO, *Welcome to the NATO Industry Cyber Partnership*, 2016.

[124] NATO, *Cyber Defense*, 2016.

[125] UN HRC, *The promotion, protection and enjoyment of human rights on the Internet*, 2016, p. 6.

[126] GISWatch, *Economic, social and cultural rights and the internet*, 2016, p. 6.

[127] Ibid.

[128] UN General Assembly, *The right to privacy in the digital age (A/RES/68/167)*, 2014, p. 1.

[129] UNODC, *Comprehensive Study on Cybercrime*, 2013, p. xviii.

[130] Ibid, p. 134.

[131] Ibid, p. 136.

[132] Ziolkowski, *Confidence Building Measures for Cyberspace – Legal Implications*, 2013, pp. 12-14.

[133] UN General Assembly, *Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security: Note by the Secretary-General (A/70/174)*, 2015, pp. 9-10.

[134] OSCE, *OSCE Confidence-Building Measures to Reduce the Risks Of Conflict Stemming From the Use of Information and Communication Technologies (PC.DEC/1202)*, 2016, p. 1.

[135] Ibid, pp. 1-4.

[136] Ibid, p. 5.

National Legislation and International Law

Due to the transnational nature of cybercrimes and the movement toward an increasingly interconnected world, implementing legal measures and law enforcement mechanisms are essential for maintaining national and international security and economic stability.[137] The primary challenges include lack of capacity, difficulties obtaining permissions for international investigations, and adequate national and international legislation.[138] International cooperation is vital for transnational investigation and prosecution to take place; however, inconsistencies among Member States' legal standards leads to offenders either committing these crimes in states with weak or non-existent legislation or outside their home country to make prosecution more difficult or to avoid strict sentencing.[139] Hence, it is necessary to harmonize national and international legal frameworks to better counter cybercrime.[140]

At the national level, an inclusive approach should focus on capacity building and law enforcement.[141] Through capacity building, Member States should be encouraged to consult with experts to discuss strategic policy making and improvements to existing legislation.[142] Furthermore, building awareness and providing training and education to the public can help prevent cyberattacks and enhance national responses to such situations.[143] Member States should ensure that national legislation includes a comprehensive cybersecurity framework that strictly and consistently criminalizes cybercrimes.[144] Due to wide range of differences in national and international cybercrime policy and legislation, it is essential to streamline core cybercrime offenses and cross national investigative and enforcement cooperation strategies.[145] International response should emphasize building support and cooperation by strengthening international agreements and proposing new legal instruments that specifically focus on cybersecurity and cybercrimes.[146] In addition, international cooperation should increase global technical and legal capacity assistance.[147] For example, to fix inconsistency in criminalization standards, international instruments could help Member States identify common cybercrimes and adopt common legislation against those crimes to eliminate legal gaps and increase effective prosecution of transnational offenders.[148]

Conclusion

The ICT revolution has opened the door to greater global interconnection, and it is now an integral part of everyday life for individuals, governments, and industries.[149] Nevertheless, the digital era also has created new challenges for the public and private sectors.[150] International cooperation is key to effective implementation of cybersecurity measures and legal frameworks.[151] As a result, CBMs can help Member States develop stronger bilateral and international cooperation to achieve a coherent application of international cyber law into national policies.[152] As General Assembly First Committee's discussions address the challenges of maintaining cyberspace stability and peaceful uses, Member States should be encouraged to incorporate solutions that carry forward goals and targets of the SDGs to ensure that ICTs protects us from cyber threats and promote social and economic development.[153]

---

[137] ITU, *Understanding Cybercrime: Phenomena, Challenges and Legal Response*, 2014, p. 2.
[138] Ibid, p. 81.
[139] Ibid.
[140] UNODC, *Comprehensive Study on Cybercrime*, 2013, p. xi.
[141] ITU, *Understanding Cybercrime: Phenomena, Challenges and Legal Response*, 2014, p. 101.
[142] Ibid, p. 102.
[143] UNODC, *Comprehensive Study on Cybercrime*, 2013, p. 103.
[144] Ibid, p. 3.
[145] Ibid, p. xi-xiii.
[146] Ibid, p. xii.
[147] Ibid.
[148] Ibid, p. xiii.
[149] UNIDIR, *The Cyber Index: International Security Trends and Realities*, 2013, p. ix.
[150] Ibid 2013, p. x-xii.
[151] ITU, *Understanding Cybercrime: Phenomena, Challenges and Legal Response*, 2014, p. 4.
[152] UNODC, *Comprehensive Study on Cybercrime*, 2013, p. 33.
[153] UNIDIR, *The Cyber Index: International Security Trends and Realities*, 2013, p. ix.

Annotated Bibliography

International Telecommunication Union. (2014). *Understanding Cybercrime: Phenomena, Challenges and Legal Response*. Retrieved 19 May 2017 from: http://www.itu.int/en/ITU-D/Cybersecurity/Documents/Cybercrime2014_E.pdf

> *This is a comprehensive report that defines cybersecurity and cybercrimes in the context of national and international law, describes legal and technical challenges and approaches, and discusses domestic, regional and international implications and solutions. Delegates will find this report helpful to their research by learning about what actions the international community has already taken in relation to combat cybercrime. Delegates will also learn what future approaches can be adopted and how to streamline national and international legal instruments to effectively respond to transnational cybercrime.*

United Nations, General Assembly, Seventieth session. (2015). *Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security: Note by the Secretary-General (A/70/174)* [Report]. Retrieved 22 April 2017 from: http://www.undocs.org/A/70/174

> *The Group of Governmental Experts (GGE) was established to examine existing and potential threats arising from the use of information communications technology (ICTs), including from cyberspace. The work of the GGE will help delegates better understand the existing threats to cybersecurity and how international cooperation is fundamental in order to deter cyber threats. Furthermore, GGE reviews international cyber norms and how good practices can be implemented to promote a transparent ICT environment for peace and security. This report will help delegates better understand the role of CBMs in building cooperation among various stakeholders to increase security and ensure stability through preventive practices.*

United Nations Institute Disarmament Research. (2013). *The Cyber Index: International Security Trends and Realities* [Report]. Retrieved 22 April 2017 from: http://www.unidir.org/files/publications/pdfs/cyber-index-2013-en-463.pdf

> *This publication by UNIDIR is a great resource for delegates to better understand the various positions and cybersecurity activities taken at a national and regional level. In addition, it examines the role of international organizations to promote cyber norms and to ensure the stability of the cyberspace. This source also focuses on confidence-building measures (CBMs) and how they can be utilized to help ease tensions and maintain international peace and security.*

United Nations Office on Drugs and Crime. (2013). *Comprehensive Study on Cybercrime* [Report]. Retrieved 19 May 2017 from: https://www.unodc.org/documents/organized-crime/UNODC_CCPCJ_EG.4_2013/CYBERCRIME_STUDY_210213.pdf

> *The findings contained in this report are the outcome of a comprehensive study done by an open-ended intergovernmental expert group to research cybercrime and how Member States and the international community are handling its challenges. The report also provides recommendations for international cooperation and preventive strategies. Delegates will benefit from this report as they can learn more about how are Member States incorporating cybersecurity measures into their national policy, in particular law enforcement strategies and legal frameworks.*

Ziolkowski, K. (2013). *Confidence Building Measures for Cyberspace – Legal Implications*. Retrieved 12 May 2017 from: https://ccdcoe.org/publications/CBMs.pdf

> *As preventive measures, confidence building measures (CBMs) provide an essential element in the fight against cybercrime and building a framework based on international support and cooperation. This document reviews the historical context of cyberspace and cybersecurity as well as it describes how are CMBs have been historically used as a military strategy. The recommendations in this report will allow delegates to better understand the political and legal commitments needed from Member States to achieve international cooperation to develop comprehensive international laws that incorporate fast growing technological advances.*

Bibliography

European Commission. (2017). *EU Cybersecurity initiatives working towards a more secure online environment* [Website]. Retrieved 10 May 2017 from: http://ec.europa.eu/newsroom/dae/document.cfm?doc_id=16540

European Union Agency for Network and Information Security. (2014). *An evaluation Framework for National Cyber Security Strategies* [Website]. Retrieved 16 June 2017 from: https://www.enisa.europa.eu/publications/an-evaluation-framework-for-cyber-security-strategies/at_download/fullReport

Geneva Internet Platform Digital Watch. (2017). *UN GGE* [Website]. Retrieved 10 May 2017 from: https://dig.watch/processes/ungge#Evolution

Global Information Society Watch. (2017). *About* [Website]. Retrieved 18 June 2017 from: https://giswatch.org/about

International Telecommunication Union. (2008). *Overview of cybersecurity*. Retrieved 19 May 2017 from: https://www.itu.int/rec/dologin_pub.asp?lang=e&id=T-REC-X.1205-200804-I!!PDF-E&type=items

International Telecommunication Union. (2014). *Understanding Cybercrime: Phenomena, Challenges and Legal Response*. Retrieved 19 May 2017 from: http://www.itu.int/en/ITU-D/Cybersecurity/Documents/Cybercrime2014_E.pdf

International Telecommunication Union. (2015). *Basic Information: About WSIS* [Website]. Retrieved 9 July 2017 from: https://www.itu.int/net/wsis/basic/about.html

International Telecommunication Union. (2015). *Global Cybersecurity Index & Cyberwellness Profiles Report 2015*. Retrieved 11 May 2017 from: https://www.itu.int/dms_pub/itu-d/opb/str/D-STR-SECU-2015-PDF-E.pdf

International Telecommunication Union. (2017). *High-level experts set out road map for cybersecurity* [Website]. Retrieved 12 May 2017 from: https://www.itu.int/itunews/manager/display.asp?lang=en&year=2008&issue=06&ipage=05&ext=html

International Telecommunication Union. (2017). *Implementation of WSIS Action Lines for Eradicating Poverty and Promoting Prosperity in a Changing World*. Retrieved 9 July 2017 from: https://www.itu.int/en/itu-wsis/Documents/wf17/WSISActionLinesSupportingImplementationOfSDGs-WSISForum2017.pdf

International Telecommunication Union. (2017). *International Telecommunication Union*. Retrieved 11 May 2017 from: https://www.itu.int/en/action/cybersecurity/Documents/gca-chairman-report.pdf

International Telecommunication Union. (2017). *ITU Cybersecurity Activities*. Retrieved 11 May 2017 from: http://www.itu.int/en/action/cybersecurity/Pages/default.aspx

International Telecommunication Union. (2017). *ITU Global Cybersecurity Agenda.* Retrieved 20 July 2017 from: http://www.itu.int/en/action/cybersecurity/Pages/gca.aspx

Melzer, N. (2011). *Cyberwarfare and International Law*. Retrieved 20 May 2017 from: http://unidir.org/files/publications/pdfs/cyberwarfare-and-international-law-382.pdf

North Atlantic Treaty Organization. (2016). *Cyber Defense* [Website]. Retrieved 11 May 2017 from: http://www.nato.int/cps/on/natohq/topics_78170.htm

North Atlantic Treaty Organization. (2016). *NATO and the European Union enhance cyber defense cooperation* [Website]. Retrieved 11 May 2017 from: http://www.nato.int/cps/en/natohq/news_127836.htm

North Atlantic Treaty Organization. (2016). *Welcome to the NATO Industry Cyber Partnership* [Website]. Retrieved 12 May 2017 from: http://www.nicp.nato.int/index.html

Organization for Security and Co-operation in Europe. (2016). *OSCE Confidence-Building Measures to Reduce the Risks of Conflict Stemming from the Use of Information and Communication Technologies*. Retrieved 19 May 2017 from: http://www.osce.org/pc/227281?download=true

The World Summit on the Information Society (WSIS) Coalition. (2016). *Public-Private Cooperation to Support Cybersecurity for Development*. Retrieved 16 June 2017 from: https://www.sbs.ox.ac.uk/cybersecurity-capacity/system/files/WSIS%20Cybersecurity%20White%20Paper%201%20June%2016.pdf

World's biggest cyberattack sends countries into 'disaster recovery mode.' (2017, May 14). CNN. Retrieved 20 May 2017 from: http://money.cnn.com/2017/05/14/technology/ransomware-attack-threat-escalating/

United Nations, Department of Public Information. (2016, October 24). *Calling for Norms to Stymie Cyberattacks, First Committee Speakers Say States Must Work Together in Preventing Information Arms Race* [News Article]. Retrieved 16 June 2017 from: https://www.un.org/press/en/2016/gadis3560.doc.htm

United Nations, General Assembly, Fifty-third session. (1999). *Developments in the field of information and telecommunications in the context of international security (A/RES/53/70)* [Resolution]. Adopted on the report of the First Committee (A/RES/53/576). Retrieved 03 May 2017 from: http://undocs.org/A/RES/53/70

United Nations, General Assembly, Fifty-fifth session. (2001). *Combating the criminal misuse of information technologies (A/RES/55/63)* [Resolution]. Adopted on the report of the First Committee (A55/593). Retrieved 3 May 2017 from: http://undocs.org/A/RES/55/63

United Nations, General Assembly, Fifty-sixth session. (2002). *Combating the criminal misuse of information technologies (A/RES/56/121)* [Resolution]. Adopted on the report of the First Committee (A56/574). Retrieved 3 May 2017 from: http://undocs.org/A/RES/56/121

United Nations, General Assembly, Fifty-seventh session. (2003). *Creation of a global culture of cybersecurity (A/RES/57/239)* [Resolution]. Adopted on the report of the Second Committee (A/57/529/Add.3). Retrieved 3 May 2017 from: http://undocs.org/A/RES/57/239

United Nations, General Assembly, Fifty-eighth session. (2003). *Developments in the field of information and telecommunications in the context of international security (A/RES/58/32)* [Resolution]. Adopted on the report of the First Committee (A/58/457). Retrieved 10 May 2017 from: http://undocs.org/A/RES/58/32

United Nations, General Assembly, Fifty-eighth session. (2004). *Creation of a global culture of cybersecurity and the protection of critical information infrastructures (A/RES/58/199)* [Resolution]. Adopted on the report of the First Committee (A/58/481/Add.2). Retrieved 3 May 2017 from: http://undocs.org/A/RES/58/199

United Nations, General Assembly, Sixty-fourth session. (2010). *Creation of a global culture of cybersecurity and taking stock of national efforts to protect critical information infrastructures (A/RES/64/211)* [Resolution]. Adopted on the report of the Second Committee (A/64/422/Add.3). Retrieved 3 May 2017 from: http://undocs.org/A/RES/64/211

United Nations, General Assembly, Sixty-eighth session. (2014). *The right to privacy in the digital age (A/RES/68/167)* [Resolution]. Adopted on the report of the Third Committee (A/68/456/Add.2). Retrieved 20 May 2017 from: http://undocs.org/A/RES/68/167

United Nations, General Assembly, Seventieth session. (2015). *Developments in the field of information and telecommunications in the context of international security (A/RES/70/237)* [Resolution]. Adopted on the report of the First Committee (A/70/455). Retrieved 9 July 2017 from: http://www.undocs.org/A/70/237

United Nations, General Assembly, Seventieth session. (2015). *Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security: Note by the Secretary-General (A/70/174)* [Report]. Retrieved 22 April 2017 from: http://www.undocs.org/A/70/174

United Nations Human Rights Council, Thirty-second session. (2016). *The promotion, protection and enjoyment of human rights on the Internet* [Resolution]. Retrieved 20 May 2017 from: http://undocs.org/A/HRC/32/L.20

United Nations Institute Disarmament Research. (2013). *The Cyber Index: International Security Trends and Realities* [Report]. Retrieved 22 April 2017 from: http://www.unidir.org/files/publications/pdfs/cyber-index-2013-en-463.pdf

United Nations Office on Drugs and Crime. (2017). *Cybercrime* [Website]. Retrieved 16 June 2017 from: http://www.unodc.org/southeastasiaandpacific/en/what-we-do/toc/cyber-overview.html

United Nations Office on Drugs and Crime. (2013). *Comprehensive Study on Cybercrime* [Report]. Retrieved 19 May 2017 from: https://www.unodc.org/documents/organized-crime/UNODC_CCPCJ_EG.4_2013/CYBERCRIME_STUDY_210213.pdf

United Nations Sustainable Development. (2017). *Goal 16: Promote just, peaceful and inclusive societies*. Retrieved 16 June 2017 from: http://www.un.org/sustainabledevelopment/peace-justice/

Ziolkowski, K. (2013). *Confidence Building Measures for Cyberspace – Legal Implications*. Retrieved 12 May 2017 from: https://ccdcoe.org/publications/CBMs.pdf

II. Addressing the Illicit Trafficking of Small Arms and Light Weapons

"The death toll from small arms dwarfs that of all other weapons systems – and in most years greatly exceeds the toll of the atomic bombs that devastated Hiroshima and Nagasaki. In terms of the carnage they cause, small arms, indeed, could well be described as weapons of mass destruction."[154]

Introduction

The illicit trade of small arms and light weapons (SALW) has been recognized as a pressing issue for the international community since the turn of the 21st century.[155] Inexpensive to manufacture and easy to transfer, SALW have contributed to terrorist attacks, exacerbated armed conflicts, and empowered transnational organized crime.[156] This cycle of violence has had devastating effects across the world, particularly within the African continent where the flow of over 100 million small arms have led to the deaths of millions in violent conflicts in Sierra Leone, the Democratic Republic of the Congo, Rwanda, and Burundi.[157] The illicit trafficking of SALW has been increasingly recognized as a hindrance to development.[158] The economic loss from insecurity driven by armed violence, both in conflict and non-conflict settings, is estimated to be at around $500 billion per year.[159] Moreover, illicit SALW transfers have shown to undermine the rule of law, contribute to gross human rights violations, and been linked to forced displacement.[160]

The United Nations (UN) has worked to address the illicit trafficking of SALW through mechanisms such as the *Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects* (PoA).[161] Despite multilateral action against illicit SALW within the past few decades, the UN Secretary-General's 2015 report, entitled "Small Arms and Light Weapons," highlighted that illicit SALW transfers have continued to play a large role in facilitating and exacerbating deadly conflict in Syria, Yemen, and Iraq.[162] In acknowledgement of the strong role illicit SALW play in current major conflicts and in recognition of the need to reduce SALW trafficking in order to sustain peace and security around the world, the UN created Sustainable Development Goal (SDG)16 and indicator 16.4.2, which aims to reduce illicit arms flows.[163]

International and Regional Framework

In 1997, a report by the UN Panel of Governmental Experts on Small Arms developed recommendations to strengthen action and coordination to combat the illicit trade of SALW.[164] This report helped set the framework for international cooperation in arms reduction while also galvanizing calls for robust national legislation to prevent illicit arms transfers.[165] The recommendations were followed up in 2001, where the international community came to a consensus on adopting the PoA at the first United Nations Conference on the Illicit Trade of Small Arms.[166] The PoA is a global effort to provide cohesive framework, guidance, and assistance for all Member States to counter the illicit trafficking of SALW.[167] It places a particular focus on promoting and streamlining cooperation, and implementing effective programs and legal mechanisms within Member States.[168] At the Sixth Bi-Annual Review Conference of the PoA, Member States emphasized the intrinsic link between the PoA and the *2030 Agenda for*

---

[154] UN DPI, *Conference to Review Progress Made in 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*, 2006, p. 1.
[155] Geneva Declaration Secretariat, *Geneva Declaration on Armed Violence and Development*, 2006, p. 1.
[156] Arms Control Association, *Small Arms and Light Weapons: Controlling the Real Instruments of War*, 1998.
[157] Religions for Peace, Small *Arms and Light Weapons in Africa*, 2014, p. 4.
[158] Small Arms Survey, *Economic Impact of Armed Violence*, 2017.
[159] Ibid.
[160] Ibid.
[161] UNODA, *Small Arms*, 2017.
[162] UN Security Council, *Small Arms and Light Weapons: Report of the Secretary General (S/2015/289)*, 2015, p. 2.
[163] UN DESA, *Sustainable Development Goal 16*, 2016.
[164] UN General Assembly, *Report of the Panel of Governmental Experts on Small Arms (A/52/289)*, 1997.
[165] Arms Control Association, *Small Arms and Light Weapons: Controlling the Real Instruments of War*, 1998.
[166] UN DPI, *Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/15)*, 2001.
[167] Ibid.
[168] Ibid.

Sustainable Development (2015), specifically through indicator 16.4, but also noted that the PoA and the 2030 Agenda can further emphasize state cooperation in reporting progress on SALW reduction and control.[169] Member States developed additional mechanisms aimed at bolstering action against the trafficking of SALW.[170] The *Protocol Against the Illicit Manufacturing and Trafficking of Firearms, Their Parts and Components and Ammunition* (Firearms Protocol) (2001), serves as a supplemental protocol to the *United Nations Convention on Transnational Organized Crime* (2000).[171] This binding document requires States parties to the protocol to criminalize the illicit manufacturing and transfer of small arms, place identifiable markings on small arms manufactured within the country, and to establish an import and export licensing system.[172] It was recognized as the first legally binding treaty on small arms control and the primary instrument that addresses the criminal aspects of illicit trafficking of SALW.[173]

The 1997 Panel of Governmental Experts on Small Arms also highlighted the importance of a specific framework to address the tracing and marking of SALW, which led Member States to agree to the *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons* (ITI) in 2006.[174] The ITI's main focus is related to marking and keeping manufacturing records so that SALW are better accounted for and not diverted or trafficked.[175] The creation of ITI was a significant step toward bolstering a framework aimed at curbing illicit SALW transfers as the international community sought a single global instrument to streamline cooperation on marking and tracing SALW.[176] Despite the holistic framework existing to curb the illicit trade of SALW, the international community sought a treaty that could regulate all aspects of transferring and trading conventional weapons across national boundaries.[177] In 2013, the *Arms Trade Treaty* (ATT), which entered into force in December of 2014 and currently has 91 States parties, was adopted to addresses the transfers of all conventional weapons, including SALW.[178] The ATT is considered a landmark treaty for its unprecedented effort to regulate the transfer of conventional weapons in order to prevent their misuse and diversion to conflict zones.[179]

Role of the International System

The UN System has played a large part in facilitating a platform for action in combating the illicit trafficking of SALW.[180] Most negotiations leading up to major agreements, such as the PoA and ATT, began in formal discussions within the First Committee of the General Assembly.[181] The most recent resolution on SALW adopted by the General Assembly was resolution 71/48 of 2016, entitled "the Illicit Trade of Small Arms and Light Weapons in All its Aspects," which highlighted and recapped some of the major review conference and meetings on illicit SALW which occurred during 2016.[182] In addition, the Security Council addressed the topic in 2015 through Security Council resolution 2220 on "Small Arms," which focused on implementing the ATT and UN arms embargoes.[183]

Outside of the main deliberating forums, the UN has several bodies and offices that can help promote cooperation and assistance in capacity building.[184] The UN Office for Disarmament Affairs (UNODA) serves as a focal point for small arms coordination within the UN system.[185] This office services Member States through hosting monthly

---

[169] UN General Assembly, *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*, 2016.

[170] UN General Assembly, *The illicit trade in small arms and light weapons in all its aspects (A/RES/69/51)*, 2016.

[171] UN General Assembly, *Firearms Protocol (A/RES/55/255)*, 2001.

[172] Ibid.

[173] UNODC, *The Firearms Protocol*, 2017.

[174] UN General Assembly, *International Tracing Instrument (A/60/81)*, 2005, p. 1.

[175] Ibid, p. 2.

[176] UNIDIR, *Too close for comfort: an analysis of UN tracing negotiations*, 2006, p. 1.

[177] UNOLA, *Arms Trade Treaty*, 2017.

[178] UNODA*, The Arms Trade Treaty*, 2017.

[179] Ibid.

[180] UNODA, *Small Arms*, 2017.

[181] Ibid.

[182] UN General Assembly, *The illicit trade in small arms and light weapons in all its aspects (A/RES/69/51)*, 2016.

[183] UN Security Council, *Small Arms (S/RES/2220)*, 2015.

[184] UNODA, *Small Arms*, 2017.

[185] UNODA, *Small Arms*, 2017.

meetings, collecting and disseminating information related to trends in small arm proliferation, and monitoring global arms policy.[186] The United Nations Coordinating Action on Small Arms (UN CASA) is also a significant contributor to addressing SALW by coordinating action on small arms between 23 different UN offices and specialized agencies, with UNODA as the focal point.[187] UN CASA mainly focuses on implementing the PoA, ITI, and the Firearms Protocol through a variety of activities including fact-finding missions, capacity building projects, workshops, and technical assistance.[188] The main contribution of this initiative has been developing the International Small Arms Control Standards (ISACS), which now serve as the standardized set of tools for policymakers and practitioners on all aspects of small arms control.[189]

In addition to UN initiatives, civil society organizations, such as the Small Arms Association, have played a strong role in combating the illicit trade of SALW through coordinating and conducting research on the many facets of small arms trafficking.[190] Other organizations, such as Reaching Critical Will, monitor negotiations and policy developments related to small arms control, and advocate for increased political action on small arms reduction.[191] Most non-governmental organizations (NGOs) and civil society organizations focusing on the impact of illicit SALW advocate for best practices and highlight important issues regarding these weapons, including the need to include a gender perspective in policy development.[192]

Enhancing International Collaboration and Assistance

The international community has dedicated a significant amount of time and resources to combat SALW trafficking and provide guidance, tools, and mechanisms to build capacity at the national level.[193] The objective of these initiatives are often to ensure that Member States lacking capacity have the resources available to assist with closing gaps within areas such as weapons stockpile management, record keeping, criminal justice and rule of law, and import and export controls.[194] ISACS currently serve as the leading resource for Member States to utilize in building capacity to combat SALW trafficking.[195] Specifically, ISACS are practical guidelines that aim to promote national oversight on the full lifecycle of small arms, from when they are manufactured to when they are no longer in use.[196] An example of ISACS in action is assisting the United Nations Development Program to implement a small arms reduction program in West Africa, through providing technical input to train project staff within the UN and Economic Community of West African States (ECOWAS).[197] Results of this project can be seen in Cote D'Ivoire where initiatives to promote the voluntary handing over of small arms in conflict sensitive areas have been developed.[198] Outside of guidance and standards to control the flow of arms, the Global Firearms Programme under the UN Office for Drugs and Crime (UNODC) focuses on the criminal aspects behind SALW trafficking.[199] This program is largely meant to reinforce the UN Firearms Protocol in that it assists Member States in developing legislation and law enforcement responses to the criminality of SALW trafficking.[200]

The UN has developed very robust mechanisms for collaboration, guidance, and assistance to combat SALW trafficking.[201] However, many actors, such as UN personnel, government officials, and civil society organizations, that work to help implement these guidelines and carry out assistance, lack the capacity to meet the demand for

---

[186] UN PAISS, *Office for Disarmament Affairs*, 2017.
[187] UN PAISS, *Coordinating Action on Small Arms*, 2017.
[188] Ibid.
[189] Ibid.
[190] Small Arms Survey, *About us*, 2017.
[191] Reaching Critical Will, *About us*, 2017.
[192] Saferworld, *Role of Civil Society in Small Arms and Light Weapons Control*, 2012, p. 2.
[193] Small Arms Survey, *What the National Reports Reveal: Trends in UN PoA and ITI Reporting*, 2015.
[194] Ibid.
[195] International Small Arms Standards, *About ISACS*, 2017.
[196] Ibid.
[197] ISACS, *ISCAS Assists UNDP in implementation of ECOWAS-EU small arms project in West Africa*, 2016.
[198] UNDP, *Regional Project on Small Arms and Light Weapons*, 2017.
[199] UNODC, *Global Firearms Programme*, 2017.
[200] Ibid.
[201] UN General Assembly, *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*, 2016.

assistance.[202] This can be largely attributed to the lack of personnel and funding to deploy enough resources devoted to building capacity against SALW trafficking.[203] There are a few mechanisms to help pool resources to address this issue, namely the United Nations Trust Facility Supporting Cooperation on Arms Regulation (UNSCAR), and the ATT Trust Fund.[204] Both trust funds work to mobilize resources, typically donated by private actors or Member States, for organizations and bodies working to promote and implement tools that combat SALW trafficking.[205] UNSCAR, for example, ran a call for proposals during the summer of 2017 to select and fund outstanding ideas in small arms control.[206] Member States have publically supported the use of these mechanisms, including UNSCAR, through the General Assembly First Committee.[207]

Current Issues

Women and Gender

Mainstreaming gender perspectives and women's empowerment into arms control, particularly SALW, has been an ongoing topic since the creation of the PoA.[208] In areas heavily affected by gun violence or armed conflict, women and girls are targets of gender-based violence such as rape, sexual abuse, domestic abuse, and homicide.[209] This is especially true in current conflict settings, such as South Sudan, where illicit SALW have exacerbated the conflict and enabled offenders to commit acts of sexual violence with no repercussions.[210] Current inequalities in gender roles can lead to precipitating attitudes that condone violence against women, while also encouraging men and boys to take part in the violence.[211] Through ongoing initiatives, such as the 1995 *Beijing Declaration and Platform for Action,* UN Security Council resolution 1325 on "Women, Peace and Security," and Sustainable Development Goal five, the international community has been aiming to empower women in the SALW control process through incorporating more women in policy-making, action programs, and the security sector.[212] An example for this need was cited in Argentina's gun buyback program, where 50% of those who turned in guns were women, despite 95% of the gun owners being male, showing the potential for women leading in small arms control.[213] This emphasized that greater gender representation on action against SALW trafficking was needed in order for state programs to be more successful.[214] The General Assembly First Committee can take further action by following up and expanding upon its recent resolutions, such as resolution 71/56 on "Women, Disarmament, Non-proliferation and Arms Control."[215]

Brokering

The UN Group of Governmental Experts on Illicit Brokering in Small Arms and Light Weapons defined a broker as "a person or entity acting as an intermediary that brings together relevant parties and arranges or facilitates a potential transaction of small arms and light weapons in return for some form of benefit, whether financial or otherwise."[216] Brokering activities remain one of the most pressing issues related to the illicit trade of SALW, and is a distinct practice within the illicit trade of SALW that warrants specific attention.[217] Brokers act as middlemen, subvert arms embargoes, fuel conflicts, and often seem to operate with impunity due to a lack of established legal frameworks to prosecute them.[218] The reason why this issue is so pressing is due to the lack of cohesive legislation

---

[202] Small Arms Survey, What *the National Reports Reveal: Trends in UN PoA and ITI Reporting*, 2015.
[203] Small Arms Survey, *Efficacy of Small Arms Control Measures and National Reporting: Learning from Africa*, 2017, p. 3.
[204] UNODA, *UNSCAR: UN Trust Facility Supporting Cooperation on Arms Regulation*, 2017.
[205] Ibid.
[206] UNSCAR, *2017 Call for Proposals for the Implementation of Projects in 2018*, 2017.
[207] UNODA, *UNSCAR: UN Trust Facility Supporting Cooperation on Arms Regulation*, 2017.
[208] Welsch, *First Committee Monitor*, 2016.
[209] Small Arms Survey, *A Gendered Analysis of Violent Deaths*, 2016.
[210] UNFPA, *Women Face "Unspeakable" Sexual Violence in South Sudan*, 2016.
[211] Small Arms Survey, *A Gendered Analysis of Violent Deaths*, 2016.
[212] Ibid.
[213] IANSA et al. *Mainstreaming Gender for the Effective Implementation of the PoA*, 2006.
[214] Ibid.
[215] UN General Assembly, *Women, disarmament, non-proliferation and arms control (A/RES/71/56)*, 2015, p. 2.
[216] UN General Assembly, *The illicit trade in small arms and light weapons in all its aspects: Note by the Secretary-General (A/RES/62/163)*, 2007.
[217] Small Arms Survey, *Brokering*, 2017.
[218] F3 Magazine, *Curbing Illicit Brokering in the Arms Trade*, 2008.

that clearly defines arms brokering and what constitutes as a broker.[219] Roughly 40 Member States have drafted national legislation relating to brokering activities, and only a handful of these states specify their legislation to cover nationals, permanent residents and registered companies who conduct brokering abroad.[220] Moreover, existing technical assistance programs often lack guidance for law enforcement at the local level.[221] This often leads to brokers being able to circumvent arms embargoes applied to conflict zones.[222] The General Assembly First Committee has taken up this topic, through the 2016 resolution 71/36, on "Preventing and combating illicit brokering activities," by encouraging Member States to work towards implementing the recommendations from the report by the Group of Governmental Experts on Illicit Brokering in Small Arms and Light Weapons.[223] These recommendations can be summarized as advancing national legislation for regulating brokering activities, sharing information international brokering arrangements, building capacity in export controls and law enforcement, and promoting effective reporting.[224]

Conclusion

The illicit trafficking of SALW has been, and continues to be, a high priority for the peace and security agenda of the UN.[225] Illicit trafficking of SALW fuels existing conflicts and exacerbates related issues, such as sexual violence, forced migration, and terrorism.[226] Currently, the PoA serves as the main collaboration mechanism surrounding SALW, with the ITI and UN Firearms Protocol playing strong roles in strengthening the marking and tracing of SALW.[227] In addition to these initiatives, disarmament and prevention of illicit SALW is being increasingly incorporated across different sectors, such as development and gender, as reducing armed violence reinforces economic and social development.[228] This is further highlighted within the SDGs, specifically goal 16 and target 16.4, which aim to significantly reduce illicit flows of finances and arms, as well as goal 5 and efforts to mainstream gender into disarmament, peace, and security.[229] While the UN has many robust mechanisms and guidance tools to assist Member States in reducing the negative impacts of illicit SALW trafficking, there remain disparities in how they are implemented.[230] Moving forward, it will be critical for the UN and General Assembly First Committee to strengthen the tools that are available to Member States, disseminate them, and ensure enough resources are being mobilized for their implementation.[231]

Annotated Bibliography

Arms Trade Treaty, Second Conference of States Parties. (2016). *Final Report*. Retrieved 23 April 2017 from: http://www.thearmstradetreaty.org/images/ATT_documents/Final_Report_ATT_CSP2_2016_5.pdf

> *Having entered into force in 2014, and acquiring new treaty ratifications each year, the ATT is still a relatively new legal instrument. Activities, such as national implementation of ATT provisions, are still in the process of being assessed and improved upon. Maintaining knowledge on the current processes regarding the ATT and its implementation can therefore be helpful in understanding this process. The most recent meeting of States parties to the ATT highlighted ongoing initiatives and concerns surrounding the treaty and its implementation nationally, regionally, and globally. The following report covers the issues brought up by State parties during*

---

[219] Ibid.

[220] Ibid.

[221] Ibid.

[222] Ibid.

[223] UN General Assembly, *Preventing and Combating Illicit Brokering Activities(A/RES/71/36)*, 2015, p. 2.

[224] UN General Assembly, *The illicit trade in small arms and light weapons in all its aspects: Note by the Secretary-General (A/62/163)*, 2007.

[225] UN General Assembly, *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*, 2016, p. 1.

[226] Geneva Declaration Secretariat, *Geneva Declaration on Armed Violence and Development*, 2006, p. 1.

[227] UN General Assembly, *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*, 2016.

[228] Religions for Peace, *Small Arms and Light Weapons in Africa*, 2014, p. 4.

[229] UN DESA, *Sustainable Development Goal 16*, 2016.

[230] UN Security Council, *Small Arms and Light Weapons: Report of the Secretary General (S/2015/289)*, 2015, p. 10.

[231] Ibid, p. 9.

the Second Conference of States parties, such as the progress of implementing national legislation, and as well as, seeking the establishment of various working groups. Reading this report, with the intention of highlighting the key items discussed, can help provide a clear picture of actions being taken to improve the ATT.

International Small Arms Standards. (2017). *About ISACS* [Website]. Retrieved 23 April 2017 from: http://www.smallarmsstandards.org/about-isacs.html

> *The International Small Arms Control Standards is a resource for delegates wishing to explore existing guidance and framework on preventing the illicit trafficking of SALW. The website provides a strong overview of SALW control frameworks, while also providing information on current initiative for SALW controls. In addition, most of the current SALW control series have been posted to the website. Reviewing the documents and reviewing the main points and substance will be helpful for delegates to gain a better understanding of what types of activities are being undertaken in stockpile management, important and export control, and disarmament, demobilization and reintegration.*

Small Arms Survey. (2015). *What the National Reports Reveal: Trends in UN PoA and ITI Reporting*. Retrieved 22 May 2017 from: http://www.smallarmssurvey.org/fileadmin/docs/G-Issue-briefs/SAS-IB13-PoA-ITI.pdf

> *While it is important to know the policy and substance surround action to combat SALW trafficking, it is also important to know how tools and resources are being utilized. The following report can assist delegates in gaining a detailed understanding of trends in how Member States are reporting to the PoA and ITI on a year-by-year basis. Also included within the report is analysis on the listed trends of reporting within the PoA for every year leading up until 2014. It also offers trends on reporting by region while also deciphering region specific issues. This report can assist delegates in understanding ongoing issues that may hinder consistent reporting or highlight practices that are functioning well.*

United Nations, General Assembly, Seventy-first Session. (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).* Retrieved 23 April 2017 from: http://undocs.org/en/A/CONF.192/BMS/2016/2

> *Though it will be essential to understand the legal text and foundation of the Programme of Action, it is just as critical to know the current debates and policy priorities being communicated by Member States surrounding the topic. This report highlights the most recent biennial meeting of UN Member States on implement the Programme of Action and utilizing its mechanisms. It provides valuable insight in summarizing what Member States consider the greatest developing threats to the Programme of Action, while also showcasing solutions and cooperative initiatives sought by the international community. Delegates will be able to better understand the current priorities regarding combating the illicit trafficking in small arms and light weapons, as well as current efforts to sustainably provide assistance to Member States.*

Welsch, R. (2016). Small Arms and Light Weapons. *Reaching Critical Will*, 15 (2): 12-13. Retrieved 22 April 2017 from: http://reachingcriticalwill.org/images/documents/Disarmament-fora/1com/FCM16/FCM-2016-No2.pdf

> *Every year, Reaching Critical Will, an advocacy group that provides public information on arms control, develops a report tracking the ongoing deliberations within the UN General Assembly First Committee, usually from October – November. The following report highlights deliberations and negotiations from the most recent session in 2016. Delegates should note there are two sections focusing on SALW and the ATT distinctly. Both sections can serve as strong resources to stay up to date on what First Committee is deliberating on regarding the topics at hand. The*

substance and content often shows different policies and ideas that diplomats promote when addressing solutions to an issue. This source can help understand the more specific dynamics of the topic.

Bibliography

Arms Control Association. (1998). *Small Arms and Light Weapons: Controlling the Real Instruments of War.* [Website] Retrieved 21 May 2017 from: https://www.armscontrol.org/print/391

F3 Magazine. (2008). *Curbing Illicit Brokering in the Arms Trade* [Website]. Retrieved 22 May 2017 from: http://f3magazine.unicri.it/?p=271

Geneva Declaration Secretariat. (2006). *Geneva Declaration on Armed Violence and Development*. Retrieved 23 April 2017 from: http://www.genevadeclaration.org/fileadmin/docs/GD-Declaration-091020-EN.pdf

International Action Network on Small Arms et al. (2006). *Mainstreaming Gender for the Effective Implementation of the PoA*. Retrieved 18 June 2017 from: http://www.iansa-women.org/sites/default/files/un_poa_gender_guidelines_UNODA-RDB_IANSA_2010.pdf

International Action Network on Small Arms. (2017). *About Us* [Website]. Retrieved 18 June 2017 from: http://www.iansa.org/aboutus

International Small Arms Standards. (2016). *ISCAS Assists UNDP in implementation of ECOWAS-EU small arms project in West Africa* [Website]. Retrieved 18 June 2017 from: http://www.smallarmsstandards.org/isacs-news/isacs-assists-undp-in-imple.html

International Small Arms Standards. (2017). *About ISACS* [Website]. Retrieved 23 April 2017 from: http://www.smallarmsstandards.org/about-isacs.html

Organization of American States. (1998). *Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosive, and Other Related Materials*. Retrieved 22 April 2017 from: http://www.oas.org/en/sla/dil/inter_american_treaties_A-63_illicit_manufacturing_trafficking_firearms_ammunition_explosives.asp

Reaching Critical Will. (2017). *About us* [Website]. Retrieved 10 July 2017 from: http://reachingcriticalwill.org/about-us/who-we-are

Religions for Peace. (2014). Small Arms and Light Weapons in Africa. Retrieved 20 July 2017 from: https://rfp.org/node/69

Saferworld. (2012). *Role of Civil Society in Small Arms and Light Weapons Control*. Retrieved 18 June 2017 from: http://www.saferworld.org.uk/downloads/pubdocs/SALW-module-4.pdf

Small Arms Survey. (2012). *European Union* [Website]. Retrieved 22 May 2017 from: *http://www.smallarmssurvey.org/tools/ro-poa/profiles-of-regional-organizations/europe/eu.html*

Small Arms Survey. (2013). *Efficacy of Small Arms Control Measures and Reporting: Learning from Africa*. Retrieved 10 July 2017 from: *https://www.files.ethz.ch/isn/169151/SAS-Research-Note-33.pdf*

Small Arms Survey. (2015). *What the National Reports Reveal: Trends in UN PoA and ITI Reporting*. Retrieved 22 May 2017 from: *http://www.smallarmssurvey.org/fileadmin/docs/G-Issue-briefs/SAS-IB13-PoA-ITI.pdf*

Small Arms Survey. (2016). *A Gendered Analysis of Violent Deaths*. Retrieved 22 May 2017 from: *http://www.smallarmssurvey.org/fileadmin/docs/H-Research_Notes/SAS-Research-Note-63.pdf*

Small Arms Survey. (2017). *About us* [Website]. Retrieved 22 May 2017 from:
http://www.smallarmssurvey.org/about-us/mission.html

Small Arms Survey. (2017). *Brokering* [Website]. Retrieved 22 May 2017 from
http://www.smallarmssurvey.org/regulations-and-controls/control-measures/brokering.html

Small Arms Survey. (2017). *Economic Impact of Armed Violence* [Website]. Retrieved 22 May 2017 from:
http://www.smallarmssurvey.org/armed-violence/social-and-economic-costs/economic-impact-of-armed-
violence.html

United Nations, Department of Economic and Social Affairs. (2016). *Sustainable Development Goal 16* [Website].
Retrieved 22 April 2017 from: https://sustainabledevelopment.un.org/sdg16

United Nations, Department of Public Information. (2001). *Programme of Action to Prevent, Combat and Eradicate
the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/15)* [Agenda]. Retrieved 23 April
2017 from: http://www.un.org/events/smallarms2006/pdf/N0150720.pdf

United Nations, Department of Public Information. (2006). *Conference to Review Progress Made in 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]. Retrieved 18 June 2017 from:
https://www.un.org/events/smallarms2006/pdf/backgrounder.pdf

United Nations, Department of Public Information. (2010). *Central African Convention for the Control of Small
Arms and Light Weapons, Their Ammunition and All Parts and Components that can be Used for their Manufacture,
Repair and Assembly* [Report]. Retrieved 22 April 2017 from:
https://treaties.un.org/doc/Publication/UNTS/No%20Volume/54327/Part/I-54327-08000002802ac333.pdf
United Nations, General Assembly, Sixtieth session. (1997). *Report of the Panel of Governmental Experts on Small
Arms* [Website]. Retrieved 21 May 2017 from: https://www.un.org/depts/ddar/Firstcom/SGreport52/a52298.html

United Nations, General Assembly, Fifty-fifth session. (2001). *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)* [Resolution]. Retrieved 23 April 2017 from:
http://undocs.org/A/RES/55/255

United Nations, General Assembly, Sixtieth session. (2005). *International Instrument to Enable States to Identify
and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (A/CONF.192/15)* [Report].
Retrieved 23 April 2017 from: http://www.un.org/events/smallarms2006/pdf/international_instrument.pdf

United Nations, General Assembly, Sixty-second session. (2007). *The illicit trade in small arms and light weapons
in all its aspects: Note by the Secretary-General* (*A/62/163)* [Report]. Retrieved 21 May 2017 from:
http://undocs.org/A/62/163

United Nations, General Assembly, Sixty-ninth session. (2014). *The illicit trade in small arms and light weapons in
all its aspects (A/RES/69/51)* [Resolution]. Retrieved 23 April 2017 from: http://undocs.org/A/RES/69/51

United Nations, General Assembly. (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)*[Report]. Retrieved 23 April 2017 from:
http://undocs.org/en/A/CONF.192/BMS/2016/2

United Nations, General Assembly, Seventy-first session. (2016). *The illicit trade in small arms and light weapons
in all its aspects (A/RES/69/51)* [Resolution]. Retrieved 23 April 2017 from: http://undocs.org/A/RES/71/48
United Nations, General Assembly, Seventy-first session. (2016). *Women, disarmament, non-proliferation and arms
control (A/RES/71/56)* [Resolution]. Retrieved 18 June 2017 from: http://undocs.org/A/RES/71/56

United Nations, Security Council, 7447th meeting. (2015). *Small Arms (S/RES/2220 (2015))* [Resolution]. Retrieved 23 April 2017 from: http://undocs.org/S/RES/2220(2015)

United Nations, Security Council. (2015). *Small Arms and Light Weapons: Report of the Secretary General (S/2015/289)* [Report]. Retrieved 18 June 2017 from: http://undocs.org/S/2015/289

United Nations Development Programme. (2017). *Regional Project on Small Arms and Light Weapons* [Website]. Retrieved 10 July 2017 from: http://www.ng.undp.org/content/nigeria/en/home/operations/projects/democratic_governance/regional-project-on-small-arms-and-light-weapons.html

United Nations Institute for Disarmament Research. (2006). *Too close for comfort: an analysis of UN tracing negotiations* [Report]. Retrieved July 10 2017: http://www.smallarmssurvey.org/fileadmin/docs/L-External-publications/2006/2006%20UNIDIR%20analysis%20UN%20tracing%20negotiations.pdf

United Nations Office of Legal Affairs. (2017). *Arms Trade Treaty* [Website]. Retrieved July 10 2017 from: http://legal.un.org/avl/ha/att/att.html

United Nations Office for Disarmament Affairs. (2016). *Fact Sheet, UNSCAR* [Report]. Retrieved 18 June 2017 from: https://s3.amazonaws.com/unoda-web/wp-content/uploads/2016/08/UNSCAR-Fact-Sheet-Jul2016.pdf

United Nations Office for Disarmament Affairs. (2017). *The Arms Trade Treaty* [Website]. Retrieved 21 May 2017 from: https://www.un.org/disarmament/convarms/att/

United Nations Office for Disarmament Affairs. (2017). *Regional Disarmament* [Website]. Retrieved 21 May 2017 from: https://www.un.org/disarmament/disarmsec/about/

United Nations Office for Disarmament Affairs. (2017). *Small Arms* [Website]. Retrieved 21 May 2017 from: https://www.un.org/disarmament/convarms/salw/

United Nations Office for Disarmament Affairs. (2017). *UNSCAR: UN Trust Facility Supporting Cooperation on Arms Regulation* [Website]. Retrieved 22 April 2017 from: https://www.un.org/disarmament/unscar/

United Nations Office on Drugs and Crime. (2017). *Global Firearms Programme* [Website]. Retrieved 22 April 2017 from: https://www.unodc.org/unodc/en/firearms-protocol/gfp.html

United Nations Office on Drugs and Crime. (2017). *The Firearms Protocol* [Website]. Retrieved 11 July 2017 from: http://www.unodc.org/unodc/en/firearms-protocol/the-firearms-protocol.html

United Nations Population Fund. (2016). *Women Face "Unspeakable" Sexual Violence in South Sudan* [Website]. Retrieved 18 June 2017 from: http://www.unfpa.org/news/women-face-unspeakable-sexual-violence-south-sudan

United Nations Programme of Action Implementation Support System. (2017). *Coordinating Action on Small Arms.* [Website]. Retrieved 21 May 2017 from: http://www.poa-iss.org/CASA/CASA.aspx

United Nations Programme of Action Implementation Support System. (2017). *Office for Disarmament Affairs.* [Website]. Retrieved 21 May 2017 from: http://www.poa-iss.org/SecCASAMEMBER/MemberOfCasa.aspx?MrI=1

United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean. (2017). *UNLIREC supports Colombia in efforts towards ATT implementation* [Website]. Retrieved 10 July 2017 from: http://www.unlirec.org/noticias_det_eng.aspx?id=216

United Nations Trust Facility Supporting Cooperation on Arms Regulation. (2017). *2017 Call for Proposals For the implementation of projects in 2018* [Report]. Retrieved 10 July 2017 from: https://s3.amazonaws.com/unoda-web/wp-content/uploads/2017/06/2017-05-31-UNSCAR-2017-Call-for-Proposals-final-draft-for-SPG-clean.pdf

Welsch, R. (2016). Small Arms and Light Weapons. *Reaching Critical Will*, 15 (2): 12-13. Retrieved 22 April 2017 from: http://reachingcriticalwill.org/images/documents/Disarmament-fora/1com/FCM16/FCM-2016-No2.pdf