

GENERAL ASSEMBLY FIRST COMMITTEE

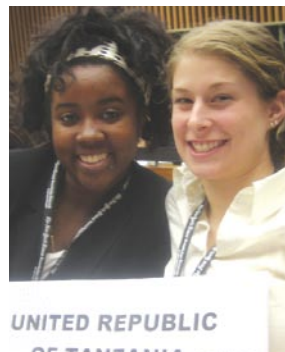
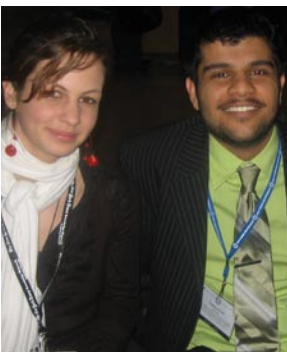
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NMUN•08

NATIONAL MODEL
UNITED NATIONS

2008 COMMITTEE BACKGROUND GUIDE

www.nmun.org



WRITTEN BY:
Marc Epstein
Brianna Noler
Alistair Goddard
Annika Schönfeld

18-22 March
Sheraton New York

22-26 April
New York Marriott Marquis

NATIONAL
COLLEGIATE CONFERENCE
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Please consult the FAQ section of www.nmun.org for answers to your questions. If you do not find a satisfactory answer you may also contact the individuals below for personal assistance. They may answer your question(s) or refer you to the best source for an answer.

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NMUN•08 IMPORTANT DATES

IMPORTANT NOTICE: To make hotel reservations, you must use the forms at www.nmun.org and include a \$1,000 deposit. Discount rates are available until the room block is full or one month before the conference – whichever comes first. **PLEASE BOOK EARLY!**

SHERATON	MARRIOTT	
31 January 2008	31 January 2008	<ul style="list-style-type: none"> Confirm Attendance & Delegate Count. (Count may be changed up to 1 March) Make Transportation Arrangements - DON'T FORGET! (We recommend confirming hotel accommodations prior to booking flights.)
15 February 2008	15 February 2008	<ul style="list-style-type: none"> Committee Updates Posted to www.nmun.org.
23 February 2008	21 March 2008	<ul style="list-style-type: none"> Hotel Registration with FULL PRE-PAYMENT Due to Hotel - Register Early! Registration is first-come, first-served.
1 March 2008	1 March 2008	<ul style="list-style-type: none"> Any Changes to Delegate Numbers Must be Confirmed to eaton@nmun.org
1 March 2008	1 April 2008	<ul style="list-style-type: none"> Two Copies of Each Position Paper Due via E-mail (See Delegate Preparation Guide for instructions).
3 March 2008	1 April 2008	<ul style="list-style-type: none"> All Conference Fees Due to NMUN for confirmed delegates. (\$100 per delegate if paid by 1 March; \$125 per delegate if received after 1 March. Fee is not refundable after this deadline.

NATIONAL MODEL UNITED NATIONS

The 2008 National Model UN Conference

- 18 - 22 March – Sheraton New York
- 22 - 26 April – New York Marriott Marquis

Two copies of each position paper should be sent via e-mail by 1 MARCH 2008 (Sheraton Venue) or 1 APRIL 2008 (Marriott Venue)

1. TO COMMITTEE STAFF

A file of the position paper (.doc or .pdf) for each assigned committee should be sent to the committee e-mail address listed below. Mail papers by 1 March (Sheraton Venue) or 1 April (Marriott Venue) to the e-mail address listed for your particular venue. These e-mail addresses will be active after 15 November. Delegates should carbon copy (cc) themselves as confirmation of receipt. *Please put committee and assignment in the subject line (Example: GAPLEN_Greece).*

2. TO DIRECTOR-GENERAL

- Each delegation should send one set of all position papers for each assignment to the e-mail designated for their venue: positionpapers.sheraton@nmun.org or positionpapers.marriott@nmun.org. This set (held by each Director-General) will serve as a back-up copy in case individual committee directors cannot open attachments. Note: This e-mail should only be used as a repository for position papers.
- The head delegate or faculty member sending this message should cc: him/herself as confirmation of receipt. (Free programs like Adobe Acrobat or WinZip may need to be used to compress files if they are not plain text.)
- Because of the potential volume of e-mail, only one e-mail from the Head Delegate or Faculty Advisor containing all attached position papers will be accepted. *Please put committee, assignment and delegation name in the subject line (Example: Cuba_U_of_ABC).* If you have any questions, please contact the Director-General at dirgen@nmun.org.

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OTHER USEFUL CONTACTS:

Entire Set of Delegation Position Papers (send only to e-mail for your assigned venue)	positionpapers.sheraton@nmun.org positionpapers.marriott@nmun.org
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information



THE 2008 NATIONAL MODEL UNITED NATIONS

SPONSORED BY THE NATIONAL COLLEGIATE CONFERENCE ASSOCIATION

New York City, 18-22 March (Sheraton) & 22-26 April (Marriott)

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Dear Delegates,

We are pleased to welcome you to the 2008 National Model United Nations (NMUN). The Directors for the General Assembly First Committee (GA 1st) are Brianna Noler (Sheraton Venue) and Marc Epstein (Marriott Venue). Our Assistant Directors for the committee are Annika Schönfeld (Sheraton Venue) and Alistair Goddard (Marriott Venue).

Brianna Noler graduated from California State University, San Bernardino with Bachelors degrees in English Linguistics and Political Science. She hopes to return to graduate school in 2008 to pursue a PhD in Middle East studies and a Law Degree. Annika Schönfeld graduated with a Bachelor's degree in Political Science from the University of Darmstadt, Germany. She is currently pursuing her Master's Degree in Peace Research and International Politics at the University of Tübingen, Germany. Marc Epstein graduated from the University of Miami in 2006 with a Bachelor's degree with honors in International Studies and Political Science. He is currently in his first year at New York Law School and holds interests in Intellectual Property Law, Business Law, and International Law. Alistair Goddard is currently conducting research for a PhD in War Studies at King's College London. We all look forward to a great conference and an extremely successful committee.

The topics under discussion for the GA 1st at the 2008 NMUN are:

1. The Role of Private Military and Security Companies in Conflict
2. Combating the Illicit Trade in Small Arms and Light Weapons
3. Measures to Uphold the Authority of the 1925 Geneva Protocol

This background guide will serve as a brief introduction to the three topics listed. Accordingly, it is not meant to be used as an all inclusive analysis but as the groundwork for your own research. To conduct your research, please consult scholarly materials, including journals, international news, and the United Nations website, among others. You will also need to familiarize yourself with the work and current operations of the GA 1st Committee. GA 1st is a resolution writing committee and deals primarily with disarmament and international security.

Each delegation must submit a position paper. NMUN will accept position papers via e-mail by March 1, 2008 for Sheraton and April 1, 2008 for Marriott. Please refer to the message from your Directors-General explaining NMUN's position paper requirements and restrictions in this guide. Delegates' adherence to these guidelines is crucial.

The quality of our committee and the NMUN Conference depends on the quality of your preparation. We wish you the best of luck in your pre-conference planning and research and look forward to meeting you in the spring.

Sheraton Venue

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Message from the Directors-General Regarding Position Papers for the 2008 NMUN Conference

At the NMUN Conference, each delegation submits one position paper for each committee it is assigned to. Delegates should be aware that their role in a respective committee has some impact on the way a position paper should be written. While most delegates will serve as Member States, some may be observers, NGOs or judicial or technical experts. To understand these fine differences, please refer to the Delegate Preparation Guide to be found at the NMUN Web site.

Position papers should provide a concise review of each delegation's policy regarding the topic areas under discussion and establish precise policies and recommendations in regard to the topics before the committee. International and regional conventions, treaties, declarations, resolutions, and programs of action of relevance to the policy of your State should be identified and addressed. Position papers also serve as a blueprint for individual delegates to remember their country's position throughout the course of the Conference.

NGO position papers should be constructed in the same fashion as traditional position papers. Each topic should be addressed briefly in a succinct policy statement representing the relevant views of your assigned NGO. You should also include recommendations for action to be taken by your committee. It will be judged using the same criteria as all country position papers, and is held to the same standard of timeliness.

Please be forewarned, delegates must turn in material that is entirely original. *The NMUN Conference will not tolerate the occurrence of plagiarism.* In this regard, the NMUN Secretariat would like to take this opportunity to remind delegates that although United Nations documentation is considered within the public domain, the Conference does not allow the verbatim recreation of these documents. This plagiarism policy also extends to the written work of the Secretariat contained within the Committee Background Guides. Violation of this policy will be immediately reported to faculty advisors and may result in dismissal from Conference participation. Delegates should report any incident of plagiarism to the Secretariat as soon as possible.

Delegation's position papers can be awarded as recognition of outstanding pre-Conference preparation. In order to be considered for a Position Paper Award, however, delegations must have met the formal requirements listed below. Please refer to the sample paper on the following page for a visual example of what your work should look like at its completion. The following format specifications are **required** for all papers:

- All papers must be typed and formatted according to the example in the Background Guides
- Length must **not** exceed one double-sided page (two single-sided pages is **not** acceptable)
- Font **must** be Times New Roman sized between 10 pt. and 12 pt.
- Country/NGO name, School name and committee name clearly labeled on the first page
- Agenda topics clearly labeled in separate sections

To be considered timely for awards, please read and follow these directions:

1. **A file of the position paper** (.doc or .pdf) **for each assigned committee** should be sent to the committee email address listed in the Background Guide. These e-mail addresses will be active after December 1, 2007. Delegates should carbon copy (cc:) themselves as confirmation of receipt.

2. Each delegation should also send **one set of all position papers** to the e-mail designated for their venue: positionpapers.sheraton@nmun.org or positionpapers.marriott@nmun.org. This set will serve as a back-up copy in case individual committee directors cannot open attachments. These copies will also be made available in Home Government during the week of the NMUN Conference

Each of the above listed tasks needs to be completed no later than **March 1, 2008 for Delegations attending the NMUN at the Sheraton venue and April 1, 2008 for Delegations attending the NMUN on the Marriott venue.**

PLEASE TITLE EACH E-MAIL/DOCUMENT WITH THE NAME OF THE COMMITTEE, ASSIGNMENT AND DELEGATION NAME (Example: AU_Namibia_University of Caprivi)

A matrix of received papers will be posted online for delegations to check prior to the Conference. If you need to make other arrangements for submission, please contact Linda Poppe, Director-General, Sheraton venue, or Galen Stocking, Director-General, Marriott venue at dirgen@nmun.org. There is an option for delegations to submit physical copies via regular mail if needed.

Once the formal requirements outlined above are met, Conference staff uses the following criteria to evaluate Position Papers:

- Overall quality of writing, proper style, grammar, etc.
- Citation of relevant resolutions/documents
- General consistency with bloc/geopolitical constraints
- Consistency with the constraints of the United Nations
- Analysis of issues, rather than reiteration of the Committee Background Guide
- Outline of (official) policy aims within the committee's mandate

Each delegation should submit a copy of their position paper to the permanent mission of the country being represented, along with an explanation of the Conference. Those delegations representing NGOs do not have to send their position paper to their NGO headquarters, although it is encouraged. This will assist them in preparation for the mission briefing in New York.

Finally, please consider that over 1,000 papers will be handled and read by the Secretariat for the Conference. Your patience and cooperation in strictly adhering to the above guidelines will make this process more efficient and is greatly appreciated. Should you have any questions please feel free to contact the Conference staff, though as we do not operate out of a central office or location your consideration for time zone differences is appreciated.

Sincerely yours,

Sheraton Venue
Linda Poppe
Director-General

linda@nmun.org

Marriott Venue
Galen Stocking
Director-General

galen@nmun.org

Sample Position Paper

Delegation from (*Insert Member State/NGO Name*)

Represented by (*Insert Delegation Name Here*)

Position Paper for the General Assembly Plenary

The issues before the General Assembly Plenary are: The Situation in Sub-Saharan Africa; Racism and Racial Discrimination, and A Comprehensive Review of United Nations Peacekeeping Operations. The State of Tranquility a proud member of the Regional Alliance of Peaceful Countries and a fully supports other regional groups in their efforts to coordinated a regional plan for sustained and sustainable development. In that regard, the State of Tranquility recognizes the necessity of ensuring the full realization of the Right to Development as declared in the Declaration on the Right to Development and the Final Report of the Working Group on the Right to Development. Tranquility fully supports the implementation of national development plans with the cooperation of regional organizations, the United Nations, and the international community. Tranquility is firmly committed to addressing the underlying factors.

I. The Situation in Sub-Saharan Africa

The State of Tranquility believes that the principles of sovereignty, territorial integrity and economic security lend themselves to the pacific settlement of disputes in Sub-Saharan Africa, the most ethnically diverse region in the world. The lack of development in the region constitutes the root cause of political instability and conflict. The report of the Secretary-General, *An Agenda for Peace: Recommendations*, if implemented, could enhance the work of the Organization in its efforts to bring about sustainable development in Africa. Tranquility also believes that the use of preventive development in Africa could ensure that conflicts such as those in Liberia, Rwanda, Angola, Somalia and the Democratic Republic of the Congo can be avoided before they erupt. While obstacles to be overcome are many, international support for effective national programs to ensure the relief to rehabilitation to development continuum through post-conflict peace-building, can enable Sub-Saharan Africa and the entire developing world to achieve the sustainable development which alone will guarantee regional peace and stability. The State of Tranquility fully supports the increased cooperation between the United Nations and regional organizations in all aspects of dispute settlement and peace-keeping. Increased support for such regional efforts, when combined with measures to eliminate the root causes of regional conflict, serves to further enhance the prospects for lasting peace, security and development in Sub-Saharan Africa and throughout the entire international community.

II. Racism and Racial Discrimination

The State of Tranquility believes that the World Conference against Racism, Racial Discrimination, Xenophobia, and Related Intolerance offers the global community an opportunity to establish an updated plan of action to completely eradicate racism and racial discrimination throughout the world. The necessity for all Member States to sign, accede to and ratify the International Convention on the Elimination of All Forms of Racial Discrimination is an integral part of this plan, as policies and practices based on racism and racial discrimination remain devastating to regional social, economic and infrastructure development. Tranquility encourages all States, international organizations and non-governmental organizations to increase their efforts to combat racism, racial discrimination and xenophobia and to provide assistance to those affected by such practices. The lack of financial resources that prevented the international community from realizing its objectives in the three previous United Nations Decades to Combat Racism and Racial Discrimination must not continue to hinder the international community in guaranteeing the fundamental human rights of all peoples.

III. A Comprehensive Review of United Nations Peacekeeping Operations

The State of Tranquility remains firmly committed in support of the continued role of the United Nations Security Council as the primary agent for the maintenance of international peace and security, as mandated under Chapters IV and V of the *UN Charter*. We strongly recommend the authorization, determination, composition and financing of peacekeeping operations should be determined by the Council, as authorized by Articles 24, 25 and 26 of the

Charter and in conjunction with the recommendations of the Special Committee on Peacekeeping Operations. Additionally, the State of Tranquility endorses the current role of the Secretary-General as administrator of the Operations established by the Council. The State of Tranquility remains a central contributor for both financial and logistical support of the United Nations Peacekeeping forces and will continue to contribute to the United Nations Peacekeeping Budget throughout the duration of the current year. The State of Tranquility is firmly committed to addressing all threats to international peace and security through regional arrangements and multilateral forums. The international community must address the underlying causes of these conflicts and the destabilizing effects of such conflicts on entire regions. Tranquility is convinced that increased utilization of regional and sub-regional peacekeeping mechanisms can enhance the ability of peacekeeping missions to take into account historical, social, and cultural values and traditions within areas of conflict. As operation costs continue to escalate, however, our nation strongly urges all Member States and the Secretary-General to devote greater attention to the monetary and management aspects of peacekeeping operations and provide serious consideration for the establishment of operation termination dates. The State of Tranquility further supports the proposal endorsed within A/Res/44/49, calling for Member States to develop and maintain an inventory of supplies and equipment to be made available for Operations on short-notice. In addition, the State of Tranquility calls upon Member States to recognize the need to maintain voluntary contributions for United Nations Peacekeeping Operations to reduce the continuing problems incurred by funding deficits.

History of the General Assembly First Committee

The General Assembly First Committee in the United Nations System

The *Charter of the United Nations* came into force in 1945, giving the international community a unique instrument to meet the world's problems and dangers.¹ One of the first goals outlined in the *Charter* is the maintenance of international peace and security, which continues to be one of the top priorities within the United Nations System and for the General Assembly Disarmament and International Security Committee (General Assembly First Committee).²

Because of the broad number of agenda items that are to be considered by the General Assembly (GA) during each session, the GA has, according to its competences outlined in the *UN Charter*, established six main committees.³ Each of these committees discusses the items allocated to it and seeks to harmonize the various approaches of Member States before reporting back to the GA Plenary.⁴ To make their work more efficient, the main committees were restructured in 1993.⁵ Accordingly, the GA First Committee now deals with disarmament and related international security questions, including nuclear disarmament, biological weapons, the question of outer space, and terrorism.⁶ With the creation of the GA in 1945, the Heads of State therefore not only set up an international organ where all Member States are represented equally, but also a "conscience of the Security Council."⁷ As such, the GA is able to "call attention [...] to situations which are likely to endanger international peace and security."⁸ Thus, the GA Plenary, based on the draft resolutions of the GA First Committee, has helped "promote peaceful relations among nations by adopting declarations on peace, the peaceful settlement of disputes and international cooperation."⁹

The work of the First Committee traditionally does not start until the General Debate in the General Assembly is completed.¹⁰ The Committee is directed by a Chairman, three Vice-Chairmen, and a Rapporteur, who are elected on the basis of equitable geographical distribution, experience, and personal competence.¹¹ Each of the main committees is a reflection of the General Assembly Plenary regarding universal representation; all 192 Member States of the United Nations are thus represented in the First Committee.¹² Each Member State has one vote, as in the GA Plenary, and all resolutions require a simple majority to pass.¹³ Those resolutions agreed upon do not become official documents of the United Nations (UN) unless they are approved by the GA Plenary.¹⁴

The General Assembly First Committee and Disarmament

In the *United Nations Millennium Declaration* (2000), the Heads of State and Government committed themselves "to ensuring the implementation, [...] of treaties in areas such as arms control and disarmament," referring herewith to questions of weapons of mass destruction, conventional weapons, and regional disarmament.¹⁵ However, only five years later at the High Level Plenary Meeting of the 60th session of the GA, they failed to include in the *2005 World Summit Outcome* anything substantive on disarmament and non-proliferation, nor even to use the term Weapons of Mass Destruction (WMD).¹⁶ Whereas this World Summit represented a unique gathering of world

¹ *Charter of the United Nations*, 1945.

² *Charter of the United Nations*, 1945, art. 1.

³ United Nations. General Assembly. 61st Session, *Committees*, 2006-2007

⁴ *Ibid.*

⁵ United Nations. General Assembly. 47th Session, *Revitalization of the Work of the General Assembly (A/RES/47/233)*, 1993.

⁶ United Nations. General Assembly. 61st Session, *Disarmament and International Security: First Committee*, 2006-2007.

⁷ Smith, *Politics and Process at the United Nations*, 2006, p.150.

⁸ *Charter of the United Nations*, 1945, art. 11, para. 3.

⁹ United Nations. Department of Public Information, *Basic Facts about the United Nations*, 2004, p.69.

¹⁰ Smith, *Politics and Process at the United Nations*, 2006, p.159.

¹¹ United Nations. General Assembly, *Rules of Procedure of the General Assembly*, 2006, rule 103.

¹² *Ibid.*, rule 100.

¹³ *Ibid.*, rules 124 and 125.

¹⁴ Smith, *Politics and Process at the United Nations*, 2006, p.161.

¹⁵ United Nations. General Assembly. 55th Session, *United Nations Millennium Declaration (A/RES/55/2)*, 2000.

¹⁶ United Nations. Office for Disarmament Affairs, *Disarmament Yearbook*, 2005, vol.30.

leaders, the GA First Committee, as a part of the disarmament machinery of the United Nations, constitutes the only international arena where all States are encouraged annually to express their views on disarmament questions, to discuss the issues that are contested between them, and to seek common solutions.

For example, questions of WMD and conventional weapons, particularly in regard to Small Arms and Light Weapons (SALW), are discussed at the annual gatherings of the First Committee. During its 61st session, roughly one third of the fifty-three decisions and draft resolutions approved by the First Committee, dealt with nuclear weapons and non-proliferation.¹⁷ In this context, the First Committee adopted *A/RES/61/78 Nuclear Disarmament* (2006), which urged the international community to keep to its goal of eliminating all nuclear weapons and to establish a nuclear weapon-free world, underlining the landmark character of the *Treaty on the Non-Proliferation of Nuclear Weapons* (NPT).¹⁸ Moreover, the *Comprehensive Nuclear-Test-Ban-Treaty* (CTBT), a treaty that prohibits the testing of nuclear weapons and other nuclear explosive devices, was drafted by the Conference on Disarmament (CD) in 1996.¹⁹ It has still not entered into force and demonstrates that a consensus on the international level is difficult to achieve.²⁰ Nonetheless, the GA Plenary had adopted the CTBT in 1996 (*A/RES/50/245*) and its First Committee remains active on the matter.²¹ Along with this, resolutions dealing with the implementation of the *Biological Weapons Convention* (BWC) and the *Chemical Weapons Convention* (CWC), which entered into force in 1975 and 1997 respectively, were indisputably adopted by the GA Plenary and the First Committee.²²

The First Committee equally regards illicit Small Arms and Light Weapons, including anti-personnel landmines, as a danger to regional and international security and stability. In 1995 the First Committee adopted *A/RES/50/70/B General and Complete Disarmament* (1995), which expounded on the problems of SALW and their proliferation more explicitly.²³ The rising awareness of the destabilizing effect of those weapons led to the adoption of the *Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons, in All Its Aspects* (PoA) in 2001, which addresses measures to be taken at the regional, national and international level to effectively end the illicit proliferation of SALW.²⁴ With the *Ottawa Treaty* (also known as the *Mine-Ban Convention*), the international community “spurred the campaign to reduce needless human suffering by increasing resources for mine clearance, mine awareness and mine assistance.”²⁵ The GA and its First Committee are involved in the efforts of the UN to create a mine-free world. One instrument in this area is the *United Nations Inter-Agency Mine Action Strategy 2006-2010* which aims to assist Member States in dealing with mine surveying, marking, and clearance as well as with victim assistance and stockpile reduction.²⁶ Most importantly, the GA Plenary and the First Committee instituted a *UN Register of Conventional Arms* in 1992, where the imports and exports of conventional weapons at the global level are registered.²⁷ A total of 170 States reported to the registry in 2007.²⁸

To further strengthen the respective fields of action, the Department of Disarmament Affairs (DDA), which promoted practical disarmament and the strengthening of disarmament regimes since 1982, was replaced by the Office for Disarmament Affairs (UNODA) during the first term of 2007.²⁹ Its role is to respond more effectively to the priorities of the Member States, especially in the areas of disarmament and non-proliferation, and to put an emphasis on dialogue and cooperation.³⁰ At the same time it continues to provide support for norm-setting in the

¹⁷ United Nations. General Assembly. 61st Session, *Disarmament Resolutions and Decisions*, n.d.

¹⁸ United Nations. General Assembly. 61st Session, *Nuclear Disarmament (A/RES/61/78)*, 2006.

¹⁹ *Ibid.*

²⁰ United Nations, Office for Disarmament Affairs, *Weapons of Mass Destruction: Comprehensive Nuclear-Test-Ban Treaty*, 2002.

²¹ *Ibid.*

²² United Nations. General Assembly. 61st Session, *Disarmament Resolutions and Decisions*, n.d.

²³ United Nations. Office for Disarmament Affairs, *Conventional Arms: Small Arms and Light Weapons*, 2002.

²⁴ *Ibid.*

²⁵ United Nations. Office for Disarmament Affairs, *Peace and Security through Disarmament: Disarmament Issues*, 2002.

²⁶ United Nations. Mine Action, *United Nations Inter-Agency Mine Action Strategy: 2006-2010*, n.d.

²⁷ United Nations. Office for Disarmament Affairs, *Disarmament Yearbook: Conventional Weapons Issues*, 2005, vol.30, ch. IV.

²⁸ United Nations. Register of Conventional Arms, *Information Booklet 2007*, 2007.

²⁹ United Nations. Office for Disarmament Affairs, *Peace and Security through Disarmament: United Nations Office for Disarmament Affairs (UNODA)*, 2007.

³⁰ United Nations. General Assembly. 61st Session, *Letter Dated 15 February 2007 from the Secretary-General Addressed to the President of the General Assembly (A/61/749)*, p.21.

area of disarmament and for the implementation of existing mandates.³¹ The UNODA has a direct line to the UN Secretary-General and is supposed to interact intensively with the GA and the First Committee, as well as with the Security Council.³² Meanwhile, the Disarmament Commission (DC), as a subsidiary body of the GA, remains active in cooperating with the GA First Committee and the CD. As the specialized deliberative body within the UN's multilateral disarmament machinery, the DC adopted a draft report in 2007 which compiled two working group reports dealing with nuclear disarmament and non-proliferation as well as "confidence-building measures in the field of conventional weapons."³³

Conclusion

Although draft resolutions and decisions only require a simple majority vote in the GA First Committee, its resolutions are subject to "much political activity before they reach the Plenary, as efforts are made to attain a two-thirds majority."³⁴ In a large decision-making body like the GA, the creation of subgroups often represents a useful tool for building agreement amongst the frequently conflicting perceptions in multilateral diplomacy.³⁵ Speaking with one voice enables like-minded smaller and less developed States to have an impact on GA decision making.³⁶ Many groups emerge on an ad hoc basis or are built along regional criteria and common issue positions.³⁷ In the GA First Committee, the main line of conflict is traditionally between those States "that want to prevent horizontal nuclear proliferation (the current nuclear powers) and those that focus more attention on the need for vertical arms control."³⁸ Delegates are encouraged to research this role of their delegation in the GA First Committee when preparing for the Conference, while at the same time attempting to identify new and innovative approaches to the agenda items.

I. The Role of Private Military and Security Companies in Conflict

*Over the last decade, the proliferation of international private military companies operating in over 50 countries around the world has outstripped the effectiveness of the existing legal framework and enforcement mechanisms... The nature and degree of accountability of these organizations and their employees is uncertain, paving the way for impunity for a range of acts which would otherwise be criminal.*³⁹

Private Military and Security Companies (PM/SCs) occupy an established position on the modern battlefield. The estimated 48,000 PM/SC personnel in Iraq collectively make up the second largest contribution to multi-national forces after the United States (U.S.) military.⁴⁰ Consumers of private security include diplomats, humanitarian aid workers, businessmen, journalists, development professionals, and UN officials who require protection for operations in some of the most dangerous areas of the world.⁴¹ PM/SCs have assumed a wide range of conventional military functions traditionally undertaken by national armed forces, arguably providing a more specialized, flexible, efficient, and effective service than their public sector counterparts.⁴² However, the extraordinary expansion of the

³¹ *Ibid.*, p.20.

³² *Ibid.*, p.19f.

³³ United Nations. General Assembly. Department of Public Information, *Disarmament Commission Concludes Three-Week Session*, 2007.

³⁴ Alger, *The United Nations System: A Reference Handbook*, 2005, p.16.

³⁵ Smith, *Politics and Process at the United Nations*, 2006, p.54.

³⁶ *Ibid.*, p.56.

³⁷ *Ibid.*, p.60.

³⁸ *Ibid.*, p.160.

³⁹ United Nations Commission on Human Rights, *Use of Mercenaries as A Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination, Report of the Special Rapporteur, Shaista Shameem (E/CN.4/2005/14)*, 2004, p.12.

⁴⁰ US Government Accountability office (GAO), *Rebuilding Iraq: Actions Still Needed to Improve the Use of Private Security Providers*, 2006, p.2.

⁴¹ Holmqvist, *Private Security Companies: The Case for Regulation*, 2005.

⁴² Geneva Centre for the Democratic Control of Armed forces, *Private Military Companies*, 2006, p.2-3.

use of PM/SCs, especially their extensive deployment in Iraq, has raised concerns that PM/SCs are not adequately regulated under domestic and international law.⁴³

The Role of PM/SCs in Conflict

After prostitution and espionage, mercenarism is often referred to as the third oldest profession.⁴⁴ The profession's excesses have long been a cause for concern: writing in the 16th century, Machiavelli warned in *The Prince* that mercenaries "have neither the fear of God nor fidelity to men."⁴⁵ Since the 1960s, mercenary forces have been particularly active in Africa, facing accusations of propping up illegitimate regimes, denying self-determination, and actively participating in human rights abuse.⁴⁶ As the failed *coup d'état* attempt by mercenaries in Equatorial Guinea in 2004 demonstrates, "dogs of war" mercenarism remains a problem.⁴⁷

During the 1990s, a new kind of company emerged offering military and security services outside the traditional labels of mercenary or national armed forces. Categorization of PM/SCs is complicated by the diversity of their roles and clients, as well as confusion with mercenaries.⁴⁸ While mercenaries tend to be individuals or informal groups employed in frontline combat duties normally by weak States or rebel groups, PM/SCs are established corporate entities, perform a range of complex long-term tasks, are not nominally in frontline roles, and commonly serve only reputable clients.⁴⁹ Legal classification of "mercenaries" has proved difficult.⁵⁰ Three treaties have attempted to outlaw the practice: the *Organization of African Unity (OAU) Convention for the Elimination of Mercenarism in Africa* (1977); *Additional Protocol I to the Geneva Conventions* (1977); and the *UN Convention Against the Recruitment, Use, Financing and Training of Mercenaries* (1989).⁵¹ The treaties' separate definitions of mercenarism are widely viewed as impractical and have hampered effective implementation.⁵² Referring to the UN Convention's classification, one expert concluded "any mercenary who cannot exclude himself from this definition deserves to be shot – and his lawyer with him!"⁵³ The UN Convention currently has only 30 Member State Parties.⁵⁴ As a consequence of these factors, PM/SCs occupy a "grey area" under international law: no treaty has yet to define contractors or differentiate them from mercenaries.⁵⁵

To add to the complexity, sometimes differentiation is made between "private security companies" (PSCs) and "private military companies" (PMCs). The term PMC is occasionally used to refer to companies like Executive Outcomes (EO) and Sandline International.⁵⁶ These two firms operated in the 1990s, providing mercenary units and arms brokering services to the governments of Angola, Papua New Guinea, and Sierra Leone in return for cash and mining concessions.⁵⁷ The companies' operations attracted accusations of misconduct, including allegations that

⁴³ United Nations Commission on Human Rights, *Use of Mercenaries as A Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination, Report of the Special Rapporteur, Shaista Shameem (E/CN.4/2005/14)*, 2004.

⁴⁴ Schreier & Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 2005, p.1.

⁴⁵ Machiavelli, *The Prince*, 1515.

⁴⁶ Schreier & Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 2005, p.16.

⁴⁷ Butcher & Thornycroft, *Harare Accuses Ex-SAS Man of Links to Detained "Mercenaries,"* 2004.

⁴⁸ Holmqvist, *Private Security Companies: The Case for Regulation*, 2005, p.3-5.

⁴⁹ Schreier & Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 2005, p.16-21.

⁵⁰ *Ibid.*

⁵¹ *OAU Convention for the Elimination of Mercenarism in Africa, 1977; Protocol Additional to the Geneva Conventions and Relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977; The international Convention Against the Recruitment, Use, Financing, and Training of Mercenaries, 1989.*

⁵² Singer, *War, Profits, and the Vacuum of Law: Privatized Military Firms and International Law*, 2004, p.527-534.

⁵³ Best, *Humanity in Warfare: The Modern History of the international Law of Armed Conflicts*, 1980, p.328.

⁵⁴ ICRC, *State Parties to the International Convention Against the Recruitment, Use, Financing and Training of Mercenaries*, n.d.

⁵⁵ United Nations General Assembly, *Report of the Working Group on the Use of Mercenaries as A Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination*, 2006, p.14.

⁵⁶ *Ibid.*, p.33-41.

⁵⁷ United Nations Commission on Human Rights, *Report on the Question of the Use of Mercenaries as A Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination, Submitted By Mr. Enrique*

Sandline supplied arms to the Sierra Leonean government in contravention of an UN embargo.⁵⁸ Although both firms are now defunct and no legitimate firms currently market frontline combat services, their excesses raise fears that PMCs contribute to the proliferation of small arms; exploit the natural resources of developing countries; have vested interests in prolonging conflict; and contribute to denial of the rights to self-determination and development.⁵⁹ UN decisions and reports have yet to distinguish between PSCs and PMCs.⁶⁰

There are a number of advantages in employing PM/SCs. As developed countries have downsized their defense budgets since the end of the Cold War, the range of tasks required of national armed forces has expanded beyond the traditional war-fighting mission to include non-combat roles such as post-conflict reconstruction or disaster relief.⁶¹ As national armies struggle with overstretch, PM/SCs can provide a useful stop gap between the reduced compliment of peacetime armed forces and the additional requirements of war.⁶² Where domestic police and security forces are in incomplete control due to State weakness or armed conflict, PM/SCs can support foreign companies, aid organizations, news media, development agencies, and UN bodies, creating secure conditions for stabilization, reconstruction, development, and foreign investment.⁶³ PM/SCs tend to be more flexible and rapidly deployable than regular armed forces, allowing the deployment of force packages to suit the circumstances of the conflict area and mission.⁶⁴ For example, where language and cultural empathy skills are required, a PM/SC can recruit exclusively from the local population.⁶⁵ Erinys recruited 14,500 Iraqis for its contract protecting the local oil pipeline infrastructure.⁶⁶ Such outsourcing can also gain cost savings.⁶⁷

PM/SCs' position on the battlefield is now so established that many militaries "would struggle to wage war without such private companies."⁶⁸ Many provide armed defensive protection for personnel and facilities. For example, ArmorGroup, Control Risks Group, and Kroll protect the office and residential compounds of the British Department for International Development in Iraq and Afghanistan.⁶⁹ PM/SC clients are not restricted to States. The World Wildlife Fund solicited a proposal from Saracen International to protect endangered rhinos from poachers in the Democratic Republic of Congo.⁷⁰ ArmorGroup has been contracted to provide protection and security advice to CARE International, Caritas Internationalis, and the International Committee of the Red Cross.⁷¹ Others specialize in non-combat roles. Pacific Architects & Engineers (PA&E) and DynCorp, for example, provide engineering and logistical support to African Union peacekeepers in Sudan.⁷² Mine clearance specialist BACTEC is currently contracted by the UN to clear unexploded remnants of war in southern Lebanon.⁷³ PM/SCs also provide intelligence gathering and monitoring services. KZN Security supplied intelligence for the UN administration in East Timor and DynCorp was contracted to monitor the international ceasefire in Kosovo.⁷⁴ AirScan is contracted

Bernales Ballesteros, Special Rapporteur, Pursuant to Commission Resolution 1995/5 and Commission Decision 1996/113 (E/CN.4/1997/24), 1997; Howe, H., To Stabilize tottering African Governments, 1997.

⁵⁸ BBC News online, *Mps Demand Answers on Arms-to-Africa*, n.d..

⁵⁹ Makki, Meek, Musah, Crowley & Lilly, *Private Military Companies and the Proliferation of Small Arms: Regulating the Actors*, 2001; Schreier & Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 2005, p.76-78.

⁶⁰ United Nations General Assembly, *Report of the Working Group on the Use of Mercenaries as A Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination*, 2006.

⁶¹ Schreier & Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 2005, p.3-6.

⁶² *Ibid.*, p.3-6.

⁶³ Holmqvist, *Private Security Companies: The Case for Regulation*, 2005, p.11-22.

⁶⁴ Schreier & Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 2005, p.80-81.

⁶⁵ World Pipelines, *Iraq's Pipeline War*, 2005.

⁶⁶ *Ibid.*

⁶⁷ Schreier & Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 2005, p.80.

⁶⁸ *Ibid.*, p.1.

⁶⁹ UK House of Commons Debate, 19 March 2007, Hansard C615w.

⁷⁰ Avant, *Conserving Nature in the State of Nature: The Politics of INGO Policy Implementation*, 2004, p.373.

⁷¹ Fennell, *Private Security Companies: The New Humanitarian Agent*, 1999.

⁷² Institute for Security Studies, Africa, *Private Security*, n.d.; Lynch, *Darfur increasingly Unstable, UN Envoy Warns*, 2004.

⁷³ BACTEC, *Removing the Legacy of War From Southern Lebanon*, n.d.

⁷⁴ Singer, *Corporate Warriors: The Rise of the Privatized Military industry*, 2004, p.183; Steele, *US Gives Kosovo Monitoring Job to Mercenaries*, 1998.

by Chevron to provide aerial surveillance for its pipelines.⁷⁵ Training is another key function. Vinnell Corporation was contracted to train the new Iraqi army, while DynCorp is employed to train the Iraqi police force.⁷⁶

Problems Associated With PM/SCs

PM/SCs lack the unambiguous accountability of national armed forces.⁷⁷ Armies commonly have established disciplinary codes, military police units and courts to investigate and prosecute wrongdoers, and hierarchical command structures whereby senior officers are legally responsible for the actions of those under their command.⁷⁸ PM/SC personnel may be prosecuted in domestic courts, either in the State where they are operating or in the State where they are a citizen.⁷⁹ The maintenance of accountability using the domestic law of the States where individual PM/SC employees are citizens has so far been “largely hypothetical,” with a number of cases of reported misconduct failing to end in judicial proceedings.⁸⁰ These include the alleged involvement of DynCorp employees in sex trafficking in the Balkans, and the reported participation of Titan and CACI International staff in acts of torture at Abu Ghraib prison in Iraq.⁸¹ Commenting on the Abu Ghraib allegations in a report to the UN General Assembly (GA), the UN Working Group on Mercenaries (a study group mandated to examine mercenary and PM/SC activity) suggested that “core military functions” were being carried out by PM/SC employees “without regulatory mechanisms requiring oversight and accountability.”⁸² It concluded that “although it seems that some internal investigations have been conducted by the two private contractors involved in the alleged human rights violations in Abu Ghraib, the employees allegedly implicated have neither been subject to external investigations nor have they been legally sanctioned, contrary to the assurances given by the Government of the United States of America.”⁸³ According to the Working Group, of 20 known cases of misconduct by civilian contractors, only one has led to an indictment: U.S. Central Intelligence Agency contractor David Passaro was charged with mistreating a detainee in Afghanistan.⁸⁴

Immunities are sometimes granted to PM/SCs. Under Coalition Provisional Authority Order No. 17, which remains in force for the duration of the Multi-National Force’s (MNF’s) mandate, contractors are “immune from Iraqi legal process with respect to acts performed by them pursuant to the terms and conditions of a Contract.”⁸⁵ PM/SC personnel in Iraq are only legally liable for serious war crimes, for crimes under the law of the States of which they are citizens or for crimes committed outside their contracts.⁸⁶ Contracts and rules of engagement can give considerable flexibility.⁸⁷ In 2005, a “trophy” video on the Internet reportedly showed Aegis Defence Services employees seeming to fire indiscriminately at Iraqi civilian vehicles.⁸⁸ A subsequent investigation by the U.S. military concluded that the videos showed legitimate use of force.⁸⁹

There is concern that competitive pressures may compel PM/SCs to compromise standards.⁹⁰ Blackwater has been criticized for allegedly failing to provide adequate armored vehicles, heavy weapons, and personnel to protect four

⁷⁵ Campbell, *War on Error: A Spy inc. No Stranger to Controversy*, n.d.

⁷⁶ Northrop Grumman, *Northrop Grumman Awarded \$48 Million Contract to Train New Iraqi Army*, n.d.; Dyncorp International, *Dyncorp International Awarded Extension of Iraq Police Training*, n.d.

⁷⁷ Schreier & Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 2005, p.66.

⁷⁸ *Ibid.*

⁷⁹ Holmqvist, *Private Security Companies: The Case for Regulation*, 2005, p.27.

⁸⁰ *Ibid.*, p.27.

⁸¹ Amnesty international USA, *Annual Report 2006*, 2006; Barnett & Hughes, *UN “Sex Scandal”: international Police in Bosnia Face Prostitution Claims*, 2001.

⁸² United Nations General Assembly, *Report of the Working Group on the Use of Mercenaries as A Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination*, 2006, p.14.

⁸³ *Ibid.*, p.14.

⁸⁴ *Ibid.*, p.15; Frieden, *US indicts CIA Contractor in Afghanistan Prison Death*, 2004.

⁸⁵ Coalition Provisional Authority, *Order No. 17 (Revised)*, 2004.

⁸⁶ Holmqvist, *Private Security Companies: The Case for Regulation*, 2005, p.27.

⁸⁷ *Ibid.*, p.28-29.

⁸⁸ Rayment, *Iraq Security Company Under Fire*, 2005.

⁸⁹ The Times, *Company Cleared*, 2006.

⁹⁰ Geneva Centre for the Democratic Control of Armed forces, *Private Military Companies*, 2006, p. 4.

U.S. employees whose convoy was ambushed and destroyed in Iraq in 2004.⁹¹ Investigations by the UN have found that PM/SC personnel, often recruited from developing countries, have been subject to “contractual irregularities, poor working conditions, partial or non-payment of salaries, harassment and isolation, ill-treatment and neglect of basic needs and denial of access to medical services” including for serious physical injuries.⁹² Poor vetting of employees may be another result of market pressures.⁹³ Derek Adgey, who had served a prison sentence for several terrorist related charges in Northern Ireland, was hired by the firm ArmorGroup for armed protection work in Iraq.⁹⁴ Blackwater has been criticized for hiring former members of the Chilean security forces, some of whom served under the Presidency of Augusto Pinochet.⁹⁵ Furthermore, employees have ambiguous legal protection under international humanitarian law: lacking the status of “lawful combatants” under the Geneva Conventions, if they engage in “direct” or “active” participation in hostilities they may be denied prisoner of war status and prosecuted by domestic courts if detained.⁹⁶

Oversight of the industry is complicated by a “climate of confidentiality.”⁹⁷ Facts such as deployment details, contract terms, financial information, casualties, or rules of engagement are rarely subject to legislative or public scrutiny.⁹⁸ There are fears that a lack of transparency within the industry may result in PM/SCs being used by States to wage “war by proxy.”⁹⁹ Some claim that States may use PM/SCs to deploy military force “without the need for approval from legislatures, safe in the knowledge that involvement in or awareness of controversial military operations can be plausibly denied.”¹⁰⁰ For example, Military Professional Resources Incorporated (MPRI) was contracted, with the knowledge of the U.S. government, to modernize the Croatian army in 1994 as they prepared for an offensive against Serbian forces successfully mounted the following year.¹⁰¹ Poor reporting of PM/SC casualties may also prevent an accurate picture of the human cost of war.¹⁰²

The UN and PM/SCs

In 2005, the UN Commission on Human Rights (UNHCR) established a new Working Group on the Use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination to replace the existing Special Rapporteur, who had no remit over PM/SCs.¹⁰³ The Group’s mandate included capacity to “monitor and study the effects of the activities of private companies offering military assistance, consultancy and security services on the international market on the enjoyment of human rights, particularly the right of peoples to self-determination, and to prepare draft international basic principles that encourage respect for human rights on the part of those companies in their activities.”¹⁰⁴ The Working Group’s recent report to the Human Rights Council and the GA included analysis of the operations of PM/SCs.¹⁰⁵ However, despite some attention to “new forms, manifestations, and modalities” of mercenary activity in its most recent

⁹¹ Helvenston-Wettengell, Zovko, Teague, & Batalona, *Testimony to the US House of Representatives Committee on Oversight and Government Reform*, 2007.

⁹² United Nations, Press Release, *UN Working Group on the Use of Mercenaries Concludes Visit to Fiji*, 2007; United Nations, Press Release, *UN Working Group on the Use of Mercenaries Concludes Visit to Chile*, 2007.

⁹³ Isenberg, *A Fistful of Contractors: The Case for Pragmatic Assessment of Private Military Companies in Iraq*, 2004, p.46.

⁹⁴ Nash, *Security Farce: Loyalist Terror Marine Is Armed Minder in Iraq*, 2004.

⁹⁵ Franklin, *US Contractor Recruits Guards for Iraq in Chile*, 2004.

⁹⁶ Schreier & Caparini, M., *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 2005, p.57; *Geneva Convention (III) Relative to the Treatment of Prisoners of War*, 1949; *Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War*, 1949.

⁹⁷ Holmqvist, *Private Security Companies: The Case for Regulation*, 2005, p.31.

⁹⁸ *Ibid.*, p.30-32.

⁹⁹ War on Want, & Campaign Against Arms Trade, *Corporate Mercenaries: The Threat of Private Military and Security Companies*, 2006, p.10.

¹⁰⁰ Whyte, *Lethal Regulation: State-Corporate Crime and the United Kingdom’s New Mercenaries*, 2003, p.591.

¹⁰¹ War on Want, & Campaign Against Arms Trade, *Corporate Mercenaries: The Threat of Private Military and Security Companies*, 2006, p.10.

¹⁰² Schreier & Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 2005, p.86.

¹⁰³ United Nations, Commission on Human Rights, *The use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-determination (E/CN.4/RES/2005/2)*, 2005.

¹⁰⁴ *Ibid.*

¹⁰⁵ United Nations General Assembly, *Report of the Working Group on the Use of Mercenaries as A Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination*, 2006.

decision, the GA has failed to discriminate between PM/SCs and mercenaries or detach the subject from its historical association with the denial of the right to self-determination.¹⁰⁶ The Working Group's report also noted that the UN is a major consumer of PM/SC services and that some of the companies contracted by the Organization have been the subject of allegations of human rights and international law violations.¹⁰⁷ Some experts consider that an open database of firms vetted for compliance with certain standards and contracted for work by the UN would encourage greater self-regulation.¹⁰⁸

Conclusion

Many analysts have called for control of PM/SCs at the national level, where regulation is likely to be the most effective and enforceable.¹⁰⁹ The UN Working Group agrees, insisting "on the primary responsibility of States under international and domestic law to maintain public security and law and order. They should not relinquish these prerogatives and should regulate, control and monitor the activities of such companies."¹¹⁰ With few exceptions, current domestic law is "full of loopholes or non-existent."¹¹¹ There are several options for national regulatory frameworks including prohibitions on certain kinds of activity or recruitment; licensing of individual companies or contracts; or registration of contacts.¹¹² Another option is to encourage self-regulation such as the Code of Conduct scheme promoted by an industry group the International Peace Operations Association.¹¹³

However, experts identify several flaws in reliance purely on domestic legislation "(a) because of the ability of PM/SCs to adapt in order to circumvent or evade legislation; (b) because of the problem of extraterritorial enforcement; and (c) because of the lack of adequate mechanisms for oversight of companies operating abroad."¹¹⁴ These flaws have been evident in the poor enforcement and practical application of South Africa's Foreign Military Assistance Act, which requires all South African PM/SCs to seek government authorization for each contract.¹¹⁵ A number of proposals exist for regulation at the international level, including: (a) a UN register of vetted firms;¹¹⁶ (b) general prohibitions on certain activities; (c) the creation of a UN office or agency to regulate and monitor PM/SCs; (d) a new UN convention to specify minimum standards of transparency, licensing, oversight, and control;¹¹⁷ or (e) an ad-hoc international tribunal to consider cases of misconduct.¹¹⁸

Committee Directive

The expanding presence of PSCs on the modern battlefield raises many important questions for national governments and the international community. What role should PM/SCs play in modern warfare? What should be considered acceptable clients and missions for PM/SCs? Can PM/SCs be used more effectively by the UN itself? Should national armies be expanded or reformed to reduce reliance on PM/SCs? What status should they have under international humanitarian law? How can they be made accountable to common standards of human rights and business ethics? What role can and should the UN play in that process?

¹⁰⁶ United Nations General Assembly, 61st Session, *Use of Mercenaries as A Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination (A/61/151)*, 2006.

¹⁰⁷ United Nations General Assembly, *Report of the Working Group on the Use of Mercenaries as A Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination*, 2006, p. 15-16.

¹⁰⁸ Holmqvist, *Private Security Companies: The Case for Regulation*, 2005, p.45-46.

¹⁰⁹ *Ibid.*, p.54.

¹¹⁰ United Nations General Assembly, *Report of the Working Group on the Use of Mercenaries as A Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination*, 2006, p.16.

¹¹¹ Schreier & Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 2005, p.135.

¹¹² UK Foreign & Commonwealth Office, *Private Military Companies: Options for Regulation*, 2002, p.22.

¹¹³ International Peace Operations association, *IPOA Code of Conduct*, n.d.

¹¹⁴ Holmqvist, *Private Security Companies: The Case for Regulation*, 2005, p.54.

¹¹⁵ *Republic of South Africa Regulation of foreign Military assistance Bill, B 54-97, 1997*; Schreier & Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 2005, p.107.

¹¹⁶ *Ibid.*, p.116; 128; 135; Holmqvist, *Private Security Companies: The Case for Regulation*, 2005, p.46.

¹¹⁷ Geneva Centre for the Democratic Control of Armed forces, *Private Military Companies*, 2006, p.7.

¹¹⁸ Singer, *War, Profits, and the Vacuum of Law: Privatized Military Firms and international Law*, p.543.

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

*“Weapons are like money; no one knows the meaning of enough.”*¹¹⁹

Introduction

The trade in small arms and light weapons (SALW), both legal and illicit, has been steadily increasing in recent years.¹²⁰ In today’s highly globalized world, the risks accompanying the illicit trade of SALW have grown considerably.¹²¹ The increasing trade in SALW poses many problems for the international community, including the transfer of illicit SALW to terrorist organizations, who are the number one recipient of illicit arms deals, as well as rebel groups in already conflict wracked regions.¹²² The illicit trade of SALW and the money that is generated from these deals again fuels the already highly lucrative black market of weapons.¹²³ More than ever, it is thus vital for the General Assembly First Committee (GA 1st) to focus on the consequences of the illicit international arms trade to break this cycle.¹²⁴

In 2001, the General Assembly convened the United Nations Conference on the Illicit Trade of Small Arms and Light Weapons in All its Aspects, whose outcome was the *Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons, in All Its Aspects (PoA)*.¹²⁵ The 2001 PoA was revisited at the Small Arms Review Conference in 2006.¹²⁶ The working groups of the two conferences in particular emphasized national, regional, and international measures that should be implemented by Member States to assist governmental and nongovernmental agencies in halting the illicit trafficking of arms.¹²⁷ This approach to negotiations is reflected in the PoA and its special emphasis on the rule of law.¹²⁸ This aspect of the PoA gives the international community a comprehensive set of goals and a specific framework to work with to ensure the trafficking of SALW is brought to a halt.¹²⁹ By creating and then revisiting the PoA, members of the international community placed a special emphasis on what is becoming an ever present problem for all States.¹³⁰ The revisit of the PoA also led the United Nations (UN) to believe that a renewed and fortified action against illicit trafficking of arms would evolve - in some respects, this was true, however, constant focus must be placed on the illicit transfer of SALW in order for it to stop.¹³¹

The United Nations and Small Arms and Light Weapons

The focus on SALW in the international community is becoming increasingly significant to the work of the UN.¹³² More than ever, international organizations, Non-governmental organizations (NGOs) and UN Member States are working together to ensure that the illicit trafficking of SALW is brought to a halt, and that the social, humanitarian, and economic consequences are mitigated.¹³³ Already in 1997, the GA had convened a group of experts on small arms to review the situation currently facing the international community and to review the progress made; the

¹¹⁹ Amis. *Einstein’s Monster*. 1987.

¹²⁰ Groupe de Recherche et D’information Sur la Paix et la Securite (GRIP). *The Humanitarian Challenge of Small Arms Proliferation: The argument for a universal, comprehensive, and non-discriminating small arms control regime*. 2000.

¹²¹ *Ibid.*

¹²² *Ibid.*

¹²³ *Ibid.*

¹²⁴ *Ibid.*

¹²⁵ United Nations, *United Nations Programme of Action on Small Arms and Light Weapons*, 2001.

¹²⁶ United Nations. *Small Arms Review Conference*, 2006.

¹²⁷ *Ibid.*

¹²⁸ United Nations. *Small Arms Review Conference*, 2006; United Nations Office for Disarmament Affairs, *Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons*, 2001.

¹²⁹ *Ibid.*

¹³⁰ *Ibid.*

¹³¹ *Ibid.*

¹³² United Nations Office for Disarmament Affairs, *Group of Governmental Experts to Consider Further Steps to Enhance International Cooperation in Preventing, Combating and Eradicating the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (GGE)*, 2005.

¹³³ *Ibid.*

results were published in the *Report on Small Arms (A/52/98)*.¹³⁴ The Group of Governmental Experts on Small Arms gave an early list of expectations for the 2001 Conference on the Illicit Trade of Small Arms and Light Weapons in All its Aspects.¹³⁵ The Group proffered that the conference should aim to develop and strengthen norms on all levels (global, regional, local); to develop an agreed upon international standard to prevent the illegal trafficking of SALW and to offset large, destabilizing transfers, especially in regions that are prone to conflict; to promote State responsibility with regard to imports and exports, transfer and retransfer of SALW; and to mobilize political will throughout the international community to prevent and combat, and to raise awareness of the nature of the interrelated problems that are caused by the illegal transfer, manufacturing, and purchase of any quantity of SALW.¹³⁶

In 2005, the *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons* (2005), one of the precursors to the United Nations Small Arms Review Conference (2006), was adopted by the GA to build confidence and transparency in arms trades between Member States.¹³⁷ The instrument originated from the work of the Open-Ended Working Group on Tracing Illicit Small Arms and Light Weapons (OEWG).¹³⁸ The *Instrument on Tracing* is essential to the fight against the illicit trade of SALW as it defines critical aspects of the illicit trade in SALW, including what makes trade of small arms illicit, how these arms are transferred, and how States can use the instrument to enhance their own battles against the illicit trafficking of SALW (including the right to retain their own legally obtained SALW for security and safety purposes).¹³⁹ These measures are intended to curb the illicit trade of small arms, whether they are being trafficked by ordinary people, criminal enterprises, or terrorist organizations.¹⁴⁰

The same year, the GA convened another group of experts; the Group of Governmental Experts to Consider Further Steps to Enhance International Cooperation in Preventing, Combating, and Eradicating the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (GGE).¹⁴¹ GA Resolution *A/RES/58/241* (2005) created this group, and gave very specific parameters for its work.¹⁴² The operatives of this resolution furthered the objectives of the GA to combat the illicit trafficking of SALW, and specifically requested the UN Secretary-General “to hold broad-based consultations with all Member States, interested regional and sub-regional organizations, international agencies and experts in the field, on further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons, taking into consideration the views of States provided to the Secretary-General.”¹⁴³ The UN Secretary-General published the results of these consultations in a report to the GA at its fifty-ninth session in 2006.¹⁴⁴ Also in 2006, the Small Arms Review Conference re-examined both the *Instrument on Tracing* and the *PoA*.¹⁴⁵ Though the conference acknowledged that SALW must and will continue to exist, it attempted to highlight the issues and problems that arise from the ever growing illicit trade of said SALW.¹⁴⁶

The constant and renewed interest in SALW, the illicit transfer of these weapons, and also the focus on keeping legally obtained arms in safe stockpiles and off of the black market is what the GGE, the SC, and GA 1st are striving

¹³⁴ The Governmental Group of Experts on Small Arms, *Report of the Governmental Group of Experts on Small Arms*, 1999.

¹³⁵ *Ibid.*

¹³⁶ United Nations. *Small Arms Review Conference*, 2006.

¹³⁷ United Nations Office for Disarmament Affairs, *Group of Governmental Experts to Consider Further Steps to Enhance International Cooperation in Preventing, Combating and Eradicating the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (GGE)*, 2005.

¹³⁸ United Nations Department for Disarmament Affairs, *Small Arms and Light Weapons. Open-Ended Working Group on Tracing Illicit Small Arms and Light Weapons (OEWG)*, 2002.

¹³⁹ United Nations. *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons*, 2006.

¹⁴⁰ United Nations Office for Disarmament Affairs, *Group of Governmental Experts to Consider Further Steps to Enhance International Cooperation in Preventing, Combating and Eradicating the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (GGE)*, 2005.

¹⁴¹ *Ibid.*

¹⁴² *Ibid.*

¹⁴³ *Ibid.*

¹⁴⁴ *Ibid.*

¹⁴⁵ United Nations. *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons*, 2006.

¹⁴⁶ *Ibid.*

to keep at the forefront of the discourse in the international community.¹⁴⁷ The illicit trade of SALW is a stable business – the stability of such a market increases the availability to anyone wishing to obtain weapons, including terrorist and other rogue organizations.¹⁴⁸ This also contributes to increase an unfortunate statistic – over 500,000 people a year are killed by SALW.¹⁴⁹ Many programs have been initiated to combat the illicit trafficking of SALW.¹⁵⁰ Not only are there international programs flourishing, but also regional programs and individual Member State initiated programs to halt the flow of international arms trafficking.¹⁵¹ The South Eastern and Eastern European Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) is one organization that focuses on regional confidence building measures and implementation of anti-arms trafficking initiatives.¹⁵² The United Nations Institute for Disarmament Research (UNIDIR) also focuses on regional and national measures, and in recent years has done extensive work in the Middle East, North Africa, and Central Asia.¹⁵³

Terrorism and the New Threat Posed by Small Arms and Light Weapons

In a highly globalized international community, the threat of terrorism seems to be ever present, and awareness of terrorist acts has consequently become much higher.¹⁵⁴ Numerous international organizations have taken up discourse on the subject; the Organization for Security and Cooperation in Europe (OSCE) and the North Atlantic Treaty Organization (NATO) are just two such organizations; other stakeholder, such as International Action Network on Small Arms (IANSA) also dedicate increased resources to the relationship between SALW and terrorism.¹⁵⁵ In recent history, terrorist acts have devastated the international community and they are becoming increasingly violent and ubiquitous.¹⁵⁶ In fact, since the year 2000, terrorist incidences have increased from about 100 incidents annually to about 350 annually.¹⁵⁷ There is much evidence to suggest that many of these attacks are carried out using SALW.¹⁵⁸

The relationship between SALW and terrorism has gained a great amount of attention in recent years - the 2001 *PoA*, for example, explicitly identifies the illicit trade of SALW as an enabler for terrorist actions and attacks.¹⁵⁹ The desire of the international community to halt the illicit flow of SALW within the context of terrorism is obvious. However, there is also a keen awareness among Member States who believe that stronger measures violate their own right to obtain SALW.¹⁶⁰ This makes preventing SALW from falling into the wrong hands more difficult. The 2001 *PoA* expressly defines the efforts of the UN to curb the flow of SALW in a manner respecting Member States rights of sovereignty.¹⁶¹ It is also in this context that the GA First, the Security Council, and countless other international organizations continue to highlight the need for increased transparency in military deals and criminalization of the illicit hoarding and collection of SALW to stop terrorists from obtaining them.¹⁶²

Anti-terrorism measures taken by the international community are becoming more common – terrorist organizations now are being treated as traditional criminal enterprises as they use many of the same methods in financing and carrying out their operations such as money laundering and narcotics trade.¹⁶³ While the international community

¹⁴⁷ *Ibid.*

¹⁴⁸ United Nations Office for Disarmament Affairs, *Terrorism and Disarmament*, 2005.

¹⁴⁹ Hill, *Conference on the Implementation, by Arab States, Of the UN Programme of Action on the Illicit Trade in Small Arms and Light Weapons*, 2004.

¹⁵⁰ International Action Network on Small Arms, *IANSA Position Paper: Improving Funding Coordination*, 2006.

¹⁵¹ *Ibid.*

¹⁵² South Eastern and Eastern European Clearinghouse for the Control of Small Arms and Light Weapons, *SEESAC Activity Reports. Report AR/068*, 2006.

¹⁵³ United Nations Institute for Disarmament Research, *Regional Approaches to Small Arms Control: Vital to Implementing the UN Programme of Action*, 2006.

¹⁵⁴ United Nations Office on Drugs and Crime, *Counter-Terrorism*, 2006.

¹⁵⁵ International Action Network on Small Arms, *Small Arms and Terrorism*, 2006.

¹⁵⁶ Spencer, *Questioning the Concept of “New” Terrorism*, 2006.

¹⁵⁷ *Ibid.*

¹⁵⁸ United Nations, *Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade of Small Arms and Light Weapons in All Its Aspects*, 2001.

¹⁵⁹ *Ibid.*

¹⁶⁰ *Ibid.*

¹⁶¹ *Ibid.*

¹⁶² United Nations. Security Council, *Threats to International Peace and Security Caused by Terrorist Acts, (S/RES/1373)*, 2001.

¹⁶³ The Wolfsberg Group, *The Suppression of the Financing of Terrorism*, 2002.

has had success in curbing the effects that transnational organized crime has brought, terrorism also presents new challenges. Loose cellular structures and an incoherent chain of command of organizations like Al Qaeda make it difficult to track down and penalize those responsible for the criminal enterprise.¹⁶⁴ This is not to say that steps have not been taken, however, in demoralizing and halting terrorist organizations from their criminal enterprises. Known sources of terrorist finances are consistently frozen by the United States, the European Union, and international organizations such as the Financial Action Task Force (FATF), thus also attempting to prevent them from acquiring SALW.¹⁶⁵

Conclusion

How then, can the international community stop this threat? It seems as though despite all of the mechanisms put into place to curb the illicit transfer of SALW, the weapons still exist and those who want them will seek them by any means possible. The threat of SALW has furthermore grown with the rise of terrorist activity in recent years, and terrorist organizations will use any weapon to achieve their goals. While the *PoA* (2001) and other measures put into place have had small successes, it is obvious that there needs to be something much more efficacious to impeding access to these weapons that end lives every day. The GA First Committee has had minor successes, however, without the means of a codified international law or enhanced international cooperation, these successes come slowly and mechanisms put in place to deter the illicit flow of SALW are hard to enforce.

This topic allows for a variety of issues being discussed; SAWL and the link to terrorism being just one example of many. How can the GA First Committee ensure to the international community that terrorist organizations will not be able to obtain SALW? How are the economics of civil conflict and rebellion affected by the availability of SALW? Considering the measures initiated in the UN System, delegates should review the mechanisms established in recent international instruments and the implementation of the *PoA* in order to develop ideas about improvements. Have suggestions by expert groups been sufficiently incorporated? Steps to prevent the further proliferation of SALW based on existing instruments should be analyzed. Do existing mechanisms actually thwart the illicit trade of SALW? What enforcement mechanisms exist on the different levels? How are national regulations incorporating measures to fight illicit spread and trade of SALW? Furthermore, fighting the illicit proliferation of SAWL is an issue that requires disarmament and cooperation on the regional level as well as an international level. What regional initiatives exist to address the issue; which impacts of SALW are most prominent? Delegates should also develop a thorough understanding of the sub-issues that relate to the topic, such as SALW and transnational organized crime, development of confidence building measures, and even the link between disarmament and development. What role do non-State actors play in implementing measures to halt the illicit spread of SALW? Delegates should keep in mind, that GA First Committee is at the forefront of deciding how these matters will affect the illicit flow of SALW.

III. Measures to Uphold the Authority of the 1925 Geneva Protocol

"Armis Bella Non Venenis Geri," [War is waged with weapons, not with poisons] -- Ancient Roman condemnation of well poisoning.¹⁶⁶

Implementation of the 1925 Geneva Protocol

The promotion of peace and security were central to the principles and purpose of the United Nations' (UN) creation.¹⁶⁷ Events shaping the twentieth century such as World War I and World War II have microcosmically impacted international law and politics.¹⁶⁸ The Military evolution of the early twentieth century represented a

¹⁶⁴ Rand Corporation, *Combating Radicalization*, 2007.

¹⁶⁵ Financial Action Task Force on Money Laundering, *Freezing of Terrorist Assets: International Best Practices*, 2003.

¹⁶⁶ Raičević, N. *The history of the prohibition of the use of chemical weapons in international humanitarian law*. November 11, 2001, 615.

¹⁶⁷ *Charter of the United Nations*, 1945.

¹⁶⁸ Weapons of War: Poisonous Gas, May 5, 2002.

serious threat to the humane, moral, and ethical global environment the UN strives to maintain today.¹⁶⁹ One of these threats emerged as the introduction of poisonous gases and bacteriological warfare.¹⁷⁰ Considered uncivilized prior to World War I, the development and use of poison gas was necessitated by the requirement of wartime armies to find new ways of overcoming the stalemate of unexpected trench warfare.¹⁷¹ After the extensive use of gas as a weapon throughout World War I, the *Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare*,¹⁷² also known and referred to as The 1925 Geneva Protocol, was signed in Geneva, Switzerland on June 17, 1925, and adopted under the auspices of the League of Nations.¹⁷³ Pre-dating the UN itself, many consider The 1925 Geneva Protocol to have laid a large part of the foundation for the UN's purpose and mission.¹⁷⁴ The Protocol prohibited the use in war of both chemical and bacteriological weapons.¹⁷⁵ The use of poisonous gases and bacteriological warfare was seen as the world's first weapon of mass destruction, and caught the attention of world leaders early in the twentieth century; it was an extremely dangerous and potentially harmful military development not only for the victims of its use but as a result of the implications it had on humankind's moral boundaries of conflict.¹⁷⁶

Steps Toward Enforcement and Expansion

Since its creation, the 1925 Geneva Protocol has allowed for the development of numerous international laws and restrictions on the stockpiling and possession of poisonous gases and bacteriological military weaponry.¹⁷⁷ The *Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction* — more commonly known as the *Biological and Toxin Weapons Convention (BTWC)* or *Biological Weapons Convention (BWC)* — was simultaneously opened for signature in Moscow, Washington and London on April 10, 1972 and entered into force on March 26, 1975.¹⁷⁸ Article VIII of the BTWC recognizes that nothing contained in the Convention shall take away from and only emphasizes any obligations stipulated in the Geneva Protocol, while further banning “the development, production, stockpiling, acquisition and retention of microbial or other biological agents or toxins [...]”¹⁷⁹ The Sixth Review Conference of the Biological Weapons Convention (BWC) in December 2006 resulted in the establishment of an Implementation Support Unit (ISU) to assist Member States in their efforts to strengthen the implementation of the Convention and to reduce the threat posed by biological weapons.¹⁸⁰ The decision was a landmark in the history of the international community's efforts against biological weapons, as the BWC itself has no provision for institutional support.¹⁸¹ Ambassador Masood Khan of Pakistan, who was chairing the 2007 Convention meetings, said “It will make an important and innovative contribution to our collective effort to reduce the terrible threat posed by biological weapons.”¹⁸²

Another entity furthering the implementation of the 1925 Geneva Protocol is The Conference on Disarmament (CD). Constituted in 1978 during the first special session of the UN General Assembly devoted to disarmament, the CD serves as the single multilateral disarmament negotiating forum of the international community.¹⁸³ Another significant step toward upholding the 1925 Geneva Protocol's authority was *The Convention on Certain Conventional Weapons (CCW)*, created in 1980; The CCW today is formally called the *Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or*

¹⁶⁹ *Ibid.*, p. 3.

¹⁷⁰ *Ibid.*, p. 3.

¹⁷¹ *Ibid.*, p. 3.

¹⁷² United Nations, *A/RES/37/98, General Assembly*, 1982, December 13.

¹⁷³ Miller, D. H., & Baker, P. N., *The Geneva Protocol*, August 1925, 626-628.

¹⁷⁴ *Ibid.*, p. 8.

¹⁷⁵ Blix, H., *The roles of inspection as a part of the effort to prevent the possession of weapons of mass destruction*, May, 2001.

¹⁷⁶ *Ibid.*, p. 3.

¹⁷⁷ *Ibid.*, p. 8.

¹⁷⁸ *Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction*. 1975.

¹⁷⁹ The Biological and Toxin Weapons Website, *Convention Text*. n.d.

¹⁸⁰ United Nations, *New unit created to combat biological weapons*, n.d.

¹⁸¹ *Ibid.*, p. 9.

¹⁸² *Ibid.*, p. 9.

¹⁸³ Conference on Disarmament, *Disarmament*, n.d.

to Have Indiscriminate Effects as amended on 21 December 2001¹⁸⁴ and is widely used by the UN and other International Organizations (IOs) as well as member states to expand the doctrine of the 1925 Geneva Protocol.¹⁸⁵ The structure of the CCW – a loosely written Convention with many annexed Protocols – was adopted in this manner to ensure future flexibility.¹⁸⁶ *The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction in 1992*,¹⁸⁷ which led to the 1993 Chemical Weapons Convention (CWC),¹⁸⁸ and other International Organizations (IOs), the most notable being the Organisation for the Prohibition of Chemical Weapons (OPCW),¹⁸⁹ have also significantly furthered the scope and aims of the 1925 Geneva Protocol.¹⁹⁰ Currently, over 98% of the world's population lives within territories where this Convention has become the law of the land.¹⁹¹

Obstacles to Upholding the Authority of the 1925 Geneva Protocol

A close look at the major obstacles to upholding the authority of the 1925 Geneva Protocol reveals several important factors which are vital to address.

The Cold War

Throughout the Cold War, interpretation of the 1925 Geneva protocol remained a significant problem. In his foreword to a U.N. report on chemical and biological weapons in 1969, Secretary General U Thant recommended a renewed appeal for accession to the protocol and a "clear affirmation" that it covered the use in war of all chemical and biological weapons, including tear gas and other harassing agents.¹⁹² Discussion in the Conference of the Committee on Disarmament (CCD), the predecessor to the CD, showed that most members agreed with the Thant recommendations.¹⁹³

Due to the secrecy of the former Communist regime of the Soviet Union, very little information was available about the direction and progress of the Soviet chemical weapons until relatively recently.¹⁹⁴ Interpretation of the Geneva Protocol notwithstanding, after the fall of the Soviet Empire it was revealed that illegal Chemical Weapons (CW) experimentation in Russia had taken place in the direction of nerve agents toward the development of even more toxic agents.¹⁹⁵ The declared Soviet stockpile included approximately 32,200 tons of nerve agents (sarin, soman, and V-agents) and 7,700 tons of blister agents (lewisite, mustard, and mustard/lewisite mixtures) stored at seven sites.¹⁹⁶ The Soviets also developed agents that were safer to handle, leading to the development of so-called binary weapons, in which precursors for the nerve agents were mixed in munitions to produce the agent just prior to its use.¹⁹⁷ Because the precursors are generally significantly less hazardous than the agents themselves, this technique makes handling and transporting the munitions a great deal simpler.¹⁹⁸ Additionally, precursors to the agents are usually much easier to stabilize than the agents themselves, so this technique also made it possible to increase the shelf life of the agents a great deal.¹⁹⁹ Lingering questions abound as to whether Russia has declared all information about its chemical weapons capabilities, especially with regard to binary weapons.²⁰⁰

¹⁸⁴ Convention on Certain Conventional Weapons, *Convention on prohibitions or restriction on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects*, December 21, 2001.

¹⁸⁵ United Nations, *Disarmament - The convention on certain chemical weapons*, n.d.

¹⁸⁶ *Ibid.*, p. 20.

¹⁸⁷ The United Nations, *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons, and on Their Destruction*, November 30, 1992.

¹⁸⁸ The Chemical Weapons Convention (CWC), *Department for Disarmament Affairs*, n.d.

¹⁸⁹ Organization for the Prohibition of Chemical Weapons (OPCW), n.d.

¹⁹⁰ *Ibid.*, p. 23.

¹⁹¹ Chemical weapons ban: facts and figures, *Foreword*, n.d.

¹⁹² *Ibid.*

¹⁹³ *Ibid.*, p. 20.

¹⁹⁴ Hoffman, D, *Soviets reportedly build weapon despite pact*, August 16, 1998.

¹⁹⁵ *Ibid.*, p. 22.

¹⁹⁶ Blackwood, M. E., Jr., *Viewpoint: Arsenic and Old Weapons: Chemical Weapons Disposal in Russia*, 1999.

¹⁹⁷ Hoffman, D, *Wastes of war - Russia's forgotten chemical weapons*, August 18, 1998, p. A1.

¹⁹⁸ *Ibid.*, p. 23.

¹⁹⁹ *Ibid.*, p. 23.

²⁰⁰ *Ibid.*, p. 22.

The Soviet production of illegal CW represented a serious threat to the 1925 Geneva Protocol: not only did the Soviet Union blatantly violate the 1925 Geneva Protocol, demonstrating its authority as minimal, but it engaged in extensive bacteriological weapons stockpiling with an extremely low level of accountability and security.²⁰¹ These circumstances largely influenced United States President Ronald Reagan calling for an international ban on chemical weapons on April 4, 1984.²⁰² As a result, U.S. President George H.W. Bush and Soviet Union leader Mikhail Gorbachev signed a bilateral treaty on June 1, 1990 to end chemical weapon production and start destroying each of their nation's stockpiles.²⁰³ The multilateral *Chemical Weapons Convention (CWC)*²⁰⁴ was held in 1992 as the first disarmament agreement negotiated within a multilateral framework that provides for the elimination of an entire category of weapons of mass destruction.²⁰⁵ Its scope, the obligations assumed by States Parties, and the system of verification envisaged for its implementation were unprecedented and undoubtedly the most significant advancement of the 1925 Geneva Protocol's authority since before World War II.²⁰⁶ Not only was it seen as an important step to ensure that CW and bacteriological warfare were not being manufactured, but that they were not being made available to non-state actors as well.²⁰⁷

CW Warfare in the Middle East

Early in the Iran-Iraq War, Iraq began to employ the chemicals mustard gas and tabun as weapons delivered by bombs dropped from airplanes.²⁰⁸ From a global perspective, the use of CW by Iraq and allegedly by Iran demonstrated that Third World weapons of mass destruction (WMD) proliferators could potentially generate significant tactical military and strategic political benefits from the use of such instruments in conflict.²⁰⁹ Shortly after the war ended in 1988, the Iraqi Kurdish village of Halabja was exposed to multiple chemical agents, killing about 5,000 of the town's 50,000 residents.²¹⁰ After the incident, traces of mustard gas and the nerve agents, sarin, tabun and VX were discovered to have been utilized.²¹¹ While it appears that Iraqi government forces are to blame, some debate continues over the question of whether Iraq was really the responsible party, and whether this was a deliberate or accidental act.²¹²

United Nations Security Council Resolution 582, passed in 1986, (which, among other things, had called for an immediate ceasefire, the withdrawal of all forces to the internationally recognized boundaries without delay and a comprehensive exchange of prisoners of war) deplored the initiation and continuation of the conflict, and, in particular, the use of chemical weapons contrary to obligations under the 1925 Geneva Protocol.²¹³ However, the international response, aside from what it in fact achieved regarding the use of CW in the Middle East at this time, did little to address Iraq's action.²¹⁴

Non-State Actors

Bacteriological warfare throughout the Cold War as well as conflicts in the Middle East contained two elements which further added to their threat; mass production combined with limited accountability of their dissemination to Non-State Actors (NSAs). The combination of these threats has resulted in a serious new development in upholding the authority of the 1925 Geneva Convention: Bio-terrorism.²¹⁵ The Middle East and Eastern Europe, both locations of previously state-sponsored bacteriological weapons production, have emerged as locations in which NSAs,

²⁰¹ *Ibid.*, p. 24.

²⁰² *Ibid.*, p. 27.

²⁰³ *Ibid.*, p. 20.

²⁰⁴ *Ibid.*, p. 6.

²⁰⁵ *Ibid.*, p. 20.

²⁰⁶ *Ibid.*, p. 19.

²⁰⁷ *Ibid.*, p. 19.

²⁰⁸ Robinson, J. P., & Goldblat, J., *Chemical warfare in the Iran - Iraq War 1980 – 1988*, May, 1984.

²⁰⁹ Ali, J., *Chemical weapons and the Iran-Iraq war: a case study in non-compliance*. n.d.

²¹⁰ *Ibid.*, p. 34.

²¹¹ *Ibid.*, p. 35.

²¹² *Ibid.*, p. 35.

²¹³ United Nations, *S/RES/582*, 1986.

²¹⁴ *Ibid.*, p. 35.

²¹⁵ MacLennan, B., *Bioterrorism a 'Clear and Present Danger'*, November 21, 2005.

specifically terrorist NSAs, are seen to have become the most predominant.²¹⁶ The capability of terrorist NSAs to utilize bacteriological weapons is a relatively new however imminently dangerous development in enforcing the authority of the 1925 Geneva Protocol.²¹⁷

On May 5, 2005, Russian security officials thwarted an extensive chemical terror plot when a cache of cyanide-based poisons was found during a combat operation near the Chechen-Ingush border.²¹⁸ The planned chemical attack was attributed to a militant group based in Ingushetia headed by Abu Majahid.²¹⁹ Officials claim that the rebel leaders were planning to use the poisons in attacks on capital cities in the North Caucasus region as well as regional centers around Russia.²²⁰ The Federal Security Service said that the chemical components must have been imported from abroad because it is not produced in any former Soviet Union state, and suspected an Arab state.²²¹ The particular poisons found were so strong that less than an ounce could have killed approximately 100 people.²²² Although these attacks were not carried out, NSAs utilizing CW pose an imminent security threat to Eastern Europe and the international community and deeply threaten the authority and enforcement of the 1925 Geneva Protocol.²²³

The Fifty-Seventh General Assembly First Committee's sixteenth meeting outlined certain elements of the bacteriological weapon-NSA relationship when considering the threat of bacteriological warfare and CW in the context of NSAs.²²⁴ These included but were not limited to: national legislation on arms transfers; assistance to States for curbing the illicit traffic in small arms; strengthening security and cooperation in the Mediterranean; good neighborliness in Eastern Europe; and compliance with arms limitation and disarmament and non-proliferation agreements.²²⁵ These areas demonstrate avenues the international community can determine in order to enforce the 1925 Geneva Protocol against NSAs who violate its doctrine.²²⁶

NSAs do not participate at the international level within UN legislation. Because of the problematic nature of governing as well as prosecuting NSAs, they thus pose a serious threat when they manufacture, possess, or utilize CW and bacteriological warfare.²²⁷ Questions still remain in the General Assembly First Committee on how to prevent and combat non-state actors' possession and use of CW and/or bacteriological warfare.²²⁸ Whether Member States most closely associated with the non-state actor(s) or the international community are responsible for combating this threat remains unforeseen.²²⁹ Whether or not the Member State is able to combat NSAs have led some to maintain the international community must take steps to contain the possession and use of poisonous gases and bacteriological warfare by NSAs, while the assets of other Member States have led others to believe the most effective way to confront non-state actor involvement with CW and bacteriological warfare is through national governments.²³⁰

Conclusion and Committee Directive

The United Nations and General Assembly First Committee on International Security and Disarmament have primarily struggled with how the UN should enforce the 1925 Geneva Protocol and its related law, conventions, and documents throughout the twentieth and into the twenty-first century. At the Fourth Review Conference of the Parties to *The Convention on the Prohibition of the Development, Production, and Stockpiling of Bacteriological*

²¹⁶ *Ibid.*, p. 41.

²¹⁷ *Ibid.*, p. 41.

²¹⁸ Rainsford, S., *Russia Seizes Chechnya Explosives*, May 5, 2005.

²¹⁹ *Ibid.*, p. 53.

²²⁰ *Ibid.*, p. 53.

²²¹ *Ibid.*, p. 53.

²²² *Ibid.*, p. 53.

²²³ *Ibid.*, p. 53.

²²⁴ *Implementation of disarmament agreements, terrorism and mass destruction weapons*, October 18, 2002.

²²⁵ *Ibid.*, p. 59.

²²⁶ *Ibid.*, p. 59.

²²⁷ DC/2567: *Verification regime urged, terrorist threat cited, as biological weapons review conference continues general debate*, November 26, 1996.

²²⁸ *Ibid.*, p. 62.

²²⁹ *Ibid.*, p. 62.

²³⁰ *Ibid.*, p. 62.

(Biological) and Toxin Weapons and on Their Destruction,²³¹ the Czech Republic said the Convention as well as 1925 Geneva Protocol was “almost unverifiable in its present form because all its obligations depended on the intentions of a State Party.” The implementation of a verification regime by an Ad Hoc Group of States Parties to the Convention was also discussed.²³² Without any enforcement mechanism, the authority of the 1925 Geneva Protocol and its associated doctrines has been difficult to implement in practice even with a majority of Member States of the UN in favor its principles. Historically, both states and non-state actors who have possessed and/or utilized CW and bacteriological warfare have been confronted on a case-by case without a universal penal code.

What jurisdiction does the UN and perhaps international law have on non-state actors within a Member States’ national sovereignty? If preventative steps fail the international community in ensuring the non-proliferation of CW and bacteriological warfare with a Member State or non-state actor existing within a Member State, is preemptive action justifiable? What if a Member State has the desire without ability to confront a non-state actor threatening the authority of the 1925 Geneva Protocol? If a Member State itself is not a party to CW and bacteriological non-proliferation efforts what is the international community obligated to do in order to ensure international peace, security, and CW nonproliferation? Are current efforts toward upholding the authority of the 1925 Geneva Protocol sufficient? If not, what areas need to be re-evaluated and strengthened?

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²³¹ *Ibid.*, p. 5.

²³² *Ibid.*, p. 62.

In order to make its work more efficient, the General Assembly organ has been concerned with the revitalization of the General Assembly Plenary and its Main Committees for several years. This resolution gives information about the restructuring of the Main Committees by reducing their number from seven to six in 1993. This reform assigned the areas of disarmament and international security to the General Assembly First Committee.

United Nations. General Assembly. 55th Session. (2000). *United Nations Millennium Declaration (A/RES/55/2)*. Retrieved August 2, 2007, from United Nations Web site:
<http://www.un.org/millennium/declaration/ares552e.htm>

In 2000, the Heads of State and Government adopted the Millennium Declaration. It formulates strategies and aims to be achieved in the new millennium, relating to peace, security and disarmament, development and poverty eradication, protection of the environment, human rights, democracy, good governance as well as the special needs of Africa. The declaration represents one of the most important reference bases for action taken within the United Nations System.

United Nations. General Assembly. 61st Session. (n.d.). *Disarmament Resolutions and Decisions*. Retrieved August 2, 2007, from United Nations Web site: <http://disarmament.un.org/vote.nsf>

During its 61st Session, the General Assembly has adopted 53 resolutions relating to disarmament and international security. This web site provides access to the draft resolutions adopted by the General Assembly First Committee, the sponsors of a specific resolution, the final text of the resolution adopted in the General Assembly Plenary as well as voting results. It also gives access to former sessions of the GA.

United Nations. General Assembly. 61st Session. (2006). *Nuclear Disarmament (A/RES/61/78)*. Retrieved August 2, 2007, from United Nations Web site: <http://disarmament.un.org/vote.nsf>

With this resolution, the General Assembly reminds the international community of its commitment to strive for disarmament. The text relates mainly to conventional weapons and weapons of mass destruction. The document also gives an overview of recent developments in these areas.

United Nations. General Assembly. 61st Session. (2006-2007). *Committees*. Retrieved July 6, 2007, from United Nations Web site: <http://www.un.org/ga/61/background/committees.shtml>

This Web site is the gateway into the database for information about the work of the General Assembly Main Committees during the 61st session of the General Assembly. It provides delegates with links to relevant documentation and press releases. Information about the GA First Committee is given as well.

United Nations. General Assembly. 61st Session. (2006-2007). *Disarmament and International Security: First Committee*. Retrieved August 2, 2007, from United Nations Web site:

<http://www.un.org/ga/61/first/first.shtml>
This Web site about the General Assembly First Committee provides access to the Bureau and the Secretariat of the Disarmament and International Security Committee. Delegates are also given the possibility to access relevant documentation as well as press releases of the First Committee. Links to the other Main Committees of the GA are provided also.

United Nations. General Assembly. 61st Session. (2007). *Letter Dated 15 February 2007 from the Secretary-General Addressed to the President of the General Assembly (A/61/749)*. Retrieved August 2, 2007, from United Nations Web site: http://disarmament.un.org/update/July_2007/A-61-749.pdf

One of the priorities of the UN Secretary-General is the advancement of the disarmament agenda. In this letter, he presents to the General Assembly on how he intends to restructure and strengthen the United Nations work in the area of peace and security. Its Annex II provides details about the mandate and the structure of the new Office for Disarmament Affairs.

United Nations. General Assembly. Department of Public Information. (2007, April 27). *Disarmament Commission Concludes Three-Week Session*. Retrieved August 19, 2007, from United Nations Web site:

<http://www.un.org/News/Press/docs/2007/dc3065.doc.htm>

As its main deliberative body, the Disarmament Committee (DC) reports annually to the General Assembly Plenary and the GA First Committee. In 2007, the DC has adopted one draft report as well as the reports of two subsidiary bodies. This press release gives information about recent discussions and the main topics discussed in the DC.

United Nations. General Assembly. 61st Session. (2006-2007). *Rules of Procedure*. Retrieved August 2, 2007, from United Nations Web site: <http://www.un.org/ga/ropga.shtml>

The Rules of Procedure of the General Assembly represent the necessary guidelines delegates have to follow during each session in order to work efficiently. The Web site gives access to the most recent version of the Rules of Procedure. A menu allows navigation through its 163 rules and its annexes.

United Nations. Mine Action. (n.d.). *United Nations Inter-Agency Mine Action Strategy 2006-2010*. Retrieved August 1, 2007, from The United Nations Mine Action Web site:

http://www.mineaction.org/downloads/1/UN_IAMAS_online.pdf

The document provides delegates with information about the action of the United Nations currently in process to create a world free of anti-personnel mines. Moreover, it gives details about future plans, a situation analysis, the risks related to mine clearance as well as strategic goals and objectives in the respective area. The role of the GA and its First Committee are also highlighted.

United Nations. Office for Disarmament Affairs. (2002). *Conventional Arms: Small Arms and Light Weapons*. Retrieved August 2, 2007, from United Nations Web site: <http://disarmament.un.org/cab/salw.html>

The United Nations is particularly active in combating the illicit trade in Small Arms and Light Weapons. The Web site offers an excellent overview about important decisions and resolutions. It provides links to other relevant United Nations Web sites as well as to conferences, reports and action taken by individual Member States.

United Nations. Office for Disarmament Affairs. (2002). *Peace and Security through Disarmament: Disarmament Issues*. Retrieved August 2, 2007, from United Nations Web site: <http://disarmament.un.org/issue.htm>

Disarmament does not only relate to weapons of mass destruction and conventional weapons but also to regional disarmament, development, gender and children. The web site provides delegates with an overview about the work of the United Nations in these areas. This includes a short introduction to recent developments.

United Nations. Office for Disarmament Affairs. (2002). *Weapons of Mass Destruction: Comprehensive Nuclear-Test-Ban Treaty*. Retrieved August 2, 2007, from United Nations Web site:

<http://disarmament.un.org/wmd/ctbt/index.html>

The Comprehensive Test-Ban Treaty was adopted by the General Assembly in 1996 but has not entered into force. The reason for this is that the signatures of three States (a total of 44 States need to sign it) are still missing. This source gives information about the treaty, conferences related to it and recent developments.

United Nations. Office for Disarmament Affairs. (2002). *Weapons of Mass Destruction: Treaty on the Non-Proliferation of Nuclear Weapons*. Retrieved August 2, 2007, from United Nations Web site:

<http://disarmament.un.org/wmd/npt/index.html>

The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) constitutes the only binding commitment in a multilateral treaty to the goal of disarmament by the nuclear-weapon States. The web site gives an introduction about the main characteristics of the treaty. It also highlights some of the problems related to it.

United Nations. Office for Disarmament Affairs. (2005). *Disarmament Yearbook*. Retrieved August 2, 2007, from United Nations Web site: <http://disarmament.un.org/yearbook-2005/DY2005.htm>

With the Disarmament Yearbook, the United Nations provides delegates with a complete overview about recent as well as past developments in the field of disarmament. Its chapters deal with nuclear and conventional weapons and regional disarmament and provide documents about conferences and resolutions in the respective year. A short overview about the historical developments is presented at the beginning of each chapter.

United Nations. Office for Disarmament Affairs. (2007). *Peace and Security Through Disarmament: United Nations Office for Disarmament Affairs (UNODA)*. Retrieved September 20, 2007, from United Nations Web site: <http://disarmament.un.org/DDA.htm>

The Department of Disarmament Affairs (DDA) was replaced by the Office for Disarmament Affairs (UNODA) to enable the United Nations to respond more effectively to international security threats. This source provides information about the structure of the new office and names the five branches associated to it. Moreover, links are provided to UN Regional Centres for Peace which are working closely together with UNODA.

United Nations. Register of Conventional Arms. (2007). *Information Booklet 2007*. Retrieved August 20, 2007, from United Nations Web site: <http://disarmament.un.org/cab/register.html#item5>

The United Nations Register for Conventional Arms has been operating since 1992. It was established under General Assembly Resolution A/RES/46/36/L in 1991. The information booklet gives detailed information about the technical procedures of the register as well as of the equipment covered by it.

Additional Sources

Lewis, P., & Thakur, R. (2004). Arms Control, Disarmament and the United Nations. *Disarmament Forum*, 1, 17-28. Retrieved August 2, 2007, from United Nations Institute for Disarmament Research Web site: http://www.unidir.ch/bdd/fiche-article.php?ref_article=2016

What role does the United Nations play in disarmament issues? Which departments and conferences are of significant importance? The article incorporates the work of the United Nations into the international context. It also applies its analysis to lessons learned from Iraq.

Paul, T. V. (1999). Great Equalizers or Agents of Chaos? Weapons of Mass Destruction and the Emerging International Order. In J.A. Hall & T.V. Paul (Eds.), *International Order and the Future of World Politics* (pp. 373-391). Cambridge: Cambridge University Press.

This chapter provides an analytical perspective on developments in the areas of Weapons of Mass Destruction. It gives details on relevant international treaties and agreements. Delegates also get an insight in the motivations of States to agree or reject certain treaties.

United Nations. Office for Disarmament Affairs. (2002). UNODA Vision Statement. In *Peace and Security Through Disarmament*. Retrieved August 2, 2007, from United Nations Web site: <http://disarmament.un.org/DDA-vision.htm>

Weapons of Mass Destruction as well as Conventional Arms pose a threat to international security and stability. The Office for Disarmament Affairs formulates its vision on how sustainable disarmament should be achieved. It gives details on how the United Nations is able to assist in order to achieve this aim.

United Nations. Office for Disarmament Affairs. (2003). *Peace and Security Through Disarmament*. Retrieved July 6, 2007, from United Nations Web site: <http://disarmament.un.org/index.html>

This Web site of the United Nations Office for Disarmament Affairs (UNODA) allocates extensive information on the significance of disarmament within the work of the UN. It provides links to Disarmament Issues, Disarmament resources. Relevant UN bodies dealing with Disarmament and General Assembly resolutions are also mentioned.

I. The Use of Private Security Companies in Conflict

- Amnesty International USA. (2006). Outsourcing Facilitating Human Rights Violations. In *Annual Report 2006*. Retrieved July 7, 2007, from <http://www.amnestyusa.org/annualreport/2006/overview.html>
The U.S. arm of the human rights NGO Amnesty International has been active in pursuing the PM/SCs whose employees were allegedly engaged in human rights abuse at Abu Ghraib prison in Iraq. This section from the organization's Annual Report describes the alleged abuses by CACI International and Titan Corp workers. It also list recommendations for the U.S. government and the firms involved.
- Avant, D. (2004). Conserving Nature in the State of Nature: The Politics of INGO Policy Implementation. *Review of International Studies*, 30, 361-382.
Deborah Avant describes debate within the international wildlife conservation community regarding the proposed use of a PM/SC to protect Northern White Rhinos in the Democratic Republic of Congo. Although the Worldwide Wildlife Fund ultimately rejected the proposal, it provides an interesting example of the diversity of PM/SC clients.
- Bactec. (n.d.). *Removing the Legacy of War from Southern Lebanon*. Retrieved July 9, 2007, from http://www.bactec.com/pdf/lebanon_article.pdf
Demining specialist Bactec outlines its operations in southern Lebanon clearing explosive remnants of war in support of the UN. Bactec currently provides 40% of total mine clearance personnel under the authority of the UN's Mine Action Co-ordination Centre South Lebanon (MACC SL). The article provides a good example of the use of PM/SCs in non-combat roles. The paper is taken from the firm's website.
- Barnett, A., & Hughes, S. (2001, July 29). UN "Sex Scandal": International Police in Bosnia Face Prostitution Claims. *The Observer*.
Employees of the U.S. company DynCorp were allegedly involved in the sex trade in the Balkans. The UK newspaper The Observer provides coverage in 2001. The case provides an example of the failure of States to use domestic law to hold their citizens employed by PM/SCs accountable for crimes committed in conflict areas.
- BBC News Online. (n.d.). *MPs Demand Answers on Arms-To-Africa*. Retrieved July 7, 2007, from http://news.bbc.co.uk/1/hi/uk_politics/206757.stm
This BBC News report examines claims that Sandline International provided arms to the Sierra Leonean government against the terms of an UN embargo. A subsequent investigation cleared the company of the allegations. Lieutenant-Colonel Tim Spicer, former head of Sandline, is now chief executive of British PM/SC Aegis Defence Services currently deployed in Iraq.
- Best, G. (1980). *Humanity in Warfare: The Modern History of the International law of Armed Conflicts*. London: Weidenfeld & Nicholson.
Best's work is the source of the commonly cited cynical opinion of the UN Mercenaries Convention that "any mercenary who cannot exclude himself from this definition deserves to be shot – and his lawyer with him!"
- Butcher, T., & Thornycroft, P. (2004, March 10). Harare Accuses ex-SAS man of Links to Detained 'Mercenaries'. *Daily Telegraph*.
The Daily Telegraph reports on the detention of a 66-strong mercenary force at Harare airport allegedly participating in an attempted coup against the incumbent regime in the African State of Equatorial Guinea. Amongst those detained was Simon Mann, a former member of the British special forces regiment the Special Air Service. The coup was reportedly funded by Sir Mark Thatcher, the son of the former British Prime Minister Baroness Thatcher.
- Cameron, L. (2006, September). Private Military Companies: Their Status Under International Humanitarian law and its Impact on Their Regulation. *International Review of the Red Cross*, (863), 573-598. Retrieved July 2, 2007, from International Committee of the Red Cross Web site: [http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/review-863-p573/\\$File/irrc_863_Cameron.pdf](http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/review-863-p573/$File/irrc_863_Cameron.pdf)

This article, produced for the ICRC, examines the ambiguous status of PM/SCs under international humanitarian law. It concludes that the majority of PM/SC employees that deploy to conflict zones are civilians in the eyes of the law. It provides a brief overview of options for regulation.

Campbell, D. (n.d.). *War On Error: A spy inc. no Stranger to Controversy*. Retrieved July 7, 2007, from The Center for Public Integrity Web site: <http://www.publicintegrity.org/report.aspx?aid=236>
The U.S. NGO pressure group, the Center for Public Integrity, examines the use of PM/SCs in Colombia in this short report. U.S. firm Airscan provides aerial surveillance protection to Chevron's oil pipelines in Angola and Colombia.

Coalition Provisional Authority. (2004, June 27). *Order No. 17 (revised)*. Retrieved July 27, 2007, from http://www.cpa-iraq.org/regulations/20040627_CPAORD_17_Status_of_Coalition_Rev_with_Annex_A.pdf
CPA Order No. 17 allows PM/SCs immunity for criminal acts under Iraqi law. Under the order, which remains in force for the duration of the MNF's mandate, contractors are "immune from Iraqi legal process with respect to acts performed by them pursuant to the terms and conditions of a Contract." It is an important example of the immunities sometimes offered to PM/SCs in conflict areas.

Company Cleared. (2006, June 15). *The Times*.
The Times reports on the clearing by the U.S. military of UK firm Aegis Defense Services of wrongdoing in Iraq. In 2005, a "trophy" video on the Internet reportedly showed Aegis Defense Services employees firing indiscriminately at Iraqi civilian cars.

CRS Report for Congress. (2007, June 21). *Private Security Contractors in Iraq: Background, Legal Status, and Other Issues* (Rep. No. RL32419). U.S. Congressional Research Service. Retrieved July 9, 2007, from Federation of American Scientists Web site: <http://www.fas.org/sgp/crs/natsec/RL32419.pdf>
The U.S. legislature's policy research unit, the Congressional Research Service, provides an excellent summary of the issue, albeit from an American perspective. It is particularly good in its analysis of the legal status of PM/SCs. It also covers U.S. concerns about the use of PM/SCs in Iraq, including issues of cost, transparency, oversight and human rights concerns.

DynCorp International. (n.d.). *Dyncorp International Awarded Extension of Iraq Police Training*. Retrieved July 7, 2007, from <http://www.dyn-intl.com/subpage.aspx?id=185>
The U.S. firm DynCorp is employed by the U.S. State Department to train the Iraqi police force. The Company has provided this service since April 2004 under the Department of State's worldwide Civilian Police Program. This brief press release from the company's website announces an extension of the contract in September 2006. Training and similar security sector reform projects are an important PM/SC role.

Fennell, J. (1999, October 19). *Private Security Companies: The New Humanitarian Agent*. Presentation presented at Conference on Interagency Co-ordination in Complex Humanitarian Emergencies, Cranfield University/ Royal Military College of Science, Shrivenham, UK.
This presentation by an ArmorGroup employee examines the potential for PM/SC use in humanitarian operations at the UK's Royal Military College of Science (Cranfield University). It is a valuable resource for delegates seeking to learn more about PM/SCs.

Franklin, J. (2004, March 5). *U.S. Contractor Recruits Guards for Iraq in Chile*. *The Guardian*.
The Guardian reports that U.S. company Blackwater has recruited former members of the Chilean security services to serve in Iraq. Included in the recruits are individuals who served in the security forces during the Presidency of Augusto Pinochet and may have been involved in human rights abuse. A recent report by the UN suggests that Chilean PM/SCs workers have been the subject of maltreatment by their employers.

- Frieden, T. (2004, June 22). *US Indicts CIA Contractor in Afghanistan Prison Death*. Retrieved July 9, 2007, from CNN News Web site: <http://www.cnn.com/2004/LAW/06/17/afghan.indictment/>
CNN reports on the indictment of U.S. Central Intelligence Agency contractor David Passaro for mistreating detainees in Afghanistan. The four-count indictment claims the PM/SC employee beat an Afghan prisoner, Abdul Wali, who had voluntarily surrendered at a CIA detention facility in 2003.
- Geneva Centre for the Democratic Control of Armed Forces (DCAF). (2006). *Private Military Companies*. Retrieved July 7, 2007, from http://www.dcaf.ch/publications/bg_private-military-companies.cfm?nav1=4&nav2=1
The Geneva-based think-tank partly funded by the Swiss government provides an excellent and concise introduction to PM/SCs, including proposals for international regulation. Although brief, it covers many of the core issues surrounding PM/SCs.
- Geneva Convention (III) Relative to the Treatment of Prisoners of War. (1949, August 12). Retrieved July 31, 2007, from <http://www.icrc.org/ihl.nsf/WebART/375-590006>
Part of the Geneva Conventions, the treaty defines prisoners of war and outlines how they should be treated under international law. The ambiguous position of PM/SCs under international law mean that they are unlikely to be given the status of prisoners of war if captured during an armed conflict.
- Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of war. (1949, August 12). Retrieved July 31, 2007, from <http://www.icrc.org/ihl.nsf/INTRO/380?OpenDocument>
Part of the Geneva Conventions, the treaty defines non-combatants and other groups that are assigned certain protections under international law. The ambiguous position of PM/SCs under international law mean that they are unlikely to be given the status of prisoners of war if captured during an armed conflict. This has direct impact on several current conflicts.
- Helvenston-Wettengel, K., Zovko, D., Teague, R., & Batalona, K. (2007, January 7). *Testimony to the U.S. House of Representatives Committee on Oversight and Government Reform*. Testimony presented at Rayburn House Office Building, Washington DC.
Families of personnel of U.S. firm Blackwater who died in Iraq presented evidence to a U.S. Congressional committee hearing in early 2007. Their evidence included claims that Blackwater failed to provide adequate armored vehicles, personnel, and heavy weapons to protect their relatives' convoy. Four former U.S. special forces personnel employed by the firm were killed in the attack.
- Holmqvist, C. (2005, January). *Private Security Companies: The case for Regulation*. SIPRI policy papers. Stockholm: Stockholm International Peace Research Institute. Retrieved July 2, 2007, from http://books.sipri.org/product_info?c_product_id=191
This report from the Swedish think-tank SIPRI provides an excellent introduction to PM/SCs. It is one of the most widely cited examinations of the options for regulation of PM/SCs. Discussion includes UN approaches to PM/SCs, the prospects for an international regulatory body, self-regulation and existing models for national legislation. Delegates are strongly recommended to consider its analysis of the opportunities for international regulation of PM/SCs, particularly its discussion of the UN's potential role in the process. The paper uses the term "private security companies" to refer to the wide variety of PM/SCs.
- Howe, H. (1997, Spring). *To Stabilize Tottering African Governments*. *Armed Forces Journal International*.
The author describes operations by Executive Outcomes and Sandline International in Africa during the 1990s. It lists EO's capability in 1997 as consisting of 1,000 soldiers armored personnel carriers, helicopter gunships, and fighter aircraft.
- ICRC. (n.d.). *State Parties to the International Convention Against the Recruitment, use, Financing and Training of Mercenaries*. Retrieved July 7, 2007, from <http://www.icrc.org/ihl.nsf/WebSign?ReadForm&id=530&ps=P>

The ICRC provides a list of the 30 State parties to the UN Mercenaries Convention. Poor ratification of the treaty has been blamed on the treaty's impractical definition of mercenaries. Poor classification of mercenaries has led to confusion with PM/SCs.

- Institute for Security Studies, Africa. (n.d.). *Private Security*. Retrieved July 7, 2007, from http://www.issafrica.org/static/templates/tmpl_html.php?node_id=37&link_id=30
The African think-tank, the Institute for Security Studies, considers recent PM/SC use in Africa. Included in its analysis is the employment by the U.S. government of DynCorp and PA&E to support African Union peacekeepers in Sudan.
- The International Convention Against the Recruitment, use, Financing, and Training of Mercenaries.* (1989, December 4). Retrieved July 31, 2007, from <http://www.ohchr.org/english/law/mercenaries.htm>
Adopted by the UN General Assembly in 1989, the International Convention attempts to define mercenaries and prohibit their activities. Those that recruit, use, finance or train mercenaries commit an offence under the Convention. The Convention's poor definition of mercenaries has contributed to poor ratification: only 30 Member States have ratified the Convention.
- International Peace Operations Association. (n.d.). *IPOA code of Conduct*. Retrieved December 1, 2006, from http://ipoaonline.org/php/index.php?option=com_content&task=view&id=100&Itemid=108
The IPOA Code of Conduct provides an example of self-regulation by the PM/SC industry, listing a series of commitments to standards of international law, transparency, accountability, ethics, employee care, and human rights that members of the IPOA trade organization agree to promote.
- Isenberg, D. (2004, September). *A Fistful of Contractors: A Pragmatic Assessment of Private Military Companies in Iraq*. Retrieved September 10, 2007, from <http://www.basicint.org/pubs/Research/2004PMC.pdf>
The transatlantic advocacy group the British-American Security Information Council considers the role of PM/SCs in Iraq in 2004. It examines issues of concern including problems of accountability and the political influence of PM/SCs in the US. Amongst its recommendations are the drafting of a new Convention on the Use of Armed Non-Military Contractors by an Occupying Force.
- Lynch, C. (2004, November 5). *Darfur Increasingly Unstable, UN Envoy Warns*. *Washington Post*.
This article from the Washington Post newspaper includes reference to PM/SC use in Sudan. The Sudanese area of Darfur has attracted international attention due to the bloodshed occurring there, including the targeting of civilians.
- Machiavelli, N. (1515). *The Prince* (W. K. Marriott, Trans.). Retrieved July 7, 2007, from <http://www.constitution.org/mac/prince00.htm>
The Prince is a political treatise by the 16th century theorist Machiavelli in which he advises hereditary rulers of principalities to avoid use of mercenaries: "Mercenaries and auxiliaries are useless and dangerous; and if one holds his state based on these arms, he will stand neither firm nor safe; for they are disunited, ambitious and without discipline, unfaithful, valiant before friends, cowardly before enemies; they have neither the fear of God nor fidelity to men, and destruction is deferred only so long as the attack is; for in peace one is robbed by them, and in war by the enemy. The fact is, they have no other attraction or reason for keeping the field than a trifle of stipend, which is not sufficient to make them willing to die for you".
- Makki, S., Meek, S., Musah, A., Crowley, M., & Lilly, D. (2001). *Private Military Companies and the Proliferation of Small Arms: Regulating The Actors*. Retrieved July 10, 2007, from The Small Arms Survey Web site: http://www.smallarmssurvey.org/files/portal/issueareas/security/security_pdf/2001_Makki_et_al.pdf
A short paper by three UK-based think-tanks regarding the connections between small arms proliferation and PM/SCs, its focus is primarily on firms such as Sandline and EO, rather than modern day PM/SCs. The paper predates the deployment of PM/SCs to Iraq. Accordingly, the situation has developed since then.

- Nash, E. (2004, February 6). Security Farce: Loyalist Terror Marine is Armed Minder in Iraq. *The Mirror*. *The Mirror, a British newspaper reports that PM/SC ArmorGroup employed David Adgey, a former Royal Marine for close protection work in Iraq. Mr Adgey was convicted in 1995 on several terrorism-related charges in Northern Ireland. The scandal highlights the possibility that market pressures are leading PM/SCs to compromise on vetting standards in order to attract recruits.*
- Northrop Grumman. (n.d.). *Northrop Grumman Awarded \$48 Million Contract to Train new Iraqi Army*. Retrieved July 7, 2007, from http://www.irconnect.com/noc/press/pages/news_releases.html?d=42207
In 2003, Northrop Grumman subsidiary Vinnell Corporation was awarded the contract to train the new army in Iraq. Worth \$48 million over one year, the contract is an example of the important work PM/SCs can do training military and security forces as part of wider security sector reform programs.
- Office of the Under-secretary of Defense for Acquisition & Technology. (1996, August). *Report of the Defense Science Board Task Force on Outsourcing and Privatization*. Retrieved July 7, 2007, from <http://www.acq.osd.mil/dsb/reports/outsourcing.pdf>
Reporting in 1996, the Defense Science Board Task Force concluded that the U.S. Department of Defense could save up to 40% by outsourcing various functions to the private sector. The potential cost savings of private sector involvement in defense functions was a major impetus behind moves by the American government to employ PM/SCs in roles traditionally seen as the preserve of the State.
- Organization of African Unity. (1977, July 3). *OAU Convention for the Elimination of Mercenarism in Africa*. Retrieved July 31, 2007, from <http://www1.umn.edu/humanrts/instree/1977e.htm>
The OAU convention on mercenarism attempts to define and prohibit mercenary activity. Introduced by the Organization of African Unity in 1977, the treaty was a response to the wide activities of mercenary forces in Africa during the 1960s and 1970s. Predating the emergence of PM/SCs, it fails to clearly delineate between mercenaries and contractors.
- Percy, S. (2004). *Regulating the Private Security Industry: An Overview of the Industry and the need for Regulation* (Vol. 46). Adelphi Papers. London: International Institute of Strategic Studies.
Sarah Percy of the London-based think-tank the IISS presents a very good introduction to the PM/SC industry. It considers proposals and prospects for international, domestic and informal regulation. It advocates the enhancement of regulation at all levels: domestic, international and informal self-regulation. It also stresses the need to form clear differentiation between regulation of mercenaries and PM/SCs at the international level.
- Protocol Additional to the Geneva Conventions and Relating to the Protection of Victims of International Armed Conflicts (Protocol I). (1977, June 8). Retrieved July 31, 2007, from <http://www.unhcr.ch/html/menu3/b/93.htm>
The Additional Protocol I offers one of three definitions of mercenaries under international law. Article 47 denies mercenaries rights as prisoners of war. Confusion between mercenaries and PM/SCs under international law may mean that contractors captured during armed conflict maybe subject to a denial of rights as prisoners of war.
- Rayment, S. (2005, December 11). Iraq Security Company Under Fire. *Sunday Telegraph*.
The British newspaper The Telegraph reports on allegations of misconduct against UK firm Aegis Defense Services. In 2005, a "trophy" video on the Internet reportedly showed Aegis Defense Services employees firing indiscriminately at Iraqi civilian cars. The company was later cleared by the U.S. military of breaching rules of engagement.
- Republic of South Africa Regulation of Foreign Military Assistance Bill, B 54-97. (1997). Retrieved July 31, 2007, from <http://www.iss.co.za/Pubs/PAPERS/25/Paper25.html>

The South African Foreign Military Assistance Act requires all domestic PM/SCs to seek government authorization for each contract. Despite being some of the strictest domestic regulations of PM/SC activity in existence, it is poorly enforced and widely criticized by PM/SC experts as flawed. Few Member States have any PM/SC related regulations on their Statute Books.

Schreier, F., & Caparini, M. (2005, March). *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*. DCAF occasional paper. Geneva: Geneva Centre for the Democratic Control of Armed Forces (DCAF). (Original work published 2005) Retrieved July 2, 2007, from <http://se2.dcaf.ch/serviceengine/FileContent?serviceID=DCAF&fileid=3BFA3361-A9F0-9CEB-84E4-A9F99197B29D&lng=en>

The Swiss government funded think-tank DCAF provides a very useful analysis of the current issues and problems associated with PM/SCs. It discusses the implications and problems of the use of PM/SCs as well as the advantages and disadvantages of using private security services. Delegates will find an excellently presented concluded section on options for domestic and international regulation and oversight particularly useful.

Singer, P. W. (2004). *Corporate Warriors: The Rise of the Privatized Military Industry*. Ithaca, NY: Cornell University Press.

Referred to in the in the book as “private military firms”, Peter Singer, an analyst with the U.S. think-tank the Brookings Institution, presents one of the most comprehensive examinations of the issue in book form. Delegates will find its description of PM/SC functions, their use on the battlefield, and possible approaches to regulation particularly useful. The book provides a very good introduction to the wider topic.

Singer, P. W. (2004, Spring). War, Profits, and the Vacuum of law: Privatized Military Firms and International law. *Columbia Journal of Transnational Law*, 42(2), 521-550.

The author presents a very good examination of the standing of PM/SCs under international law. It concludes that current legal frameworks are deficient. It presents some interesting options for domestic and international regulation.

Steele, J. (1998, October 31). US Gives Kosovo Monitoring job to Mercenaries. *The Guardian*.

The British newspaper, The Guardian, reports on the U.S. use of PM/SCs to monitor the international ceasefire in Kosovo. The U.S. government contracted Dyncorp to provide its contribution to the international force deployed to supervise the ceasefire. Monitoring is one of a number of non-combat tasks assumed by PM/SCs.

UK Foreign & Commonwealth Office. Green Paper. (2002, February 12). *Private Military Companies: Options for Regulation*. Retrieved July 10, 2007, from <http://www.fco.gov.uk/Files/kfile/mercenaries.0.pdf>

Proposals for the domestic regulation of British private military companies were submitted to the British government in this “Green Paper” in 2002. Although predating the Iraq War and examining the subject from a British perspective, it provides a good outline of the various options for regulatory regimes at the State level together with the advantages and disadvantages of various approaches. Approaches examined in the report are a ban on military activity abroad; a ban on recruitment for military activity abroad; a licensing regime for military services; a registration and notification scheme; general licensing; and self-regulation.

United Nations. Commission on Human Rights. 53rd session. (1997, February 20). *Report on the Question of the use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to self Determination, Submitted by Mr. Enrique Bernales Ballesteros, Special Rapporteur, Pursuant to Commission Resolution 1995/5 and Commission Decision 1996/113 (E/CN.4/1997/24)*. Retrieved July 9, 2007, from <http://daccessdds.un.org/doc/UNDOC/GEN/G97/105/93/PDF/G9710593.pdf?OpenElement>

The UN Special Rapporteur on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination examines the operations of Executive Outcomes in his annual report submitted to the Commission on Human Rights and the GA in 1997. The mandate of the Special Rapporteur was terminated in 2005 and replaced by the new Working Group.

United Nations. Commission on Human Rights. 61st session. (2004, December 8). *The use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to self-Determination, Report of the Special Rapporteur, Shaista Shameem (E/CN.4/2005/14)*. Retrieved July 2, 2007, from <http://daccessdds.un.org/doc/UNDOC/GEN/G04/167/92/PDF/G0416792.pdf?OpenElement>
The 2005 annual report from the UN Special Rapporteur summarizes the UN's action on countering mercenary activity during that year. In 2005, the Special Rapporteur's duties were taken over by the UN Working Group.

United Nations. Commission on Human Rights. 61st session. (2005). *The use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-determination (E/CN.4/RES/2005/2)*. Retrieved July 31, 2007, from http://ap.ohchr.org/documents/sdpage_e.aspx?b=1&se=59&t=11
In 2005, the UN Commission on Human Rights ended the mandate of the Special Rapporteur on The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination and replaced it with a Working Group. Unlike the Special Rapporteur, the Working Group's mandate includes PM/SCs, as detailed in this resolution.

United Nations. General Assembly. 61st session. (2006, September 13). *Report of the Working Group on the Use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-determination*. Retrieved July 13, 2007, from <http://daccess-ods.un.org/TMP/8114186.html>.
The UN Working Group on Mercenaries produced its first report for the GA and the Human Rights Council during the 61st Session (2006). Much of the report outlines the Working Group's consultations during the year. It provides a good summary of some significant current issues surrounding mercenary and PM/SC activity, and includes some proposals for action by the GA. It emphasizes on State sovereignty and responsibility to ensure the protection of human rights from PM/SC excesses is particularly worthy of examination.

United Nations. General Assembly. 61st session. (2006). *Use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-determination (A/61/151)*. Retrieved July 31, 2007, from <http://daccessdds.un.org/doc/UNDOC/GEN/N06/503/49/PDF/N0650349.pdf?OpenElement>
During its 61st session, the General Assembly passed its most recent resolution on the subject of mercenarism and the report of the work of the UN Working Group. Despite mention of "new forms, manifestations and modalities" of mercenarism in one clause, it fails to address the issue of PM/SCs or differentiate them from mercenaries. The UN General Assembly has also so far failed to detach the subject from consideration alongside the right of self-determination.

United Nations. Press release. (n.d.). *Working Group on the use of Mercenaries Concludes Visit to Chile*. Retrieved July 31, 2007, from <http://www.unhchr.ch/hurricane/hurricane.nsf/view01/F8B77250C05361F3C125731A004B0E6D?opendocument>
The Working Group reports in a press release on findings from a visit to Chile to assess mercenary and PM/SC recruitment there. It includes findings concerning the maltreatment of PM/SC recruits from the region by their employers.

United Nations. Press release. (2007, May 18). *Working Group on the use of Mercenaries Concludes Visit to Fiji*. Retrieved July 9, 2007, from <http://www.unhchr.ch/hurricane/hurricane.nsf/view01/07327AECD14905D8C12572DF0037ABC8?opendocument>
The Working Group reports in a press release on findings from a visit to Fiji to assess mercenary and PM/SC recruitment there. It suggests that Fijian recruits working for PM/SCs have been ill treated by their employers.

U.S. Government Accountability Office (GAO). (2006, June 13). *Rebuilding Iraq: Actions still Needed to Improve the use of Private Security Providers*. Retrieved July 7, 2007, from <http://www.gao.gov/new.items/d06865t.pdf>

A follow-up to the July 2005 report, the GAO U.S. government spending watchdog assesses the use of private security providers by the US in Iraq. Stressing a lack of information and openness concerning the operations of PM/SCs within the conflict area, it suggests that 48,000 PM/SC personnel are operating in Iraq.

War on Want, & Campaign Against Arms Trade. (2006, November). *Corporate Mercenaries: The Threat of Private Military and Security Companies*. Retrieved July 2, 2007, from <http://www.waronwant.org/Corporate%20Mercenaries%2013275.twl>

An overview of the problems associated with PM/SCs with some policy recommendations is presented from the UK campaign NGOs Campaign Against Arms Trade and War on Want. Although the values of the authors do compromise the report's objectivity, it provides a good summary of the problems associated with PM/SC use in conflict from a critical viewpoint.

Whyte, D. (2003, December). Lethal Regulation: State-Corporate Crime and the United Kingdom Government's New Mercenaries. *Journal of law and society*, 30(4), 575-600.

The author argues that PM/SCs are expanding the ability of States to use military force "without the need for approval from legislatures, safe in the knowledge that involvement in or awareness of controversial military operations can be plausibly denied." The use of PM/SCs to wage war by proxy is one of a number of concerns surrounding the use of PM/SCs by the State.

World Pipelines. (2005, May). *Iraq's Pipeline war* [Pamphlet]. Retrieved July 7, 2007, from <http://www.erinysinternational.com/downloads/Erinys%20-%20low.pdf>

Erinys recruited almost exclusively from the Iraqi population for its contract protecting the Iraqi oil pipeline. This report, from the firm's website, outlines operations undertaken by the company in implementing the contract. It gives a good outline of the scale of PM/SC operations in modern conflict areas from the perspective of a major project.

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

Financial Action Task Force on Money Laundering. (2003). *Freezing of Terrorist Assets. International Best Practice*. Retrieved September 19, 2007, from Financial Action Task Force on Money Laundering Web site: <http://www.fatf-gafi.org/dataoecd/30/43/34242709.pdf>

The Financial Action Task Force (FATF) provided 40 Recommendations on money laundering and how to combat it. Shortly thereafter, the FATF provided 9 Special Recommendations on freezing terrorist assets. The International Best Practices paper outlines the necessary actions needed by the international community to freeze terrorist assets and also develops a highly complex yet efficacious system for blocking the flow of monies into terrorist operations.

Groupe de Recherché et D'information Sur la Paix et la Securite (GRIP). (2000). *The Humanitarian Challenge of Small Arms*. Retrieved September 30, 2007, from Groupe de Recherché et D'information Sur la Paix et la Securite Web site: <http://www.grip.org/bdg/g1754.html>

The Groupe de Recherché et D'information Sur la Paix et la Securite published this white paper in 2000, including information on the humanitarian dimension of trade in small arms and light weapons and to stimulate further dialogue within the United Nations System. The paper summarizes the impact of SALW and continues by discussing issues such as a code of conduct or national export controls to deal with the problems associated with SALW.

Gunaratna, R. (2001, October 25). *Terrorism and Small Arms and Light Weapons*. In *Symposium on Terrorism and Disarmament*. Retrieved July 6, 2007, from United Nations Web site:

<http://disarmament2.un.org/docs/gunaratna.pdf>

Rohan Gunaratna is a world renowned expert on political violence and terrorism. This presentation by Dr. Gunaratna is about trends in terrorism (both existing and new), and about what the international community can do to counteract terrorist acts. There is also analysis of the problem of terrorism as it relates to the proliferation of small arms and light weapons, and how the changing international political climate affects how terrorist organizations acquire these arms.

Hill, F. (2004). Security Council Resolution 1325 on “Women, Peace and Security”. In *Conference on the Implementation, by Arab States, Of the UN Programme of Action on the Illicit Trade in Small Arms and Light Weapons*. Retrieved August 20, 2007, from United Nations Department of Disarmament Affairs Web site: <http://disarmament2.un.org/rdb/Meetings.%20Conf%20and%20Events/LASconf/Felicity%20Hill.PDF>
Felicity Hill, one of the creators of WomenWarPeace.com, is also a distinguished lecturer and representative for the United Nations Development Fund for Women (UNIFEM) and other international organizations. This lecture was given in 2004 at the Panel on Women, Weapons of Mass Destruction, and Preventing War, organized by Women’s International League for Peace and Freedom (WILPF). Her lecture includes notes on the implementation of Security Council Resolution 1325 (2000), and also statistics relating to small arms and light weapons and the illicit trafficking of these arms.

Human Rights Watch. (2000, February 20). *The U.N. Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects: Memorandum for Delegates to the First Preparatory Committee*. Retrieved July 3, 2007, from United Nations Web site: <http://www.hrw.org/about/projects/arms/2001memo.htm>
A memo written by Human Rights Watch to the delegates of the Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects outlines the humanitarian crisis that results because of the conflict that arises out of the illicit trade of small arms and light weapons (SALW). This memo also outlines a regional code of conduct and measures for increasing transparency in arms transfers to alleviate the stress caused by the illicit transfer of weapons.

International Action Network on Small Arms. (2006). *Small Arms and Terrorism*. Retrieved September 18, 2007, from International Action Network on Small Arms Web site: http://www.iansa.org/documents/2006/factsheets/Small_Arms_and_Terrorism.pdf
Small arms and light weapons are directly linked to terrorist activity in today's international community. The International Action Network on Small Arms seeks to halt that activity by encouraging members of the international community to increase transparency in military affairs and also to utilize the mechanisms put in place by the United Nations, such as the International Instrument on Tracing. These mechanisms, in conjunction with the efforts of organizations like International Action Network on Small Arms (IANSA) may be the key to stabilizing the international community and halting the illicit flow of weapons.

International Action Network on Small Arms. (2006). *IANSA Position Paper: Improving Funding Coordination*. Retrieved September 17, 2007, from International Action Network on Small Arms Web site: <http://www.iansa.org/un/review2006/Improving-funding-coordination.pdf>
Improving Funding Coordination is an IANSA position paper. It discusses how the United Nations funds and operates the programs designed to combat the illicit trade of SALW. This paper also gives brief overviews of some of the UN implementations and on global progress in combating the illicit flow of SALW.

Maze, K., & Parker, S. (2006). *International Assistance for Implementing the PoA to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects: Findings of a Global Survey*. New York: United Nations Institute for Disarmament Research.
Kerry Maze and Sarah Parker wrote this report for the United Nations Institute for Disarmament Research (UNIDIR) as a follow up to the implementation of the Programme of Action (PoA). It has an extensive review of the PoA and also assistance based measures for helping Member States prevent the illicit flow of SALW. It also expands on implementation measures that were initiated between their report and the beginning of the PoA.

- Rand Corporation. (2007, August 23). *Commentary: Combating Radicalization*. Retrieved September 14, 2007, from Rand Cooperation Web site: <http://www.rand.org/commentary/2007/08/23/UPI.html>
This article is commentary from the well renowned Rand Corporation, a think tank specializing in Middle East policy solutions. It gives a short yet highly effective look at the war on terror and how law enforcement agencies should be viewing it. The commentary also takes a look at how groups like Al Qaeda are impacting the Muslim community as well as how they view violent acts of terrorism.
- South Eastern and Eastern European Clearinghouse for the Control of Small Arms and Light Weapons. (2006, May 16). *SEESAC Activity Reports. Report AR/068*. Retrieved September 19, 2007, from South Eastern and Eastern European Clearinghouse for the Control of Small Arms and Light Weapons Web site: <http://www.seesac.org/acrContent.php?page=acr§ion=3&content=&report=4>
The 2006 Activity Report by the South Eastern and Eastern European Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) specifically examines regional efforts and successes in combating the illicit flow of SALW in South Eastern and Eastern Europe. This report details the European Union's security policies and how SALW affect said policies, as well as highlighting SEESAC's implementation of the PoA and European Union standards on the proliferation of SALW.
- Spencer, A. (2006). *Questioning the Concept of 'New Terrorism'*. Retrieved September 30, 2007, from Peace, Conflict, and Development Web site: <http://www.peacestudiesjournal.org.uk/docs/Feb%2006%20SPENCER%20version%202.pdf>
Spencer's paper discusses the concept of "New Terrorism". The author attempts to point out that much of the discussion of new forms of terrorism is exaggerated and that many features of recent terrorism can also be found in older forms. The paper also discusses the necessity and effectiveness of new counter-terrorism measures.
- The Wolfsberg Group. (2002). *The Suppression of the Financing of Terrorism*. Retrieved September 15, 2007, from Wolfsberg Group Web site: http://www.wolfsberg-principles.com/pdf/ws_on_terrorism.pdf
The Wolfsberg Statement on the Suppression of the Financing of Terrorism was issued at the request of the Financial Action Task Force (FATF). The FATF is a highly respected actor in the global war on terror, and the Wolfsberg Statement added much needed and in depth analysis of how the international community can put a halt to the seemingly endless flow of money in terrorist operations. The statement gives clear goals for suppressing terrorist finances.
- United Nations Institute for Disarmament Research. (2006). *Regional Approaches to Small Arms Control: Vital to Implementing the UN Programme of Action*. Retrieved September 25, 2007, from United Nations Institute for Disarmament Research Web site: <http://www.unidir.ch/pdf/articles/pdf-art2431.pdf>
The United Nations Institute for Disarmament Research (UNIDIR) focuses in this article on how to use the Programme of Action as a confidence building measure in the fight against illicit trafficking of small arms and light weapons. This particular report uses recent events in Africa's Great Lakes region and how northern African States have implemented the PoA. This report spans approximately 15 years worth of small arms history in Africa.
- United Nations Office on Drugs and Crime. (2006). *Counter Terrorism*. Retrieved September 16, 2007, from United Nations Office on Drugs and Crime Web site: <http://www.unodc.org/unodc/terrorism.html>
The United Nations Office on Drugs and Crime (UNODC) has taken a traditional approach to fighting the global war on terror. UNODC seeks to curb the effects of terrorism by targeting their financial and operational aspects, effectively cutting them off from their goals. UNODC looks at terrorist organizations as organized crime units.
- United Nations. (2001). *United Nations Programme of Action on Small Arms and Light Weapons*. Retrieved July 6, 2007, from United Nations Web site: <http://disarmament.un.org/cab/poa.html>

The UN Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA) was adopted in 2001. The PoA seeks to make progress in the areas of terrorism, organized crime, improved institutions, and improved import/export control of small arms and light weapons. Areas such as conflict, trade, and international law are scrutinized in this document and analyzed with the goal of enhancing the international trade regime to better combat the illicit trade of SALW.

United Nations. (2001, July 20). *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/15)*. Retrieved July 5, 2007, from United Nations Web site: <http://disarmament.un.org/cab/smallarms/>

Findings from the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects were compiled into this report. The report details not only the findings, but also outlines a plan of action to combat the illicit trade of these weapons. It also offers prescriptive analyses of the national, regional, and international levels and how each level is affected by the illicit trade and trafficking of small arms and light weapons.

United Nations. (2006, December 8). *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)*. Retrieved July 3, 2007, from United Nations Web site: http://www.un.org/events/smallarms2006/pdf/international_instrument.pdf

This document is a product of the Small Arms Review Conference, held in 2006 at the United Nations to examine the progress of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade of Small Arms and Light Weapons in All Its Aspects. The tracing instrument is designed to better enable states to track and squash the illicit flow of arms on a state level and thereby within the international trade regime. More very interesting sources can be found at: <http://www.un.org/events/smallarms2006/>

United Nations Department of Disarmament Affairs. (2002). *Small Arms and Light Weapons. Open-Ended Working Group on Tracing Illicit Small Arms and Light Weapons (OEWG)*. Retrieved September 30, 2007, from United Nations Department of Disarmament Affairs Web site: <http://disarmament.un.org/cab/salw-oewg.html>

This source provides information on the Open-Ended Working Group on Tracing Illicit Small Arms and Light Weapons (OEWG), which laid the groundwork for the International Instrument on Tracing. The Working Group was established in 2003 by the General Assembly. This site includes further links to reports and documents published by the Working Group. Delegates should familiarize themselves with these sources in order to better understand the International Instrument on Tracing.

United Nations Office for Disarmament Affairs. (2005). *Group of Governmental Experts to Consider Further Steps to Enhance International Cooperation in Preventing, Combating and Eradicating the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*. Retrieved August 28, 2007, from United Nations Office for Disarmament Affairs Web site: <http://disarmament.un.org/cab/GGE%20brokering.htm#BckInfo>

The United Nations Office for Disarmament Affairs (UNODA) convenes the Group of Governmental Experts (GGE) under the auspices of A/RES/60/81. The GGE has been convened on three separate occasions, the most recent ending in June 2007. The GGE has held broad based consultations and workshops to analyze all of the measures put into place in the international community to combat the illicit trade of SALW and what can be done to ensure that these measures can continue to function.

United Nations Office for Disarmament Affairs. (2005). *Terrorism and Disarmament*. Retrieved July 25, 2007, from United Nations Office for Disarmament Affairs Web site: <http://disarmament2.un.org/terrorism.htm>

Terrorism and Disarmament is one of the highest priorities for the United Nations and the international community. Now, the global population has less to worry about terrorist organizations gaining weapons of mass destruction than they do of terrorist organizations gaining conventional arms. The deaths caused by SALW are increasing more and more and the threat of Weapons of Mass Destruction (WMD), even by terrorist organizations, is waning.

United Nations. Security Council. (2001). *Threats to International Peace and Security Caused by Terrorist Acts (S/RES/1373)*. Retrieved September 12, 2007, from United Nations Web site: <http://www.unodc.org/images/resolution%201373.pdf>
S/RES/1373 was drafted and voted into effect in 2001. The Security Council created the auspices under which the Security Council's 15 member Counter-Terrorism Committee functions. S/RES/1373 also calls upon Member States to act out against terrorism and terrorist activities.

Additional Sources

Stohl, R. J. (2005, Winter/Spring). Fighting the Illicit Trafficking of Small Arms. *SAIS Review*, 25(1), 59-68.
This article provides an excellent overview of the trade in Small Arms and Light Weapons, particularly in the Post-Cold War era. It particularly examines the differences between illicit and licit SALW, the role of the black markets and governments in continuing to fuel the illicit trade in SALW, as well as providing delegates with strategies for what can be done to combat the illicit trade in SALW.

United Nations Office for Disarmament Affairs. (n.d.). *National Reports on the Implementation of the PoA*. Retrieved September, 27th, 2007 from United Nations Office for Disarmament Affairs Web site: <http://disarmament2.un.org/cab/salw-nationalreports.html>
As part of the Programme of Action from the 2001 SALW Conference, Member States submit national reports based on their compliance with the various parts of the PoA. Numerous Member States have submitted their countries progress in implementation. Delegates should familiarize themselves with their states progress in implementing the principles of the PoA, as well as the progress of other Member States.

United Nations Office for Disarmament Affairs. (n.d.). *UNODA Regional Activities*. Retrieved September 27th, 2007, from United Nations Office for Disarmament Affairs Web site: <http://disarmament2.un.org/rdb/>
Regional Disarmament continues to be a main concern in the fight against SALW. To focus work on the various regions, the United Nations Office for Disarmament Affairs (UNODA) established three offices, in Africa, Asia and Pacific, and Latin America. Delegates should familiarize themselves with the regional policies of these bodies and how they fit into their own states laws and programs to combat illicit Small Arms and Light Weapons.

Yanik, L. K. (2006, May). Guns and Human Rights: Major Powers, Global Arms Transfers, and Human Rights Violations. *Human Rights Quarterly*, 28(2), 357-388.
While illicit transfer of Small Arms and Light weapons pose a continuing threat to peace and stability around the globe, the licit transfer of SALW to countries with poor human rights records can prove to be just as destabilizing as illicit SALW. This article examines the trends between 1999 and 2003 in arms transfer to countries with poor human rights records, as well as the reasons for continuation of these transfers. It also explores what the UN and various other regional bodies have done to monitor the trade in SALW, while also providing delegates with opportunities to examine what can be done in monitoring and if necessary, halting, the licit and illicit trade in SALW.

III. Measures to Uphold the Authority of the 1925 Geneva Protocol

Ali, J. (n.d.). *Chemical weapons and the Iran-Iraq war: a case study in non-compliance*. Retrieved August 31, 2007, from <http://cns.miis.edu/pubs/npr/vol08/81/81ali.pdf>
Javed Ali is a Senior Policy Analyst with the Special Project Division of Research Planning, Incorporated (RPI) in Falls Church, Virginia, where he currently provides counterterrorism analytical, training and exercise support for a range of U.S. government agencies. He is a recognized authority on chemical and biological weapons issues, arms control, terrorism, and regional security dynamics, and is a frequent contributor to Jane's Defence publications. Excellent background material on CW warfare and international political implications of its use during that time can be found here.

- Blackwood, M. E., Jr. (n.d.). *Viewpoint: arsenic and old weapons: chemical weapons disposal in russia*. Retrieved August 31, 2007, from The Nonproliferation Review/Spring-Summer 1999 Web site: <http://cns.miiis.edu/pubs/npr/vol06/63/black63.pdf>
The analysis of CW and the Soviet Union in this source gives extensive insight into the circumstances of CW stockpiling. It also provides good research for what problems and complexities are associated with destroying CW weaponry after the fall of the Soviet Union. Furthermore, this source allows comprehension of the politics and international policies during the time of Soviet Union CW use.
- Blix, H. (2001, May). *The role of inspection as a part of the effort to prevent the possession of weapons of mass destruction*. Paper presented at Lecture at the fourth training course for future staff of UNMOVIC, Ottawa. Abstract retrieved August 3, 2007, from Monterey Symposium Web site: <http://www.un.org/Depts/unmovic/ExecChair/BlixOttawa.htm>
Here is an in-depth background to the evolution of bacteriological warfare. It also serves as an important reference for how the UN and the international community have combated threats to the 1925 Geneva Protocol and what measures may be needed to improve these efforts in the future. Consider the UN action listed in this source and what shortcomings may be existent in these efforts.
- Chemical and bacteriological (biological) weapons. (1982, December 13). In *A/RES/37/98. General Assembly*. United Nations. Retrieved August 3, 2007, from The United Nations Web site: <http://www.un.org/documents/ga/res/37/a37r098.htm>
Note this United Nations resolution as an important milestone in the United Nation's effort to uphold the 1925 Geneva Protocol. Take care to examine what this resolution considers important in the past as well as what it outlines for the future. This document serves as an excellent importance example for what the international community can implement in order to preserve the 1925 Geneva Protocol.
- The Chemical Weapons Convention (CWC). (n.d.). *Department for Disarmament Affairs*. Retrieved August 3, 2007, from The United Nations Web site: <http://www.un.org/Depts/dda/WMD/cwc/>
The Department for Disarmament Affairs on the United Nations Website provides a good backgrounder for the Chemical Weapons Convention (CWC). This is a great tool to use for research on the CWC as well as the international relations and politics surrounding it. Use this from a national perspective to see where specific countries may stand on the CWC and how those positions impact the GA 1st committee.
- Conference on disarmament. (n.d.). *Web site of the department of foreign affairs of the republic of South Africa*. Retrieved August 31, 2007, from Department of Foreign Affairs of the Republic of South Africa Web site: <http://www.dfa.gov.za/foreign/Multilateral/inter/cd.htm>
Extensive background information on the Conference on Disarmament (CD) can be accessed through this source. The CD has gone through a lot of evolutionary stages, so be sure to engage in further research on where the CD has come from and where it may be headed. There are lots of external links here that can be utilized to further research this topic.
- Convention on prohibitions or restriction on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects. (n.d.). In *Convention on certain conventional weapons*. Retrieved August 31, 2007, from [http://www.unog.ch/80256EDD006B8954/\(httpAssets\)/51609D467F95DD5EC12571DE00602AED/\\$file/CONVENTION.pdf](http://www.unog.ch/80256EDD006B8954/(httpAssets)/51609D467F95DD5EC12571DE00602AED/$file/CONVENTION.pdf)
The Convention on Certain Conventional Weapons (CCW) is an important document to review and understand for this topic. The CCW has and continues to be a strong source of international law that is directly applicable to upholding the preservation of the 1925 Geneva Protocol. This document additionally has many aspects which are complex and should be understood in order to fully understand its importance.

Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons, and on Their Destruction. (1992, November 30). In *A/RES/47/39, 74th plenary meeting*. The United Nations. Retrieved August 3, 2007, from UN.org database: <http://www.un.org/documents/ga/res/47/a47r039.htm>
The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons, and on Their Destruction is an integral and unprecedented achievement in enforcing the 1925 Geneva Protocol. This document is an evolutionary and unprecedented breakthrough in international law. Examine its international political implications and complexities.

Convention Text. (n.d.). *The Biological and Toxin Weapons Website* (convention text). Retrieved August 31, 2007, from Department of Peace Studies of the University of Bradford Web site: <http://www.opbw.org/>
To reference this source, go to "Convention" and then go to "Convention Text." There will be the text of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. This document is highly pertinent to the issue of upholding the 1925 Geneva Protocol.

DC/2567 : Verification regime urged, terrorist threat cited, as biological weapons review conference continues general debate. (1996, November 26). *United Nations Press Release*. Retrieved August 3, 2007, from The United Nations Web site: <http://www.un.org/News/Press/docs/1996/19961126.dc2567.html>
This source gives good insight into what international political circumstances surround bioterrorism. Take note not only of the reference here but the document as a whole. This press release conveys a good description of the issues revolving around upholding the authority of the 1925 Geneva Protocol.

Disarmament - Conference on disarmament. (n.d.). *United nations office at geneva website* (disarmament - conference on disarmament). Retrieved August 31, 2007, from United Nations Office at Geneva Web site: [http://www.unog.ch/80256EE600585943/\(httpPages\)/2D415EE45C5FAE07C12571800055232B?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/2D415EE45C5FAE07C12571800055232B?OpenDocument)
Here is yet another great source for background information on the Conference on Disarmament. Use this site to understand the CD its relation to the 1925 Geneva Protocol.

Disarmament - the convention on certain chemical weapons. (n.d.). *United nations office at geneva website* (disarmament). Retrieved August 31, 2007, from The United Nations Office at Geneva Web site: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4F0DEF093B4860B4C1257180004B1B30?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4F0DEF093B4860B4C1257180004B1B30?OpenDocument)
This source provides great detail on the background and implementation of the Convention on Certain Chemical Weapons (CCW). There is a lot of information here not only on the CCW but for the UN's efforts on disarmament in general as well. Be sure to specify research on bacteriological warfare.

Foreword. (n.d.). *Chemical weapons ban: facts and figures* (facts and figures). Retrieved August 31, 2007, from Organization for the Prohibition of Chemical Weapons Web site: <http://www.opcw.org/factsandfigures/index.html#CWDestructionUnderWay>
The Organization for the Prohibition of Chemical Weapons (OPCW) provides a plethora of material for this topic. The OPCW itself is an important organization heavily involved in this topic. This source is also a good resource to understand the OPCW and its structure.

Geneva Protocol. (n.d.). *U.S. department of state website* (protocol for the prohibition of the use in war of asphyxiating, poisonous or other gases, and of bacteriological methods of warfare). Retrieved August 31, 2007, from United States Department of State Web site: <http://www.state.gov/t/ac/trt/4784.htm>
The text of the 1925 Geneva Protocol itself must be reviewed and understood in order to fully comprehend the gravity and scope of this topic. It also gives extensive historic relevant information surrounding the impact of the Protocol throughout the twentieth century. Although this source is referenced for historical information, use this to reference the text of the Protocol itself as well.

- Hoffman, D. (1998, August 16). Soviets reportedly build weapon despite pact. In *Washington post online* (washington post - after the cold war - wastes of war). Retrieved August 31, 2007, from <http://www.washingtonpost.com/wp-srv/inatl/longterm/coldwar/wasteside1.htm>
David Hoffman is considered a leading expert on Soviet Union CW utilization and the implications of the Soviet Union's actions on today's civil populations as well a politics of Eastern Europe. This news article gives good information besides the referenced material of the ramification of Soviet Union's CW use on today's society.
- Hoffman, D. (1998, August 18). Wastes of war - Russia's forgotten chemical weapons. *The Washington Post*, p. A1. Retrieved August 3, 2007, from <http://www.washingtonpost.com/wp-srv/inatl/longterm/coldwar/leonidovkaa.htm>
David Hoffman is considered a leading expert on Soviet Union CW utilization and the implications of the Soviet Union's actions on today's civil populations as well a politics of Eastern Europe. This news article gives good information besides the referenced material of the ramification of Soviet Union's CW use on today's society.
- Implementation of disarmament agreements, terrorism and mass destruction weapons [Abstract]. (2002, October 18). In *Press release GA/DIS/3236*. Retrieved August 31, 2007, from Fifty-Seventh General Assembly, First Committee, 16th Meeting (AM) Web site: <http://www.un.org/News/Press/docs/2002/gadis3236.doc.htm>
This source gives good insight into what international political circumstances surround bioterrorism. Take note not only of the reference here but the document as a whole. This press release conveys a good description of the issues revolving around upholding the authority of the 1925 Geneva Protocol.
- MacLennan, B. (2005, November 21). bioterrorism a 'clear and present danger'. In *Mail & guardian online*. Retrieved August 31, 2007, from The Terrorism Research Center Web site: http://www.mg.co.za/articlePage.aspx?articleid=257119&area=/breaking_news/breaking_news_national/
This news article highlights the imminent danger of bioterrorism. In doing so, it is a good source for understanding the threats that currently exist against the 1925 Geneva Protocol.
- Miller, D. H., & Baker, P. N. (n.d.). The Geneva Protocol [Abstract]. In *JSTOR: Vols. Vol. 19, No. 3 (Aug., 1925), The American Political Science Review* (pp. pp. 626-628). Retrieved August 31, 2007, from JSTOR database.
If you are able to access JSTOR, check out the full three pages of this article. It gives good insight into the history and purpose of the 1925 Geneva Protocol. Relate this purpose with the purpose and goals of the United Nations Charter and formation of the UN.
- New unit created to combat biological weapons. (n.d.). *United nations office at geneva website* (news & media). Retrieved August 31, 2007, from United Nations Office at Geneva Web site: [http://www.unog.ch/80256EDD006B9C2E/\(httpNewsByYear_en\)/5C8FD1D2ACD70C16C125733D0045779C?OpenDocument](http://www.unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/5C8FD1D2ACD70C16C125733D0045779C?OpenDocument)
Understand the importance of what this relatively recent breakthrough in upholding the 1925 Geneva Protocol means. What structure was necessary for this development to occur? Understand why this event occurred and what it means for the future.
- Organization for the Prohibition of Chemical Weapons*. (n.d.). Retrieved August 3, 2007, from Organization for the Prohibition of Chemical Weapons Web site: <http://www.opcw.org/>
This is the website of the Organization for the Prohibition of Chemical Weapons (OPCW). How/ why was the OPCW created? What do they do? What is their main goal? Do they operate under anyone or are they entirely independent?
- Raičević, N. (11,2001, November). The history of the prohibition of the use of chemical weapons in international humanitarian law. *FACTA UNIVERSITATIS, 1,(N)*, 613-631 (615). Abstract retrieved August 3, 2007, from <http://www.google.com/search?q=cache:0bEWkBxNWKEJ:facta.junis.ni.ac.yu/facta/lap/lap2001/lap2001-05.pdf+ARMIS+BELLA+NON+VENENIS+GERI&hl=en&ct=clnk&cd=3&gl=us>

This source provides the background and meaning of the quote used in the introduction of this background guide. "Armis Bella Non Venenis Geri," literally translates to mean "War is waged with weapons, not with poisons." It is an Ancient Roman condemnation of well poisoning.

Rainsford, S. (2005, May 5). Russia seizes Chechnya explosives. In *British broadcasting corporation news online* (europe). Retrieved August 31, 2007, from <http://news.bbc.co.uk/2/hi/europe/4516939.stm>
News articles recount important incidents such as the one discussed here where Chechen rebels planned a bacteriological attack on the Russian Federation. While this article quite clearly points out the facts of the incident, it also gives good material for understanding the situation between Chechen rebels and the Russian government. It also highlights the aspects of what kind of problems exist in regards to CW after the fall of the Soviet Union in Eastern Europe in general.

Resolution 598. (n.d.). *United nations - Iran-Iraq - UNIMOG*. Retrieved August 31, 2007, from United Nations Web site: http://www.un.org/Depts/dpko/dpko/co_mission/uniimogbackgr.html
For the reference in this source, see "resolution 598." In addition, however, this source gives a plethora of information surrounding the United Nations and its activities during the Iran-Iraq war. It also gives extensive detail regarding UNIMOG.

Robinson, J. P., & Goldblat, J. (1984, May). *Chemical warfar in the Iran - Iraq War 1980 - 1988*. SIPRI (Stockholm International Peace Research Institute). Retrieved August 3, 2007, from Iran Chamber Society Web site: http://www.iranchamber.com/history/articles/chemical_warfare_iran_iraq_war.php
This is an excellent source of fact for the Iran-Iraq war. More importantly, it is a good research tool for understanding the use of CW during the Iran-Iraq war and the international political circumstances at the time. This source reveals important information for comprehension of many of the facts surrounding The Middle East and CW today.

United Nations. (n.d.). *United Nations Charter*. In *United Nations Charter*. Retrieved August 31, 2007, from United Nations Web site: <http://www.un.org/aboutun/charter/>
The United Nations Charter is the founding document of the United Nations. Everything the UN rests on is based on the document. Understanding this document is essential for understanding the purpose of the UN.

Weapons of War: Poisonous Gas. (2002, May 5). *www.Firstworldwar.com*. Retrieved August 3, 2007, from <http://www.firstworldwar.com/weaponry/gas.htm>
Here you will find a background on the use of bacteriological warfare in World War I. It is important because it highlights the initial causes for the formation of the 1925 Geneva Protocol. It also gives good historical accounts of why bacteriological warfare began.

Rules of Procedure General Assembly Political and Security Committee (GA1st)

Introduction

1. These rules shall be the only rules which apply to the General Assembly Political and Security Committee (hereinafter referred to as “the Assembly”) and shall be considered adopted by the Assembly prior to its first meeting.
2. For purposes of these rules, the Plenary Director, the Assistant Director(s), the Under-Secretaries-General, and the Assistant Secretaries-General, are designates and agents of the Secretary-General and Director-General, and are collectively referred to as the “Secretariat.”
3. Interpretation of the rules shall be reserved exclusively to the Director-General or her or his designate. Such interpretation shall be in accordance with the philosophy and principles of the National Model United Nations and in furtherance of the educational mission of that organization.
4. For the purposes of these rules, “President” shall refer to the chairperson or acting chairperson of the Assembly.

I. SESSIONS

Rule 1 - Dates of convening and adjournment

The Assembly shall meet every year in regular session, commencing and closing on the dates designated by the Secretary-General.

Rule 2 - Place of sessions

The Assembly shall meet at a location designated by the Secretary-General.

II. AGENDA

Rule 3 - Provisional agenda

The provisional agenda shall be drawn up by the Secretary-General and communicated to the Members of the United Nations at least sixty days before the opening of the session.

Rule 4 - Adoption of the agenda

The agenda provided by the Secretary-General shall be considered adopted as of the beginning of the session. The order of the agenda items shall be determined by a majority vote of those present and voting. Items on the agenda may be amended or deleted by the Assembly by a two-thirds majority of the members present and voting.

The vote described in this rule is a procedural vote and, as such, observers are permitted to cast a vote. For purposes of this rule, “those present and voting” means those delegates, including observers, in attendance at the meeting during which this motion comes to a vote.

Rule 5 - Revision of the agenda

During a session, the Assembly may revise the agenda by adding, deleting, deferring or amending items. Only important and urgent items shall be added to the agenda during a session. Permission to speak on a motion to revise the agenda shall be accorded only to three representatives in favor of, and three opposed to, the revision. Additional items of an important and urgent character, proposed for inclusion in the agenda less than thirty days before the opening of a session, may be placed on the agenda if the Assembly so decides by a two-thirds majority of the members present and voting. No additional item may, unless the General Assembly decides otherwise by a two-thirds majority of the members present and voting, be considered until a committee has reported on the question concerned.

As the General Assembly Plenary determines the agenda for its Committees, this rule is applicable only to the Plenary body. Items cannot be amended or added to the agenda by any of the Committees of the Assembly. For purposes of this rule, the determination of an item of an “important and urgent character” is subject to the discretion of the Secretariat, and any such determination is final. If an item is determined to be of such a character, then it requires a two-thirds vote of the Assembly to be placed

on the agenda. It will, however, not be considered by the Assembly until a committee has reported on the question, or a second two-thirds vote is successful to keep the Plenary body seized of the matter. The votes described in this rule are substantive vote, and, as such, observers are not permitted to cast a vote. For purposes of this rule, "the members present and voting" means those members (not including observers) in attendance at the session during which this motion comes to vote.

Rule 6 - Explanatory memorandum

Any item proposed for inclusion in the agenda shall be accompanied by an explanatory memorandum and, if possible, by basic documents.

III. SECRETARIAT

Rule 7 - Duties of the Secretary-General

1. The Secretary-General or her/his designate shall act in this capacity in all meetings of the Assembly.
2. The Secretary-General shall provide and direct the staff required by the Assembly and be responsible for all the arrangements that may be necessary for its meetings.

Rule 8 - Duties of the Secretariat

The Secretariat shall receive, print, and distribute documents, reports, and resolutions of the Assembly, and shall distribute documents of the Assembly to the Members of the United Nations, and generally perform all other work which the Assembly may require.

Rule 9 - Statements by the Secretariat

The Secretary-General, or her/his representative, may make oral as well as written statements to the Assembly concerning any question under consideration.

Rule 10 - Selection of the President

The Secretary-General or her/his designate shall appoint, from applications received by the Secretariat, a President who shall hold office and, *inter alia*, chair the Assembly for the duration of the session, unless otherwise decided by the Secretary-General.

Rule 11 - Replacement of the President

If the President is unable to perform her/his functions, a new President shall be appointed for the unexpired term at the discretion of the Secretary-General.

IV. LANGUAGE

Rule 12 - Official and working language

English shall be the official and working language of the Assembly.

Rule 13 - Interpretation (oral) or translation (written)

Any representative wishing to address any United Nations organ or submit a document in a language other than English shall provide interpretation or translation into English.

This rule does not affect the total speaking time allotted to those representatives wishing to address the body in a language other than English. As such, both the speech and the interpretation must be within the set time limit.

V. CONDUCT OF BUSINESS

Rule 14 - Quorum

The President may declare a meeting open and permit debate to proceed when representatives of at least one third of the members of the Assembly are present. The presence of representatives of a majority of the members of the Assembly shall be required for any decision to be taken.

For purposes of this rule, “members of the Assembly” means the total number of members (not including observers) in attendance at the first night’s meeting.

Rule 15 - General powers of the President

In addition to exercising the powers conferred upon him or her elsewhere by these rules, the President shall declare the opening and closing of each meeting of the Assembly, direct the discussions, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. The President, subject to these rules, shall have complete control of the proceedings of the Assembly and over the maintenance of order at its meetings. He or she shall rule on points of order. He or she may propose to the Assembly the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times the representative of each member may speak on an item, the adjournment or closure of the debate, and the suspension or adjournment of a meeting.

Included in these enumerated powers is the President’s power to assign speaking times for all speeches incidental to motions and amendment. Further, the President is to use her/his discretion, upon the advice and at the consent of the Secretariat, to determine whether to entertain a particular motion based on the philosophy and principles of the NMUN. Such discretion should be used on a limited basis and only under circumstances where it is necessary to advance the educational mission of the Conference. For purposes of this rule, the President’s power to “propose to the Assembly” entails her/his power to “entertain” motions, and not to move the body on his or her own motion.

Rule 16

The President, in the exercise of her or his functions, remains under the authority of the Assembly.

Rule 17 - Points of order

During the discussion of any matter, a representative may rise to a point of order, which shall be decided immediately by the President. Any appeal of the decision of the President shall be immediately put to a vote, and the ruling of the President shall stand unless overruled by a majority of the members present and voting.

Such points of order should not under any circumstances interrupt the speech of a fellow representative. Any questions on order arising during a speech made by a representative should be raised at the conclusion of the speech, or can be addressed by the President, sua sponte, during the speech. For purposes of this rule, “the members present and voting” mean those members (not including observers) in attendance at the meeting during which this motion comes to vote.

Rule 18

A representative may not, in rising to a point of order, speak on the substance of the matter under discussion.

Rule 19 - Speeches

1. No one may address the Assembly without having previously obtained the permission of the President. The President shall call upon speakers in the order in which they signify their desire to speak.
2. Debate shall be confined to the question before the Assembly, and the President may call a speaker to order if her/his remarks are not relevant to the subject under discussion.
3. The Assembly may limit the time allowed to speakers and all representatives may speak on any question. Permission to speak on a motion to set such limits shall be accorded only to two representatives favoring and two opposing such limits, after which the motion shall be put to the vote immediately. When debate is limited and a speaker exceeds the allotted time, the President shall call her or him to order without delay.

In line with the philosophy and principles of the NMUN, in furtherance of its educational mission, and for the purpose of facilitating debate, if the President determines that the Assembly in large part does not want to deviate from the limits to the speaker’s time as it is then set, and that any additional motions will not be well received by the body, the President, in her/his discretion, and on the advice and consent of the Secretariat, may rule as dilatory any additional motions to change the limits of the speaker’s time.

Rule 20 - Closing of list of speakers

Members may only be on the list of speakers once but may be added again after having spoken. During the course of a debate the President may announce the list of speakers and, with the consent of the Assembly, declare the list closed. When there are no more speakers, the President shall declare the debate closed. Such closure shall have the same effect as closure by decision of the Assembly.

The decision to announce the list of speakers is within the discretion of the President and should not be the subject of a motion by the Assembly. A motion to close the speakers list is within the purview of the Assembly and the President should not act on her/his own motion.

Rule 21 - Right of reply

If a remark impugns the integrity of a representative's State, the President may permit that representative to exercise her/his right of reply following the conclusion of the controversial speech, and shall determine an appropriate time limit for the reply. No ruling on this question shall be subject to appeal.

For purposes of this rule, a remark that "impugns the integrity of a representative's State" is one directed at the governing authority of that State and/or one that puts into question that State's sovereignty or a portion thereof. All interventions in the exercise of the right of reply shall be addressed in writing to the Secretariat and shall not be raised as a point of order or motion. The reply shall be read to the Assembly by the representative only upon approval of the Secretariat, and in no case after voting has concluded on all matters relating to the agenda topic, during the discussion of which, the right arose.

Rule 22 - Suspension of the meeting

During the discussion of any matter, a representative may move the suspension of the meeting, specifying a time for reconvening. Such motions shall not be debated but shall be put to a vote immediately, requiring the support of a majority of the members present and voting to pass.

Rule 23 - Adjournment of the meeting

During the discussion of any matter, a representative may move the adjournment of the meeting. Such motions shall not be debated but shall be put to the vote immediately, requiring the support of a majority of the members present and voting to pass. After adjournment, the Assembly shall reconvene at its next regularly scheduled meeting time.

As this motion, if successful, would end the meeting until the Assembly's next regularly scheduled session the following year, and in accordance with the philosophy and principles of the NMUN and in furtherance of its educational mission, the President will not entertain such a motion until the end of the last meeting of the Assembly.

Rule 24 - Adjournment of debate

A representative may at any time move the adjournment of debate on the topic under discussion. Permission to speak on the motion shall be accorded to two representatives favoring and two opposing adjournment, after which the motion shall be put to a vote immediately, requiring the support of a majority of the members present and voting to pass. If a motion for adjournment passes, the topic is considered dismissed and no action will be taken on it.

Rule 25 - Closure of debate

A representative may at any time move the closure of debate on the item under discussion, whether or not any other representative has signified her/his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall be put to the vote immediately. Closure of debate shall require a two-thirds majority of the members present and voting. If the Assembly favors the closure of debate, the Assembly shall immediately move to vote on all proposals introduced under that agenda item.

Rule 26 - Order of motions

Subject to rule 23, the motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

- a) To suspend the meeting;
- b) To adjourn the meeting;
- c) To adjourn the debate on the item under discussion;

d) To close the debate on the item under discussion.

Rule 27 - Proposals and amendments

Proposals and substantive amendments shall normally be submitted in writing to the Secretariat, with the names of twenty percent of the members of the Assembly would like the Assembly to consider the proposal or amendment. The Secretariat may, at its discretion, approve the proposal or amendment for circulation among the delegations. As a general rule, no proposal shall be put to the vote at any meeting of the Assembly unless copies of it have been circulated to all delegations. The President may, however, permit the discussion and consideration of amendments or of motions as to procedure, even though such amendments and motions have not been circulated. If the sponsors agree to the adoption of a proposed amendment, the proposal shall be modified accordingly and no vote shall be taken on the proposed amendment. A document modified in this manner shall be considered as the proposal pending before the Assembly for all purposes, including subsequent amendments.

For purposes of this rule, all "proposals" shall be in the form of working papers prior to their approval by the Secretariat. Working papers will not be copied, or in any other way distributed, to the Assembly by the Secretariat. The distribution of such working papers is solely the responsibility of the sponsors of the working papers. Along these lines, and in furtherance of the philosophy and principles of the NMUN and for the purpose of advancing its educational mission, representatives should not directly refer to the substance of a working paper that has not yet been accepted as a draft resolution. After approval of a working paper, the proposal becomes a draft resolution and will be copied by the Secretariat for distribution to the Assembly. These draft resolutions are the collective property of the Assembly and, as such, the names of the original sponsors will be removed. The copying and distribution of amendments is at the discretion of the Secretariat, but the substance of all such amendments will be made available to all representatives in some form.

Rule 28 - Withdrawal of motions

A proposal or a motion may be withdrawn by its sponsor at any time before voting has commenced, provided that it has not been amended. A motion thus withdrawn may be reintroduced by any representative.

Rule 29 - Reconsideration of a topic

When a topic has been adjourned, it may not be reconsidered at the same session unless the Assembly, by a two-thirds majority of those present and voting, so decides. Reconsideration can only be moved by a representative who voted on the prevailing side of the original motion to adjourn. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be put to the vote immediately.

For purposes of this rule, "those present and voting" means those representatives, including observers, in attendance at the meeting during which this motion is voted upon by the body.

VI. VOTING

Rule 30 - Voting rights

Each member of the Assembly shall have one vote.

This rule applies to substantive voting on amendments, draft resolutions, and portions of draft resolutions divided out by motion. As such, all references to "member(s)" do not include observers, who are not permitted to cast votes on substantive matters.

Rule 31 - Request for a vote

A proposal or motion before the Assembly for decision shall be voted upon if any member so requests. Where no member requests a vote, the Assembly may adopt proposals or motions without a vote.

For purposes of this rule, "proposal" means any draft resolution, an amendment thereto, or a portion of a draft resolution divided out by motion. Just prior to a vote on a particular proposal or motion, the President may ask if there are any objections to passing the proposal or motion by acclamation, or a member may move to accept the proposal or motion by acclamation. If there are no objections to the proposal or motion, then it is adopted without a vote.

Rule 32 - Majority required

1. Unless specified otherwise in these rules, decisions of the Assembly shall be made by a majority of the members present and voting.
2. For the purpose of tabulation, the phrase “members present and voting” means members casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.

All members declaring their representative States as “present and voting” during the attendance roll call for the meeting during which the substantive voting occurs, must cast an affirmative or negative vote, and cannot abstain.

Rule 33 - Omitted

Rule 34 - Method of voting

1. The Assembly shall normally vote by a show of placards, except that a representative may request a roll call, which shall be taken in the English alphabetical order of the names of the members, beginning with the member whose name is randomly selected by the President. The name of each present member shall be called in any roll call, and one of its representatives shall reply “yes,” “no,” “abstention,” or “pass.”

Only those members who designate themselves as “present” or “present and voting” during the attendance roll call, or in some other manner communicate their attendance to the President and/or Secretariat, are permitted to vote and, as such, no others will be called during a roll-call vote. Any representatives replying “pass,” must, on the second time through, respond with either “yes” or “no.” A “pass” cannot be followed by a second “pass” for the same proposal or amendment, nor can it be followed by an abstention on that same proposal or amendment.

2. When the Assembly votes by mechanical means, a non-recorded vote shall replace a vote by show of placards and a recorded vote shall replace a roll-call vote. A representative may request a recorded vote. In the case of a recorded vote, the Assembly shall dispense with the procedure of calling out the names of the members.
3. The vote of each member participating in a roll call or a recorded vote shall be inserted in the record.

Rule 35 - Explanations of vote

Representatives may make brief statements consisting solely of explanation of their votes after the voting has been completed. The representatives of a member sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended, and the member has voted against the proposal or motion.

All explanations of vote must be submitted to the President in writing before debate on the topic is closed, except where the representative is of a member sponsoring the proposal, as described in the second clause, in which case the explanation of vote must be submitted to the President in writing immediately after voting on the topic ends.

Rule 36 - Conduct during voting

After the President has announced the commencement of voting, no representatives shall interrupt the voting except on a point of order in connection with the actual process of voting.

Rule 37 - Division of proposals and amendments

Immediately before a proposal or amendment comes to a vote, a representative may move that parts of a proposal or of an amendment should be voted on separately. If there are calls for multiple divisions, those shall be voted upon in an order to be set by the President where the most radical division will be voted upon first. If objection is made to the motion for division, the request for division shall be voted upon, requiring the support of a majority of those present and voting to pass. Permission to speak on the motion for division shall be given only to two speakers in favor and two speakers against. If the motion for division is carried, those parts of the proposal or of the amendment which are involved shall then be put to a vote. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

For purposes of this rule, “most radical division” means the division that will remove the greatest substance from the draft resolution, but not necessarily the one that will remove the most words or clauses. The determination of which division is “most radical” is subject to the discretion of the Secretariat, and any such determination is final.

Rule 38 - Amendments

An amendment is a proposal that does no more than add to, delete from, or revise part of another proposal.

An amendment can add, amend, or delete operative clauses, but cannot in any manner add, amend, delete, or otherwise affect perambulatory clauses.

Rule 39 - Order of voting on amendments

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the amendment furthest removed in substance from the original proposal shall be voted on first and then the amendment next furthest removed there from, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted on.

For purposes of this rule, “furthest removed in substance” means the amendment that will have the most significant impact on the draft resolution. The determination of which amendment is “furthest removed in substance” is subject to the discretion of the Secretariat, and any such determination is final.

Rule 40 - Order of voting on proposals

If two or more proposals, other than amendments, relate to the same question, they shall, unless the Assembly decides otherwise, be voted on in the order in which they were submitted.

Rule 41 - The President shall not vote

The President shall not vote but may designate another member of her/his delegation to vote in her/his place.

VII. CREDENTIALS

Rule 42 - Submission of credentials

The credentials of representatives and the names of members of a delegation shall be submitted to the Secretary-General prior to the opening of a session.

Rule 43 - Credentials Committee

A Credentials Committee, consisting of nine members, shall be appointed by the Secretary-General at the beginning of each session. It shall examine the credentials of representatives and report without delay. The Main Committees shall be bound by the actions of the Plenary in all matters relating to credentials and shall take no action regarding the credentials of any Member State.

Rule 44 - Provisional admission to a session

Any representative to whose admission a member has made objection shall be seated provisionally with the same rights as other representatives until the Credentials Committee has reported and the Assembly has given its decision.

VIII. GENERAL COMMITTEE

Rule 45 - Composition

The General Committee shall comprise the President of the Assembly, who shall preside, the twenty-one Vice Presidents and the Chairpersons of the six Main Committees.

Rule 46 - Functions

In considering matters relating to the agenda of the Assembly, the General Committee shall not discuss the substance of any item except in so far as this bears upon the question whether the General Committee should

recommend the inclusion of the item in the agenda and what priority should be accorded to an item the inclusion of which has been recommended.

Rule 47

The General Committee shall assist the President and the Assembly in drawing up the agenda for each plenary meeting, in determining the priority of its items, and in coordinating the proceedings of all committees of the Assembly. It shall assist the President in the general conduct of the work of the General Assembly which falls within the competence of the President. It shall not, however, decide any political question.

Rule 48 - Participation by members requesting the inclusion of items in the agenda

A member of the Assembly which has no representative on the General Committee and which has requested the inclusion of an item in the agenda shall be entitled to attend any meeting of the General Committee at which its request is discussed and may participate, without a vote, in the discussion of that item.

IX. MINUTE OF SILENT PRAYER OR MEDITATION

Rule 49 - Invitation to silent prayer or meditation

Immediately after the opening of the first plenary meeting of the Assembly, representatives may request to observe one minute of silence dedicated to prayer or meditation. This is the only time this motion will be entertained and its approval is at the discretion of the Secretariat.

X. COMMITTEES

Rule 50 - Establishment of committees

The Assembly may establish such committees as it deems necessary for the performance of its functions.

Rule 51 - Categories of subjects

Items relating to the same category of subjects shall be referred to the committee or committees dealing with that category of subjects. Committees shall not introduce new items on their own initiative.

Rule 52 - Main Committees

The Main Committees of the Assembly are the following:

- a) Political and Security Committee (First Committee)
- b) Economic and Financial Committee (Second Committee)
- c) Social, Humanitarian and Cultural Committee (Third Committee)
- d) Special Political and Decolonization Committee (Fourth Committee)
- e) Administrative and Budgetary Committee (Fifth Committee)
- f) Legal Committee (Sixth Committee)

Rule 53 - Organization of work

Each committee, taking into account the closing date of the session, shall adopt its own priorities and meet as may be necessary to complete consideration of the items referred to it.

Rule 54 - Discussion of reports of Main Committees

Discussion of a report of a Main Committee in a plenary meeting of the Assembly shall take place if at least one third of the members present and voting at the plenary meeting consider such a discussion to be necessary. Any proposal to this effect shall not be debated but shall be immediately put to a vote.

XI. ADMISSION OF NEW MEMBERS

Rule 55 - Applications

Any State which desires to become a Member of the United Nations shall submit an application to the Secretary-General. Such application shall contain a declaration, made in formal instrument that the State in question accepts the obligations contained in the Charter.

Rule 56 - Notification of applications

The Secretary-General shall, for information, send a copy of the application to the General Assembly, or to the Members of the United Nations if the Assembly is not in session.

Rule 57 - Consideration of applications and decisions thereon

If the Security Council recommends the applicant State for membership, the Assembly shall consider whether the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the Charter and shall decide, by a two-thirds majority of the members present and voting, upon its application for membership.

Rule 58

If the Security Council does not recommend the applicant State for membership or postpones the consideration of the application, the General Assembly may, after full consideration of a special report of the Security Council, send the application back to the Council, together with a full record of the discussion in the Assembly, for further consideration and recommendation or report.

Rule 59 - Notification of decision and effective date of membership

The Secretary-General shall inform the applicant State of the decision of the Assembly. If the applicant is approved, membership shall become effective on the date on which the Assembly takes its decision on the application.