GENERAL ASSEMBLY FIRST COMMITTEE
BACKGROUND GUIDE 2017

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NATIONAL MODEL UNITED NATIONS
Dear Delegates,

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

The topics under discussion for GA1 are:

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

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

This Background Guide serves as an introduction to the topics for this committee. However, it is not intended to replace individual research. We encourage you to explore your Member State’s policies in depth and use the Annotated Bibliography and Bibliography to further your knowledge on these topics. In preparation for the Conference, each delegation will submit a Position Paper by 11:59 p.m. (Eastern) on 13 October 2017 in accordance with the guidelines in the [NMUN Position Paper Guide](#).

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

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

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

If you have any questions concerning your preparation for the committee or the Conference itself, please contact the Deputy Secretary-General, Jess Mace, at [dsg.dc@nmun.org](mailto:dsg.dc@nmun.org).

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

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

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

Introduction

The United Nations (UN) General Assembly (GA) has existed since the creation of the UN and is one of the six principal organs of the UN established by the Charter of the United Nations (1945). The General Assembly is divided into six Main Committees. Each of the Main Committees has a specific focus and reports on its work to the General Assembly Plenary.

The First Committee considers all matters related to disarmament and international security. Disarmament had a vital role in the very founding of the UN and has featured as one of the most prominent issues discussed on the international agenda in the last few decades. General Assembly resolution 1378(XIV) of 20 November 1959 on “General and Complete Disarmament” was the first resolution co-sponsored by all Member States and considered the question of disarmament as the most important question facing the world at the time. Consequently, the General Assembly established the United Nations Disarmament Commission (UNDC) in 1952 with a general mandate to discuss topics related to disarmament. Furthermore, in 1979 the Conference on Disarmament (CD) was created as an international multilateral negotiation forum on disarmament, and in 1980, the United Nations Institute for Disarmament Research (UNIDIR) was created to undertake independent research concerning disarmament. Several other disarmament-related entities and other organizations also report to the General Assembly through the First Committee, such as the Organization for the Prohibition of Chemical Weapons (OPCW).

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

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1 UN DPI, Press Release SG/382: Address by Secretary-General Dag Hammarskjold at University of California Convocation Berkeley, California, Thursday, May 13, 1954, at 10:00 A.M. (Pacific Coast Time), 1954, p. 7.
4 Charter of the United Nations, 1945, Art. 98.
8 UN General Assembly, Question of General Disarmament (A/RES/2602E (XXIV)), 1969; UN General Assembly, Final Document of the Tenth Special Session of the General Assembly (S-10/2), 1978.
11 Ibid.
12 Ibid.
As the only main body with universal membership, the General Assembly is a unique forum for discussion within the UN system. As such, it represents the normative center of the UN and its main role in the maintenance of international peace and security can be summarized in three principal aspects: a generator of ideas, a place of international debate, and the nucleus of new concepts and practices.

**Governance, Structure, and Membership**

As outlined in the Charter, the General Assembly is comprised of all 193 UN Member States. However, Observer status can also be granted to intergovernmental organizations such as the African Union and states without full UN membership; currently the Holy See and the State of Palestine are the only two non-Member States with permanent Observer status. In the General Assembly, each Member State has one equal vote. Since its 44th session in 1989, the General Assembly is considered in session the entire year. Except for decisions on important matters, votes in the General Assembly require a simple majority, and the majority of resolutions are adopted without a vote, illustrating the consensual nature of the General Assembly.

Elaborated by the General Assembly Fifth Committee, the budget allocated to disarmament for the biennium 2016-2017 is $24.6 million and is mainly attributed to the UN Office for Disarmament Affairs (UNODA) and UNIDIR.

The First Committee receives substantive and organizational support from three important entities: the General Committee, UNODA, and the Department for General Assembly and Conference Management. The General Committee’s main duty, besides making recommendations on organizational issues, is to deal with the agenda of the General Assembly Plenary and its six Main Committees. After receiving a preliminary list of agenda items from the UN Secretariat, the General Committee allocates the different items to each Main Committee. The agenda items that correspond to one of seven clusters discussed below are allocated to the First Committee, which in turn votes upon its own agenda. The seven clusters addressed by the First Committee are: nuclear weapons, other WMDs, disarmament aspects in outer space, conventional weapons, regional disarmament and security, other disarmament measures and security, and the disarmament machinery. Within the UN Secretariat, UNODA provides “objective, impartial and up-to-date” information and promotes the implementation of practical measures on nuclear disarmament and non-proliferation, disarmament in the field of conventional weapons, and the general strengthening of mechanisms and frameworks bolstering disarmament. It further encourages norm setting at the General Assembly, CD, and UNDC. Additionally, the Department for General Assembly and Conference Management also provides valuable technical secretariat support and acts as the intersection between the General Assembly and the Economic and Social Council.

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21 Ibid.
22 UN General Assembly, *Proposed Programme Budget for the biennium 2016-2017 (A/70/6 (Sect. 4))*, 2015, p. 3.
23 Ibid.
24 Ibid.
25 Ibid, p. 36
26 Ibid.
29 Ibid.
30 UN DGACM, *Functions of the Department*, 2014.
Mandate, Functions, and Powers

The mandate of the General Assembly is set in Chapter IV of the *Charter of the United Nations*; Article 11 requires the General Assembly to address questions of international peace and security and in particular disarmament. The mandate of the General Assembly allows it to be a conduit for ideas that can become the driver of new policies and shared norms through discussion and debate. This can be regarded as one of the main differences with the Security Council. The Security Council is more concerned with concrete threats to security such as ongoing conflicts, whereas the General Assembly aims to create peace by forming habits of cooperation. In other words, while the Security Council can authorize the use of force in the fight against terrorism and freeze assets to prevent illicit arms trade, the First Committee works towards the development of international conventions to prevent terrorists from acquiring nuclear weapons and other weapons of mass destruction (WMDs). It is important to note, however, that the General Assembly considers matters of international security only when the issue is not under the consideration of the Security Council.

The General Assembly and its six Main Committees are the center of the UN System and represent its main deliberative, policymaking, and representative organs. The General Assembly is tasked with initiating studies and making recommendations to promote international cooperation in the political field; encouraging the development of international law; promoting the implementation of cultural, social, and human rights; and promoting fundamental freedoms free from discrimination. The body “receives and considers reports” issued by “the other principal organs established under the *Charter of the United Nations* as well as reports issued by its own subsidiary bodies.” Once the recommendations are sent to the Plenary Committee, the Plenary then votes on whether to adopt the resolutions as presented. Although decisions reached by the General Assembly are non-binding, they are often adopted as customary international law and serve as a good indicator of key international policy norms. Additionally, the General Assembly can request the Secretary-General (SG) or other UN organs to issue a report to one of the Main Committees on a specified question such as the implementation of recommendations made by the General Assembly.

The First Committee is capable of introducing resolutions that initiate new negotiations on arms control and disarmament that, in turn, can lead to the creation and funding of agencies or meetings as well as ad hoc committees or working groups that consider a particular question with the purpose of reporting to the General Assembly. The General Assembly Plenary must also adopt resolutions adopted in the First Committee before they take effect. Nonetheless, the consensus reached in the First Committee often leads to more concrete initiatives at the UN.

31 *Charter of the United Nations*, 1945, Art. 11.
33 Ibid.
34 Ibid.
39 Ibid.
42 Ibid, pp. 36, 47.
45 Ibid.
46 Ibid.
The First Committee also works in close cooperation with the UNDC and the CD.\textsuperscript{47} The CD has a crucial role in addressing issues of disarmament and has been central to negotiations of international agreements such as the Treaty on the Non-Proliferation of Nuclear Weapons (1968).\textsuperscript{48} Unlike the CD, the UNDC is a subsidiary organ of the First Committee and is composed of all 193 Member States.\textsuperscript{49} Essentially making recommendations to the General Assembly, it has been important in the formulation of principles and guidelines that have subsequently been endorsed by the committee in its own reports.\textsuperscript{50} Both bodies report either annually or more frequently to the First Committee.\textsuperscript{51} Additionally, as a crucial partner with the UN system, civil society organizations have an important relationship with the General Assembly and are often invited to speak at the General Assembly.\textsuperscript{52}

**Recent Sessions and Current Priorities**

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

In recent years, an emphasis has been placed on the role of information security in the context of greater levels of inter-connectedness among Member States.\textsuperscript{57} In 2011, the General Assembly requested the establishment of a Group of Governmental Experts (GGE) to study the existence of threats to Member States with respect to information security and report its findings at its 68\textsuperscript{th} session.\textsuperscript{58} The most recent report of the GGE was issued on 19 July 2016 and included a series of self-reported progress status reports from Member States.\textsuperscript{59} Of the states which submitted reports, the majority had included adequate progress and recognition of the urgency to increase protection against cyber attacks.\textsuperscript{60} Additionally, the SG submits an annual report to the General Assembly on the views of Member States with respect to information security.\textsuperscript{61} General Assembly resolution 70/237 of 23 December 2015 requested the SG to form a new GGE that would report to the General Assembly in 2017, and this new GGE had its first meeting in August 2016.\textsuperscript{62} The fourth and final meeting of the fifth GGE is to be held in Geneva, Switzerland from 19-23 June 2017, at which time the objective of the body will be to produce a consensus-based final outcome document on the negotiations and work of the body.\textsuperscript{63} During the 71\textsuperscript{st} session of the General Assembly, resolution 71/28 on “Developments in the Field of Information and Telecommunications in the Context of International Security” addressed the vital role of information technology in the context of international security and disarmament

\textsuperscript{47} UN General Assembly, *Disarmament and International Security*, 2014.
\textsuperscript{48} UNOG, *An Introduction to the Conference*, 2014.
\textsuperscript{50} Ibid.
\textsuperscript{53} UN DPI, *First Committee Sends 69 Texts to General Assembly, Concluding Session by Approving Drafts on Chemical Weapons, Improvised Explosive Devices*, 2016.
\textsuperscript{54} Ibid.
\textsuperscript{57} UN DPI, *As First Committee Approves 10 Texts, Delegates Spotlight Rights to Self-Defence, Raising Concerns About Conventional Weapons Treaties*, 2016.
\textsuperscript{60} Ibid.
\textsuperscript{61} UNODA, *GGE Information Security*, 2015.
through calling on Member States to review the assessments made in the report of the GGE, addressing the challenges of cybersecurity.\textsuperscript{64} The most recent report of the SG in 2016 had shown an increase in the number of reporting states from the previous cycle.\textsuperscript{65}

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

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

Conclusion

Disarmament has been an important issue for the UN and the achievement of international peace since its founding.\textsuperscript{74} As new threats arise and complicate the question of disarmament, addressing disarmament has become even more important.\textsuperscript{75} Efforts such as those made in the field of nuclear disarmament or non-proliferation are a testimony of the General Assembly’s dedication towards a nuclear weapons free world.\textsuperscript{76} As a place where new ideas are shaped, the General Assembly has the ability to introduce standards and norms to promote disarmament and eventually a more peaceful world.\textsuperscript{77} It is, therefore, the responsibility of the First Committee to achieve new advancements towards the pursuit of international peace and security while continually seeking consensus in collaboration with the international community.\textsuperscript{78}

Annotated Bibliography


\textsuperscript{66} UN General Assembly, \textit{Transforming Our World: The 2030 Agenda for Sustainable Development} (A/RES/70/1), 2015.
\textsuperscript{68} Ibid.
\textsuperscript{69} Ibid.
\textsuperscript{70} Reaching Critical Will, \textit{Statement on Gender and Disarmament to the UN General Assembly First Committee}, 2015, p. 39.
\textsuperscript{71} Ibid.
\textsuperscript{72} Ibid.
\textsuperscript{73} UNDP, \textit{Sustainable Development Goals}, 2017.
\textsuperscript{74} UN General Assembly, \textit{Disarmament and International Security}, 2014.
\textsuperscript{75} Ibid.
\textsuperscript{76} Ibid.
This handbook, published by the Ministry of Foreign Affairs and Trade of New Zealand, is an attempt to contribute to the strengthening of information available to the international community on the UN system. It provides extensive information on the structure and membership as well the purpose of UN organs. As such, it represents the perfect introduction to the UN system as a whole for individuals less familiar with its complexity. Therefore, delegates should consider this a must-read during preparation for the conference.


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

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


The most recent Report of the Secretary-General provides a comprehensive series of reports from the Office of the Secretary-General as well as a multitude of Member States regarding their status in advancements towards increased security in the field of information and telecommunications. The general report of the SG provides a basic overview of the direction the field is headed in, while the Member State reports provide a more localized approach where regional blocs can be understood and the challenges which are still present in advancing international security. This source is useful to delegates looking to create a baseline of the changes being made in the field of international security as well as provides the most recent reports issued, with the potential for a 2017 report to be issued in the later months of this year.


This source provides an excellent introduction to the formation of the Conference on Disarmament (CD), through utilizing a semi-chronological ordering the website provides information from the creation through the multitude of changes that have occurred over time to meet the demands of a changing global climate with membership and mandate expansion and reduction. Expanding on the changes and policies implemented by the Conference, the website provides a series of embedded links to other pertinent matters such as rules of procedure and work of non-Member States to the Conference as well as Members. Delegates seeking to gain a basic understanding of the CD should refer to this source to form a basic level of comprehension where independent research can expand based on Member State and topicality.
Bibliography


I. Cybersecurity and the Threat of Cyberwarfare

Introduction

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

A cyberattack can be described as the indefinite interruption or disablement of a computer or digital network to deny access, misuse information or carry out some illicit purpose. Cyberwarfare is defined as “warfare conducted in cyberspace through cyber means and methods.” Cyberwarfare can have negative consequences beyond the cyber realm into the physical world by affecting individuals, military, or private enterprise’s computer-related operations. As a tool to combat cyberattacks, according to the International Telecommunication Union (ITU), cybersecurity is defined as “the collection of tools, policies, security concepts, security safeguards, guidelines, risk management approaches, actions, training, best practices, assurance, and technologies that can be used to protect the cyber environment and organization and user's assets.” Thus, cybersecurity measures should be adapted according to the unique needs and challenges faced by the public and private sectors.

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

International and Regional Framework

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

80 UN General Assembly, Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security: Note by the Secretary-General (A/70/174), 2015, p. 6.
82 Melzer, Cyberwarfare and International Law, 2011, pp. 4-5.
83 Ibid.
86 World's biggest cyberattack sends countries into 'disaster recovery mode', CNN, 2017.
87 Ibid.
88 Ibid.
89 Ibid.
91 UN General Assembly, Developments in the field of information and telecommunications in the context of international security (A/RES/53/70), 1999.
and future risk assessment. As the internet became more intertwined in the public and private lives of individuals, the UN General Assembly also adopted resolution 58/199 in 2004 on “creation of a global culture of cybersecurity and the protection of critical information infrastructures” to highlight the importance of incorporating measures of protection of critical information in the overall culture of cybersecurity. This resolution served as the base for General Assembly resolution 64/211 in 2010 titled “creation of a global culture of cybersecurity and taking stock of national efforts to protect critical information infrastructures,” which provides a voluntary self-assessment tool guide to help Member States assess, determine and understand challenges and advantages faced by national cybersecurity efforts while also protecting their critical information infrastructures. Likewise, regional initiatives such as the European Union Agency for Network and Information Security (ENISA) assist Member States in adopting and reviewing National Cyber Security Strategy (NCSS) as a national framework to achieve social and economic benefits from cyberspace while also ensuring a safe and secured cyberspace.

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

Role of the International System

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

93 UN General Assembly, Creation of a global culture of cybersecurity (A/RES/57/239), 2003, pp. 2-3.
95 UN General Assembly, Creation of a global culture of cybersecurity and taking stock of national efforts to protect critical information infrastructures (A/RES/64/211), 2010, pp. 3-5.
98 Ibid.
100 ITU, Basic Information: About WSIS, 2015.
101 Ibid.
102 Ibid.
105 DIG Watch, UN GGE, 2017.
committee. The 2015 UN GGE report made recommendations on norms, principles, and confidence building measures for Member States to build stability as well as foster global cooperation for implementation of international ICT and cybersecurity laws. In 2015, the General Assembly First Committee recommended the mandate of the GGE for 2016-2017, adopted in General Assembly resolution 70/327, to continue assessing and making recommendations on how to combat present and future cyber threats through capacity building measures and international cooperation.

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

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

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

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106 Ibid.
107 Ibid.
108 UN General Assembly, Developments in the field of information and telecommunications in the context of international security (A/RES/70/237), 2015.
113 Ibid.
114 Ibid.
115 UNIDIR, Cyber, 2013.
117 GISWatch, About, 2017.
118 GISWatch, About, 2017.
119 EC, EU Cybersecurity initiatives working towards a more secure online environment, 2017, pp. 2-7.
120 Ibid.
121 NATO, Cyber Defense, 2016.
122 NATO, NATO and the European Union enhance cyber defense cooperation, 2016.
NATO Industry Cyber Partnership, to collaborate on information sharing and to enhance prevention, response, and recovery mechanisms when faced with cyber threats.\textsuperscript{123} NATO also has partnered with allied states to establish several facilities to provide education, research, and training in ICTs and cyber defense.\textsuperscript{124}

\textit{Cybersecurity, Cyberwarfare, and Human Rights}

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

\textit{Confidence-Building Measures for Cybersecurity}

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

\begin{footnotesize}
\begin{itemize}
\item 123 NATO, \textit{Welcome to the NATO Industry Cyber Partnership}, 2016.
\item 125 UN HRC, \textit{The promotion, protection and enjoyment of human rights on the Internet}, 2016, p. 6.
\item 126 GISWatch, \textit{Economic, social and cultural rights and the internet}, 2016, p. 6.
\item 127 Ibid.
\item 129 UNODC, \textit{Comprehensive Study on Cybercrime}, 2013, p. xviii.
\item 130 Ibid, p. 134.
\item 131 Ibid, p. 136.
\item 133 UN General Assembly, \textit{Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security: Note by the Secretary-General (A/70/174)}, 2015, pp. 9-10.
\item 134 OSCE, \textit{OSCE Confidence-Building Measures to Reduce the Risks Of Conflict Stemming From the Use of Information and Communication Technologies (PC.DEC/1202)}, 2016, p. 1.
\item 135 Ibid, pp. 1-4.
\item 136 Ibid, p. 5.
\end{itemize}
\end{footnotesize}
National Legislation and International Law

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

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

Conclusion

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

138 Ibid, p. 81.
139 Ibid.
140 UNODC, Comprehensive Study on Cybercrime, 2013, p. xi.
142 Ibid, p. 102.
143 UNODC, Comprehensive Study on Cybercrime, 2013, p. 103.
144 Ibid, p. 3.
146 Ibid, p. xii.
147 Ibid.
150 Ibid 2013, p. x-xii.
152 UNODC, Comprehensive Study on Cybercrime, 2013, p. 33.
Annotated Bibliography


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


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


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


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


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


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

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

Introduction

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

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

International and Regional Framework

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

154 UN DPI, Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, 2006, p. 1.
156 Arms Control Association, Small Arms and Light Weapons: Controlling the Real Instruments of War, 1998.
159 Ibid.
160 Ibid.
161 UNODA, Small Arms, 2017.
163 UN DESA, Sustainable Development Goal 16, 2016.
165 Arms Control Association, Small Arms and Light Weapons: Controlling the Real Instruments of War, 1998.
166 UN DPI, Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/15), 2001.
167 Ibid.
168 Ibid.
Sustainable Development (2015), specifically through indicator 16.4, but also noted that the PoA and the 2030 Agenda can further emphasize state cooperation in reporting progress on SALW reduction and control.\textsuperscript{169} Member States developed additional mechanisms aimed at bolstering action against the trafficking of SALW.\textsuperscript{170} The Protocol Against the Illicit Manufacturing and Trafficking of Firearms, Their Parts and Components and Ammunition (Firearms Protocol) (2001), serves as a supplemental protocol to the United Nations Convention on Transnational Organized Crime (2000).\textsuperscript{171} This binding document requires States parties to the protocol to criminalize the illicit manufacturing and transfer of small arms, place identifiable markings on small arms manufactured within the country, and to establish an import and export licensing system.\textsuperscript{172} It was recognized as the first legally binding treaty on small arms control and the primary instrument that addresses the criminal aspects of illicit trafficking of SALW.\textsuperscript{173}

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

\textbf{Role of the International System}

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

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

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\textsuperscript{169} UN General Assembly, \textit{Report of the Sixth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects}, 2016.
\textsuperscript{170} UN General Assembly, \textit{The illicit trade in small arms and light weapons in all its aspects (A/RES/69/51)}, 2016.
\textsuperscript{172} Ibid.
\textsuperscript{175} Ibid, p. 2.
\textsuperscript{177} UNOLA, \textit{Arms Trade Treaty}, 2017.
\textsuperscript{179} Ibid.
\textsuperscript{180} UNODA, \textit{Small Arms}, 2017.
\textsuperscript{181} Ibid.
\textsuperscript{182} UN General Assembly, \textit{The illicit trade in small arms and light weapons in all its aspects (A/RES/69/51)}, 2016.
\textsuperscript{183} UN Security Council, \textit{Small Arms (S/RES/2220)}, 2015.
\textsuperscript{184} UNODA, \textit{Small Arms}, 2017.
\textsuperscript{185} UNODA, \textit{Small Arms}, 2017.
meetings, collecting and disseminating information related to trends in small arm proliferation, and monitoring
global arms policy. The United Nations Coordinating Action on Small Arms (UN CASA) is also a significant
contributor to addressing SALW by coordinating action on small arms between 23 different UN offices and
specialized agencies, with UNODA as the focal point. UN CASA mainly focuses on implementing the PoA, ITI,
and the Firearms Protocol through a variety of activities including fact-finding missions, capacity building projects,
workshops, and technical assistance. The main contribution of this initiative has been developing the International
Small Arms Control Standards (ISACS), which now serve as the standardized set of tools for policymakers and
practitioners on all aspects of small arms control.

In addition to UN initiatives, civil society organizations, such as the Small Arms Association, have played a strong
role in combating the illicit trade of SALW through coordinating and conducting research on the many facets of
small arms trafficking. Other organizations, such as Reaching Critical Will, monitor negotiations and policy
developments related to small arms control, and advocate for increased political action on small arms reduction.

Most non-governmental organizations (NGOs) and civil society organizations focusing on the impact of illicit
SALW advocate for best practices and highlight important issues regarding these weapons, including the need to
include a gender perspective in policy development.

Enhancing International Collaboration and Assistance

The international community has dedicated a significant amount of time and resources to combat SALW trafficking
and provide guidance, tools, and mechanisms to build capacity at the national level. The objective of these
initiatives are often to ensure that Member States lacking capacity have the resources available to assist with closing
gaps within areas such as weapons stockpile management, record keeping, criminal justice and rule of law, and
import and export controls. ISACS currently serve as the leading resource for Member States to utilize in building
capacity to combat SALW trafficking. Specifically, ISACS are practical guidelines that aim to promote national
oversight on the full lifecycle of small arms, from when they are manufactured to when they are no longer in use.

An example of ISACS in action is assisting the United Nations Development Program to implement a small arms
reduction program in West Africa, through providing technical input to train project staff within the UN and
Economic Community of West African States (ECOWAS). Results of this project can be seen in Cote D’Ivoire
where initiatives to promote the voluntary handing over of small arms in conflict sensitive areas have been
developed. Outside of guidance and standards to control the flow of arms, the Global Firearms Programme under
the UN Office for Drugs and Crime (UNODC) focuses on the criminal aspects behind SALW trafficking. This
program is largely meant to reinforce the UN Firearms Protocol in that it assists Member States in developing
legislation and law enforcement responses to the criminality of SALW trafficking.

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

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186 UN PAISS, Office for Disarmament Affairs, 2017.
188 Ibid.
189 Ibid.
194 Ibid.
196 Ibid.
197 ISACS, ISCAS Assists UNDP in implementation of ECOWAS-EU small arms project in West Africa, 2016.
198 UNDP, Regional Project on Small Arms and Light Weapons, 2017.
200 Ibid.
201 UN General Assembly, Report of the Sixth Biennial Meeting of States to Consider the Implementation of the Programme of
Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, 2016.
assistance. This can be largely attributed to the lack of personnel and funding to deploy enough resources devoted to building capacity against SALW trafficking. There are a few mechanisms to help pool resources to address this issue, namely the United Nations Trust Facility Supporting Cooperation on Arms Regulation (UNSCAR), and the ATT Trust Fund. Both trust funds work to mobilize resources, typically donated by private actors or Member States, for organizations and bodies working to promote and implement tools that combat SALW trafficking. UNSCAR, for example, ran a call for proposals during the summer of 2017 to select and fund outstanding ideas in small arms control. Member States have publically supported the use of these mechanisms, including UNSCAR, through the General Assembly First Committee.

Current Issues

Women and Gender

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

Brokering

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

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204 UNODA, UNSCAR: UN Trust Facility Supporting Cooperation on Arms Regulation, 2017.
205 Ibid.
208 Welsch, First Committee Monitor, 2016.
210 UNFPA, Women Face “Unspeakable” Sexual Violence in South Sudan, 2016.
212 Ibid.
214 Ibid.
216 UN General Assembly, The illicit trade in small arms and light weapons in all its aspects: Note by the Secretary-General (A/RES/62/163), 2007.
that clearly defines arms brokering and what constitutes as a broker. Roughly 40 Member States have drafted national legislation relating to brokering activities, and only a handful of these states specify their legislation to cover nationals, permanent residents and registered companies who conduct brokering abroad. Moreover, existing technical assistance programs often lack guidance for law enforcement at the local level. This often leads to brokers being able to circumvent arms embargoes applied to conflict zones. The General Assembly First Committee has taken up this topic, through the 2016 resolution 71/36, on “Preventing and combating illicit brokering activities,” by encouraging Member States to work towards implementing the recommendations from the report by the Group of Governmental Experts on Illicit Brokering in Small Arms and Light Weapons. These recommendations can be summarized as advancing national legislation for regulating brokering activities, sharing information international brokering arrangements, building capacity in export controls and law enforcement, and promoting effective reporting.

**Conclusion**

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

**Annotated Bibliography**


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

219 Ibid.
220 Ibid.
221 Ibid.
222 Ibid.
224 UN General Assembly, *The illicit trade in small arms and light weapons in all its aspects: Note by the Secretary-General (A/62/163)*, 2007.
225 UN General Assembly, *Report of the Sixth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*, 2016, p. 1.
227 UN General Assembly, *Report of the Sixth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*, 2016.
the Second Conference of States parties, such as the progress of implementing national legislation, and as well as, seeking the establishment of various working groups. Reading this report, with the intention of highlighting the key items discussed, can help provide a clear picture of actions being taken to improve the ATT.


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


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


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


Every year, Reaching Critical Will, an advocacy group that provides public information on arms control, develops a report tracking the ongoing deliberations within the UN General Assembly First Committee, usually from October – November. The following report highlights deliberations and negotiations from the most recent session in 2016. Delegates should note there are two sections focusing on SALW and the ATT distinctly. Both sections can serve as strong resources to stay up to date on what First Committee is deliberating on regarding the topics at hand. The
substance and content often shows different policies and ideas that diplomats promote when addressing solutions to an issue. This source can help understand the more specific dynamics of the topic.

Bibliography


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