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General Assembly First Committee Background Guide 2020

Written by: Christopher Duggan, Director;
Allison C. Uhrick, Assistant Director; Kaytlyn Marcotte, Assistant Director-IS



NATIONAL MODEL UNITED NATIONS



Dear Delegates,

Welcome to the 2020 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 Christopher Duggan and Assistant Director Allison C. Uhrick. Christopher is finishing a Bachelor of Arts in International Affairs at the Florida State University and will begin a B.S. in Public Administration this fall at St. Petersburg College. Allison holds a Bachelor of Arts in Political Science and International Affairs and will begin teaching secondary education at the junior high school level this fall.

The topics under discussion for GA1 are:

- I. Confidence-Building Measures in the Field of Conventional Arms
- II. Measures to Prevent Terrorists from Acquiring Weapons of Mass Destruction

The General Assembly First Committee focuses on disarmament, promotion of peace, and identifies solutions to challenges in international security that affect the international community. Within its Charter, GA1 considers matters related to disarmament and international security, particularly on guidance for disarmament, regulation of armaments, and maintenance of cooperative arrangements that affect international peace and security. GA1 collaborates with the United Nations Disarmament Commission and several other UN entities on issues related to armament regulation and disarmament initiatives.

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 conduct additional research, explore your Member State's policies in-depth, and examine the policies of other Member States to improve your ability to negotiate and reach consensus. In preparation for the conference, each delegation will use their research to draft and submit a position paper. Guidelines are available in the NMUN Position Paper Guide.

The NMUN website has many additional resources, including two that are essential both in preparation for the conference and as a resource during the conference. They are:

1. The NMUN Delegate Preparation Guide, which 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 discuss the topics or agenda with other members of their committee until the first committee session.
2. The NMUN Rules of Procedure, which includes the long and short form of the rules as well as an explanatory narrative and example script of the flow of procedure.

In addition, please review the mandatory NMUN Conduct Expectations on the NMUN website. They include the conference dress code and other expectations of all attendees. We want to emphasize that any instances of sexual harassment or discrimination based on race, gender, sexual orientation, national origin, religion, age, or disability will not be tolerated. If you have any questions concerning your preparation for the committee or the conference itself, please contact the Under-Secretary-General Emma Ogg at usgemma.dc@nmun.org or Secretary-General Daniel Sweeney at secgen.dc@nmun.org.

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

Sincerely,

Christopher Duggan, Director
Allison C. Uhrick, Assistant Director



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Committee Overview

“We cannot create a safer world through uncoordinated action. Disarmament works best when we work together: governments, experts, civil society and individuals.”¹

Introduction

With universal membership, the United Nations (UN) General Assembly is the main deliberative and policymaking body and one of the six principal organs established by the *Charter of the United Nations* (1945).² The work of the General Assembly is undertaken in subsidiary committees, each of which debate and adopt draft resolutions on their particular topics and allocated agenda items.³ The General Assembly First Committee considers matters related to disarmament and international security as outlined in the *Charter of the United Nations*.⁴ The first resolution adopted by the General Assembly was on the topic of eliminating weapons of mass destruction, which was submitted to the General Assembly Plenary by the First Committee.⁵

In 1978, the General Assembly held the first special session on disarmament and established the current UN disarmament machinery including: the Conference on Disarmament (CD), the international community’s multilateral negotiation forum on disarmament, and the second and current Disarmament Commission.⁶ Created in 1980, the UN Institute for Disarmament Research undertakes independent research on questions related to disarmament.⁷ Several other disarmament-related entities and organizations also report to the General Assembly through the First Committee, such as the regional centers on disarmament and the Comprehensive Nuclear-Test-Ban Treaty Organization.⁸

Historically, the General Assembly has adopted resolutions on key treaties to control weapons of mass destruction and conventional arms.⁹ In 1959, General Assembly resolution 1378 (XIV) on “General and Complete Disarmament,” the first resolution sponsored by all Member States, stated that disarmament was the most important question facing the world at the time.¹⁰ In 1968, the General Assembly adopted resolution 2373 (XXII) and requested that Member States sign and ratify the *Treaty on the Non-Proliferation of Nuclear Weapons* (1968).¹¹ In 1971 and 1980, the General Assembly adopted resolutions to commend the creation of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (1972) and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (1992).¹² The General Assembly has also adopted resolutions on conventional arms control treaties, such the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (1997), the Arms Trade *Treaty* (2013), and the *Convention on Cluster Munitions* (2008).¹³ Most recently, during its Seventy-fourth

¹ Executive Office of the Secretary-General, *Speech by Acting Secretary-General of the United Nations António Guterres on the Launch of the Disarmament Agenda at the University of Geneva on 24 May 2018, in Geneva, 2018.*

² UN General Assembly, *About the General Assembly.*

³ *Ibid.*

⁴ *Charter of the United Nations, 1945. Ch. IV Art. 11*

⁵ UN General Assembly, *Establishment of A Commission to Deal with the Problems Raised by the Discovery of Atomic Energy (A/RES/1/(1)), 1946; Gillis, *Disarmament: A Basic Guide Fourth Edition, 2017.**

⁶ *Ibid.*

⁷ UN General Assembly, *Resolutions and Decisions adopted by the General Assembly during its Tenth Special Session: 23 May – 30 June 1978 (S-10/2), 1978.*

⁸ Switzerland, *The PGA Handbook: A Practical Guide to the United Nations General Assembly, 2017, p. 63.*

⁹ *Ibid.*

¹⁰ UN General Assembly, *General and Complete Disarmament (A/RES/1378 (XIV)), 1959.*

¹¹ UN Audiovisual Library of International Law, *Treaty on the Non-Proliferation of Nuclear Weapons, 1968, 2012.*

¹² *Ibid.*

¹³ *Ibid.*

session, eight draft proposals were adopted by the First Committee that explicitly focus on banning nuclear disarmament, nuclear testing, and regional disarmament of Member States.¹⁴

Governance, Structure, and Membership

The General Assembly is comprised of all 193 UN Member States.¹⁵ Observer status can also be granted to intergovernmental organizations and states without full UN membership.¹⁶ During the Seventy-fourth session of the General Assembly, 107 intergovernmental organizations, and two non-Member States, the Holy See and the State of Palestine, were granted observer status.¹⁷ In the General Assembly, each Member State has one equal vote.¹⁸ Decisions on important matters require a two-thirds majority vote; such matters include the maintenance of international peace and security, the admission, suspension, and expulsion of Member States, and budgetary questions.¹⁹ All other matters require a simple majority.²⁰ In 2019, 70% of resolutions were adopted without a vote, illustrating the consensus-based nature of the General Assembly.²¹ Resolutions that come out of the First Committee are non-binding but are typically adopted as international norms.²²

The First Committee receives substantive and organizational support from three entities: the General Committee, the United Nations Office for Disarmament Affairs (UNODA), and the Department for General Assembly and Conference Management (DGACM).²³ The General Committee is comprised of the President of the General Assembly, the 21 Vice-Presidents, and the Chairpersons of all six General Assembly Main Committees; all positions are elected every session on a non-renewable basis.²⁴ During the seventy fourth session of the General Assembly, President Tijjani Muhammad Bande of Nigeria was elected to serve for the 2019 session.²⁵ The election for the incoming president for the seventy fifth session will take place in June 2020.²⁶ The president of the General Assembly is selected based on geographic rotation and then elected by the General Assembly plenary body.²⁷ The regional groups that exist within the General Assembly fall along geographic lines and comprise the twenty-one Vice Presidential offices.²⁸

The General Committee's main duty is to determine the agenda of the General Assembly Plenary and the six main committees, and make recommendations on organizational issues.²⁹ After receiving a preliminary list of agenda items from the Secretariat, the General Committee allocates the different items to each main committee.³⁰ The First Committee then votes on its own agenda based on the allocated agenda items.³¹ Within the Secretariat, UNODA provides "objective, impartial and up-to-date information on multilateral disarmament issues" and promotes the implementation of practical measures on nuclear disarmament and non-proliferation.³² It further encourages norm-setting across the General Assembly,

¹⁴ UN General Assembly, *List of Draft Proposals for the 74th session (as of 08 November 2019)*, 2019.

¹⁵ *Ibid.*, Ch. IV.

¹⁶ UN Department of Global Communications, *About Permanent Observers*; UN DGC, *Non-Member States*.

¹⁷ UN General Assembly, *List of non-Member States, Entities and Organizations Having Received a Standing Invitation to Participate as Observers in the Sessions and Work of the General Assembly: Note by the Secretariat (A/INF/74/3)*, 2019.

¹⁸ *Ibid.*, Ch. IV, Art. 18.

¹⁹ *Ibid.*, p. 54.

²⁰ *Ibid.*, p. 14.

²¹ UN Digital Library, *Voting Records*.

²² *Ibid.*

²³ UN General Assembly, *Disarmament and International Security (First Committee)*.

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ *Ibid.*

³² UN ODA, *About Us*.

CD, and the United Nations Disarmament Commission (UNDC).³³ Additionally, the DGACM provides valuable technical Secretariat support and acts as the intersection between the General Assembly and the Economic and Social Council.³⁴

The First Committee works in close cooperation with the CD and UNDC.³⁵ The CD is an independent entity that has a crucial role in addressing issues of disarmament as it is the only recognized “multilateral disarmament negotiating forum of the international community.”³⁶ Unlike the CD, UNDC is a subsidiary organ of the First Committee and is composed of all 193 Member States.³⁷ The mandate of UNDC is to provide recommendations on disarmament issues to the First Committee and follow-up on the implementation of adopted decisions.³⁸ Both CD and UNDC report either annually, or more frequently, to the First Committee.³⁹ In addition the First Committee reports to the Security Council regarding issues that are imperative during any session.⁴⁰ Over time the First Committee has expanded their topic purview to include issues regarding outer space security and disarmament.⁴¹ Additionally, civil society organizations have an important relationship with the General Assembly First Committee in providing alternative research and perspectives on disarmament issues; they are often invited to participate in committee sessions with observer status.⁴²

Mandate, Function, and Powers

The General Assembly and its six main committees are the center of the UN System and represent its main deliberative, policymaking, and representative organ.⁴³ Although decisions adopted by the General Assembly are non-binding, they are often adopted as customary international law and serve as international policy norms.⁴⁴ Article 11 of the Charter states that the General Assembly may consider principles of international peace and security, including disarmament.⁴⁵ The question of disarmament is organized into seven clusters: nuclear weapons; other weapons of mass destruction; disarmament aspects in outer space; conventional weapons; regional disarmament and security; the disarmament machinery; and other disarmament measures and security.⁴⁶ The General Assembly may address any issue within the scope of the Charter; however, it cannot “take decisions on international situations or disputes that the Security Council is considering.”⁴⁷ In turn, it is not within the mandate of the First Committee to address threats to international peace and security related to issues of disarmament.⁴⁸ Rather, the First Committee is mandated to act as a forum for dialogue and cooperation to provide recommendations for how the international community can address disarmament issues that may pose a threat to international peace and security.⁴⁹ Member States bring forth regional resolutions in the First Committee as it provides a strategic forum to gain regional consensus and thus adopt regional norms.⁵⁰ Resolutions that come out of the First Committee are non-binding but typically set precedence for new international norms as they are voted upon by all member state of the General Assembly Plenary body.⁵¹

³³ Ibid.

³⁴ Ibid.

³⁵ Ibid.

³⁶ UN Office at Geneva, *An Introduction to the Conference*.

³⁷ UN ODA, *United Nations Disarmament Commission*.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid, Ch. IV Art. 11

⁴¹ Ibid, pp. 69-70.

⁴² Ibid, p. 31.

⁴³ Ibid.

⁴⁴ Ibid; Ibid.

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ Ibid, pp. 13-63.

⁴⁸ Ibid; Ibid, p. 13.

⁴⁹ Nuclear Threat Initiative, *United Nations First Committee*, 2019.

⁵⁰ UN General Assembly, *Allocation of agenda items to the First Committee, Seventy-fourth session (A/C.1/74/1)*, 2019, pp. 2-4.

⁵¹ Ibid.

One of the key strategic objectives of the General Assembly is to synchronize similarities of agenda topics between the six main committees to provide the Plenary Committee with more succinct and robust information.⁵² Therefore, all main committees have placed a greater emphasis on technology and information-sharing, both among the main committees themselves and further encouraging Member States to do so.⁵³ The general committee holds the responsibility for coordinating information-sharing to address cross-cutting issues between the main committees.⁵⁴ Within this context and related to the work of the First Committee during the seventy-third session, the General Assembly adopted resolution 73/6 that encourages “stronger international cooperation in peacefully using outer space to address long-term sustainable development concerns.”⁵⁵ This resolution, adopted without reference to a main committee, is an example of coordination and cooperation between main committees through Member States to address an issue that has security, economic, political, and development impacts that would historically be addressed in separate main committees focusing on their specific mandate, such as security and disarmament in the First Committee.⁵⁶

Recent Sessions and Current Priorities

Under the guidance of the *Biennial Programme Plan and Priorities for the Period 2018-2019*, the General Assembly First Committee has been directed to evaluate issues regarding five subprograms: (1) multilateral negotiations and deliberations on disarmament and arms limitation; (2) weapons of mass destruction; (3) conventional arms; (4) information and outreach; and (5) regional disarmament.⁵⁷ The Agenda for the Seventy-Third Session of the General Assembly First Committee included topics on the prevention of arms races in outer space, nuclear test ban treaty, and telecommunications in the context of international security.⁵⁸ These topics aligned with the five subprograms outlined for the First Committee prior to the seventy-third session.⁵⁹ Work on the five subprogram topics continued during the seventy-fourth session in 2019.⁶⁰

The agenda for the seventy-fourth session included the continued discussion on nuclear weapon free zones in various regions.⁶¹ At the conclusion of the seventy-fourth session, the General Assembly adopted multiple resolutions regarding nuclear weapon free zones in various regions throughout the world.⁶² These resolutions provide international norms for Member States in various regions.⁶³ General Assembly Resolution 74/26, *African Nuclear-Weapon-Free Zone Treaty*, calls upon Member States from the African continent sign and uphold the *Treaty of Pelindaba*.⁶⁴ The treaty calls upon the Member States of the African Continent and surrounding island states to set forth a principle of norms regarding disarmament for the region.⁶⁵ Member States that have signed this treaty make the commitment to the “prohibition of testing of nuclear explosive devices,” “prohibition of dumping of radioactive wastes,” and

⁵² UN General Assembly, *Biennial Programme Plan and Priorities for the Period 2018-2019 (A/71/6/Rev.1)*, 2017.

⁵³ Ibid.

⁵⁴ UN General Assembly, *General Committee*.

⁵⁵ UN DGC, *General Assembly Adopts Resolution Encouraging Stronger International Cooperation for Peacefully Using Outer Space to Drive Sustainable Development*, 2018; UN General Assembly, *Fiftieth Anniversary of the First United Nations Conference on the Exploration and Peaceful Uses of Outer Space: Space as a Driver of Sustainable Development (A/RES/73/6)*, 2018.

⁵⁶ Ibid; Ibid.

⁵⁷ Ibid, pp. 71-76.

⁵⁸ Ibid, pp. 2-4.

⁵⁹ Ibid, pp. 71-76.

⁶⁰ Ibid, pp. 2-4.

⁶¹ Ibid, pp. 2-4.

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ UN ODA, *African Nuclear Weapon Free Zone Treaty (Treaty of Pelindaba)*, 1996.

other preventative and prohibitive measures for the region.⁶⁶ These types of resolutions are common in the First Committee and continue to be brought forth to the agenda on a regional basis as needed.⁶⁷

Prior to the start of the seventy-fourth session, the Secretary-General, the CD, and the UNDC submitted reports and recommendations to the First Committee which aided in drafting of the preliminary agenda for the session.⁶⁸ During this session, the First Committee adopted 59 draft proposals, 56 of which were subsequently adopted by the General Assembly in December 2019.⁶⁹ While all thematic priorities were discussed, three draft proposals explicitly focused on regional disarmament in the African Continent, the prevention of an arms race within outer space, and the role of science and technology in the context of international security and disarmament.⁷⁰ Examples of resolutions that covered specific thematic priorities include General Assembly Resolution 74/26 on the “African Nuclear-Weapon-Free Zone Treaty,” Resolution 74/32 on the “Role of science and technology in the context of international security and disarmament,” and Resolution 74/32 on the “Prevention of an arms race in outer space.” The First Committee notes that Member States need “to remain vigilant in understanding new and emerging developments in science and technology that could imperil international security.”⁷¹ As the international community increases the exploration of outer space, the First Committee acknowledges that certain Member States have more space capabilities and that it is within their responsibility to contribute to the exploration of outer space in a peaceful manner.⁷²

Heading into the Seventy-Fifth Session of the General Assembly, slated to take place in September 2020, the plenary body will work to implement the “Programme planning,” adopted as resolution 74/251 during the Seventy-fourth session.⁷³ The resolution sets forth the plans to create the next adaptation of the Biennial Programme Plan.⁷⁴ The resolution reviewed the progress of the *Biennial Programme Plan* and determined that the General Assembly should continue to work towards completing the priorities laid out in the plan and postpone the drafting of a new biennial plan until the seventy-sixth session in 2021.⁷⁵

Conclusion

Since the establishment of the UN, the First Committee has acted as a global forum to foster dialogue and cooperation to create and implement mechanisms to achieve disarmament.⁷⁶ The issues of regional disarmament, promoting responsible state behavior in cyberspace, and promoting peaceful state behavior in outer space are areas where the First Committee can act as a universal forum for promoting cooperation between Member States to provide recommendations to the entire UN system as to how these issues can be addressed.⁷⁷ As evidenced by a main objective of information-sharing and cooperation between Main Committees and Member States, it is imperative that these issues are addressed with the objective of achieving consensus to promote global cooperation.⁷⁸ Therefore, First Committee will continue to play an important role in settings standards and promoting treaties to advance disarmament and take steps toward establishing sustainable peace.⁷⁹

⁶⁶ Ibid.

⁶⁷ Ibid, pp. 2-4.

⁶⁸ UN General Assembly, *Status of Documentation for the First Committee (A/C.1/73/INF/1*)*, 2019.

⁶⁹ Ibid.

⁷⁰ UN General Assembly, *Resolutions of the 74th Session*, 2019.

⁷¹ UN General Assembly, *Role of science and technology in the context of international security and disarmament (A/Res/74/35)*, 2019.

⁷² UN General Assembly, *Prevention of an arms race in outer space (A/Res/74/32)*, 2019.

⁷³ UN General Assembly, *Programme Planning (A/Res/74/251)*, 2019.

⁷⁴ Ibid.

⁷⁵ Ibid.

⁷⁶ Ibid; Ibid.

⁷⁷ Ibid.

⁷⁸ Ibid.

⁷⁹ Reaching Critical Will, *UN General Assembly First Committee*, 2014.

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<https://undocs.org/A/71/6/Rev.1>

The Biennial Programme Plan and Priorities for the Period 2018-2019 outlined the priority of issues that the General Assembly and other UN bodies planned to discuss over a two-year period. This document is a supplemental resource to understand the variety of topics that have been discussed under the First Committee and other bodies of the UN and why they were considered to be important over the two-year period. This document will also be used to continue planning work for the First Committee during the 75th Session as the 2020 Biennial Programme Plan has been postponed until 2021.

United Nations, General Assembly, Seventy-Fourth Session. (2019). *Allocation of agenda items to the First Committee, Seventy-fourth session (A/C.1/74/1)*. Retrieved 22 February 2020 from:

<https://undocs.org/en/A/C.1/74/1>

The Allocation of agenda items to the First Committee from the Seventy-fourth Session outlined the topics and priorities for the session. This agenda provides delegates with an understanding of the variety of topics the First Committee evaluates during a given session. This document is provided to the First Committee after the Plenary creates and adopts the Agenda for the year. The Allocation of agenda items allows delegates to observe how topics become agenda items and then follow the process to becoming a resolution.

United Nations, General Assembly. (2019). *List of Draft Proposals for the 74th Session (as of 08 November 2019)*. Retrieved 21 March 2020 from:

https://www.un.org/en/ga/first/74/pdf/1C74_draft_proposals_as_of081119.pdf

In addition to the Allocation of agenda items to the First Committee, this list of draft proposals for the 74th Session allows delegates to observe how agenda items evolve into resolutions throughout a given session. The list of draft proposals also illustrates the multitude of regional cooperation on issues. Delegates will find use from this list of draft proposals to investigate the different topics that have been discussed by the First Committee.

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I. Confidence-Building Measures in the Field of Conventional Arms

Introduction

Confidence-building measures (CBMs) are broadly defined as military and non-military procedures planned to prevent conflict escalation, reduce military tension, and build trust between Member States.⁸⁰ There are four main types of CBMs: communication channels between conflict-prone states; transparency measures, which include data exchanges and notification requirements; constraints measures, which aim to keep various levels of Member States' military forces at a distance from each other; and verification measures to confirm compliance with an agreement or treaty.⁸¹ Designed and implemented at a regional level in order to lower tensions, CBMs are part of a global strategy to maintain international peace and security.⁸² The United Nations (UN) prioritizes the actions of CBMs because prevention is a less costly measure than war, making preventative measures carry a high return on investment.⁸³ In particular, the General Assembly First Committee has recognized the illicit trade of small arms and light weapons (SALW) as a topic of importance as it not only undermines the rule of law, it is also responsible for the forced displacement of civilians and has been the cause of numerous human rights violations.⁸⁴

Preventative measures and the promotion of conflict settlements has decreased low-intensity conflicts, but increased in high-intensity conflicts.⁸⁵ In the General Assembly's seventy-second session in 2017, the First Committee reaffirmed the importance of CBMs in the context of promoting multilateralism, as previously stated in the sixty-seventh session in 2012.⁸⁶ In this context, CBMs can contribute to maintaining trust and positive relationships among people and neighboring States.⁸⁷ Although they are viewed as regional tools, CBMs can, in a broader perspective, create confidence in the system of international security, and multilateralism in the field of conventional arms and disarmament by encouraging and building trust between actors in the international system.⁸⁸

International and Regional Framework

CBMs in the field of conventional arms fall in line with the principles mentioned in Articles 3 and 5 of the 1948 *Universal Declaration of Human Rights*, pertaining to the rights of life, liberty, security, and the freedom of subjection to torture or inhumane and degrading treatment or punishment.⁸⁹ Adopted in 1997, the *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction* focuses on the elimination of anti-personnel landmines (AP-mines) by prohibiting their development and distribution.⁹⁰ In addition, the treaty calls for Member States to destroy their stockpile of AP-mines within four years but may retain a small number of them for training purposes, such as mine-clearance, mine detection, and mine destruction techniques, as featured in Article 3.⁹¹ Subsequently, the *Convention on Cluster Munitions* (CCM), adopted in 2008, aims to prohibit the use, stockpiling, and transfers of cluster bombs, a conventional weapon which can scatter submunitions, or

⁸⁰ UNODA, *Military Confidence-Building Measures*.

⁸¹ Higgins, *Applying Confidence-Building Measures in a Regional Context*, 2002.

⁸² Maiese, *Confidence-Building Measures*, 2003.

⁸³ UN Security Council, *Preventative Diplomacy: Delivering Results: Report of the Secretary-General (S/2011/552)*, 2012.

⁸⁴ UNODA, *Small Arms: use & misuse*, 2017.

⁸⁵ *Ibid.*

⁸⁶ UN General Assembly, *Promotion of multilateralism in the area of disarmament and non-proliferation (A/RES/72/48)*, 2017; UN General Assembly, *Promotion of multilateralism in the area of disarmament and non-proliferation (A/RES/67/38)*, 2012.

⁸⁷ *Ibid.*

⁸⁸ *Ibid.*

⁸⁹ UN General Assembly, *Universal Declaration of Human Rights (A/RES/217A (III))*, 1948.

⁹⁰ *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction*, 1997.

⁹¹ *Ibid.*

“bomblets” over an area.⁹² Similar to the *Anti-Personnel Mine Ban Treaty*, the CCM allows for a limited number of prohibited submunitions and weapons to be kept for training purposes.⁹³

The *UN Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects* (PoA SALW), adopted in 2001 at the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, calls for States to create measures at the international, national, and regional levels in relation to illicit tracking, trading, tracing, and stockpiling SALW.⁹⁴ As one of the first legally binding documents related to the illicit trading of SALW, the *Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition* (2001), also known as the Firearms Protocol, was adopted as a successor to the *United Nations Convention against Transnational Organized Crime* (2000), aiming to address issues of transnational organized crime and to foster global cooperation.⁹⁵ The Firearms Protocol establishes a framework for Member States to effectively regulate SALW.⁹⁶ These preventative measures can stop the illicit diversions of SALW, and can begin investigations and prosecutions of SALW-related crimes while ensuring legitimate trade is not disrupted.⁹⁷

The *Arms Trade Treaty* (2013) (ATT) entered into force in 2014 and calls upon States parties to commit to establishing measures and strategies for an effective and regulated international trade of conventional arms, which include but are not limited to SALW, tanks, and warships.⁹⁸ These commitments include regular and consistent reporting efforts of weapons stockpiles, regulating imports and exports of conventional weapons, and maintenance of weapons records.⁹⁹ In addition, the ATT calls for Member States to provide initial reports to the Secretariat of their efforts in the treaty’s implementation, and to provide annual reports to include possible measures to implement in the future.¹⁰⁰ Any record keeping by Member States requires a focus on regulations, national law, and the imports and exports of SALW.¹⁰¹ The ATT is a legally binding document and Member States that ratify it agree to implement its provisions.¹⁰² As of September 2019, 104 Member States are parties to the treaty, with 130 signatories, and 97 Member States having ratified the document.¹⁰³

Member States and regions have adopted regional documents and conventions to address the needs of specific states or regions, with these documents creating their own conditions to establish CBMs.¹⁰⁴ The 1986 Stockholm Conference on Confidence- and Security-Building Measures and Disarmament in Europe, convened by the Organization for Security and Co-operation in Europe (OSCE), established the first security agreement in Europe to adopt militarily significant, politically binding, and verifiable confidence-building measures.¹⁰⁵ Under these terms, Member States which are party to this conference agree to new standards for the notification and observation of military activities and agree to proving their compliance through mandatory on-site inspection arrangements.¹⁰⁶ Known as the “cornerstone of

⁹² UNODA, *Convention on Cluster Munitions*.

⁹³ Ibid.

⁹⁴ UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects* (A/CONF.192/15), 2001.

⁹⁵ UN General Assembly, *Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime* (A/RES/55/255), 2001.

⁹⁶ UNODC, *Firearms Protocol*, 2017.

⁹⁷ Ibid.

⁹⁸ UN General Assembly, *Arms Trade Treaty*, 2013.

⁹⁹ UNODA, *Arms Trade Treaty Implementation Toolkit: Module 2*, 2015.

¹⁰⁰ Ibid.

¹⁰¹ Ibid.

¹⁰² Ibid.

¹⁰³ UNODA, *ATT: States Parties*.

¹⁰⁴ UNODA, *Military Confidence-Building*.

¹⁰⁵ Organization for Security and Co-Operation in Europe, *Document of the Stockholm Conference: on Confidence- and Security-Building Measures*, 1986.

¹⁰⁶ Ibid.

European Security,” the *Treaty on Conventional Armed Forces in Europe* (CFE) (1990) established equal limits on the amount of tanks, combat aircraft, and armored combat vehicles that the parties to the North Atlantic Treaty Organization (NATO) and the Warsaw Pact could deploy between the Ural Mountains and the Atlantic Ocean.¹⁰⁷ The CFE prevented either alliance from gathering large forces for major tactical offenses, and would aim to eliminate one side building an overwhelming advantage in conventional arms.¹⁰⁸ In addition, both the *Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials* (1997) and the *Inter-American Convention on Transparency in Conventional Weapons Acquisitions* (1999), both adopted by the Organization for American States (OAS), aim to establish CBMs to deter the fear of attacks by parties in a conflict scenario.¹⁰⁹

Role of the International System

According to Articles 11 and 33 of the *Charter of the United Nations* (1945), the General Assembly can consider the principles of cooperation in the context of international peace and security to include the principles of disarmament and arms regulation.¹¹⁰ Subsequently, General Assembly resolution 66/38 of 2012 on “Confidence-building measures in the regional and sub-regional context” builds on the 66th session, in which the role of CBMs was discussed in promoting disarmament and arms control, and reaffirms the need for peaceful negotiations and dispute settlements, while highlighting the lack of effective means to resolve conflicts.¹¹¹ The resolution was reviewed at the 73rd session in 2018 and highlighted the concern of ongoing and growing disputes between Member States and the lack of effective means to peacefully resolve those disputes, resulting in the potential for a future arms race and threatening the maintenance of international peace and security.¹¹² The resolution calls for Member States to comply with all agreements regarding arms control to which they are party, to promote CBMs in avoiding conflict and promoting peace and security, and to include such CBMs in the regional and sub-regional context in the General Assembly’s agenda for the 74th session.¹¹³

The role of the General Assembly in the UN system includes the establishment of tools created to increase transparency in the field of disarmament, which provide understanding of patterns in military budgets.¹¹⁴ Member States are encouraged to report military expenditures through the UN Report on Military Expenditures, developed in 1981.¹¹⁵ In addition, the UN Register of Conventional Arms was established and is overseen by a Group of Governmental Experts, which report to the General Assembly and assist in identifying a destabilizing or excessive accumulation of arms.¹¹⁶ The Group has been successful in reviewing and improving the UN Register, with one improvement including more reporting on comprehensive approaches to arms.¹¹⁷

Within the broader UN system, the United Nations Disarmament Commission (UNDC) works on practical CBMs, while UNDC forms recommendations that are then submitted to the General Assembly.¹¹⁸ The United Nations Conference on Disarmament (UNCD) also reports on topics including disarmament and

¹⁰⁷ Organization for Security and Co-Operation in Europe, *Treaty on Conventional Armed Forces in Europe*, 1990.

¹⁰⁸ Ibid.

¹⁰⁹ UNODA, *UN regional approach to Disarmament, non-proliferation, and arms control*.

¹¹⁰ *Charter of the United Nations*, 1945, Art. 11 & 33.

¹¹¹ UN General Assembly, *Confidence-building measures in the regional and subregional context (A/RES/66/38)*, 2012.

¹¹² UN General Assembly, *Confidence-building measures in the regional and sub-regional context (A/RES/73/35)*, 2018.

¹¹³ Ibid.

¹¹⁴ UN General Assembly, *Objective information on military matters, including transparency of military expenditure: Report of the Secretary-General (A/68/131)*, 2013; UNODA, *Military Expenditures*.

¹¹⁵ UNODA, *Promoting Further Openness and Transparency in Military Matters – An Assessment of the United Nations Standardized Instrument for Reporting Military Expenditures*, 2010.

¹¹⁶ UNODA, *UN Register of Conventional Arms*.

¹¹⁷ Ibid.

¹¹⁸ UNODA, *United Nations Disarmament Commission*.

non-proliferation to the General Assembly.¹¹⁹ Additionally, the UN Office for Disarmament Affairs (UNODA) promotes disarmament in areas where CBMs are used on a regular basis, such as conventional weapons.¹²⁰ UNODA provides support for cooperation, implementing dialogue between parties in conflict and military CBMs, and encouraging efforts for regional disarmament.¹²¹

The General Assembly builds and maintains partnerships with regional actors and UN agencies in ensuring the success of CBMs.¹²² Founded in 2008, the International Dialogue on Peacebuilding and State building, an annual forum for political dialogue, aims to support and assist those who live in areas most at risk for an illicit arms flow, and brings together Member States to develop and establish best practices and measures for conflict resolution and inclusive transparency.¹²³ General Assembly resolution 65/283 on “Strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution” (2011) reaffirmed the committee’s role in such settlements and provides a framework for productive collaboration efforts between mediation actors.¹²⁴ The role of mediation in the context of preventative diplomacy is featured in the work of the Mediation Support Unit, established in 2006 to enhance mediation capacities between regional organizations and the UN.¹²⁵ In this context, the Organization of American States (OAS) has partnered with the UN to develop a joint mediation partnership to include joint training for officials in Member States.¹²⁶ Additionally, the OAS General Assembly adopted resolutions to promote confidence and security measures throughout the region.¹²⁷ A Meeting of Experts was held in 1994, with 47 CBMs prepared and grouped into five categories: Diplomatic Character; Political Character; Military Character; Educational and Cultural Character; and Economic Character.¹²⁸ In 1997, OAS adopted the *Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other related Materials*, the first regional agreement to address the illicit arms trafficking.¹²⁹ Concerned with the relationship between illicit arms trafficking and the increase in transnational organized crime, States party to the Convention committed to establishing effective systems of licenses for importing and exporting firearms and ensuring the information is shared among local government agencies and law enforcement.¹³⁰

Implementing Confidence-Building Measures in the Field of Conventional Arms

OSCE indicates CBMs are effective in achieving the primary goal of enhancing trust, when implemented in an active conflict prevention phase or a post-conflict rehabilitation phase, to avoid a resurgence in violence between parties.¹³¹ However, success can be limited due to lack of human and financial resources, lack of political will, and low confidence levels between parties.¹³² Ultimately, CBMs can be utilized to develop sustainable results, not to reinforce state interests.¹³³ Preventative measures, such as administering justice, can help reduce tensions to ensure all parties are held accountable if they hinder the success of a CBM’s implementation.¹³⁴ In 1999, OSCE established the Communications Network to

¹¹⁹ UNCD, *Report of the Conference on Disarmament to the General Assembly of the United Nations*, 2003.

¹²⁰ UNODA, *About Us*.

¹²¹ *Ibid.*

¹²² *Ibid.*

¹²³ International Dialogue on Peacebuilding and Statebuilding, *About the International Dialogue*.

¹²⁴ UN General Assembly, *Strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution (A/RES/65/283)*, 2011.

¹²⁵ *Ibid.*

¹²⁶ *Ibid.*

¹²⁷ Organization of American States Inter-American Defense Board, *Updating on the Inventory of Confidence and Security Building Measures (CSBM)*, 2018.

¹²⁸ *Ibid.*

¹²⁹ Organization of American States, *Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials*, 1997.

¹³⁰ *Ibid.*

¹³¹ Organization for Security and Co-Operation in Europe, *OSCE Guide on Non-military Confidence-Building Measures (CBMs)*, 2012.

¹³² *Ibid.*

¹³³ *Ibid.*

¹³⁴ *Ibid.*

create secure and reliable channels for Member States to exchange information, and is seen as an technological alternative to in-person diplomatic meetings.¹³⁵ OSCE approved the use of the Communications Network in 2007 to implement Article IV of the 1995 Dayton Peace Accords, the treaty promoting peace, stability, and balance in Bosnia and Herzegovina and the former Yugoslavia, to provide frameworks for negotiations of a sub-regional arms control agreement between Bosnia and Herzegovina, Croatia, and Serbia and Montenegro, including establishing limits on holdings of artillery, tanks, and combat aircraft.¹³⁶ The Network's Communications Group, a group of experts from OSCE delegations who oversee the network, was tasked with the technical implementations of the Accords, which include information sharing on conventional arms and arms inspections.¹³⁷

According to UNODA, there are few CBMs in place throughout the international community, with many regions lacking them.¹³⁸ The absence of preventative measures could mean a lack of safety requirements in producing and taking responsibility for a state's conventional arms.¹³⁹ In recent years, the General Assembly has adopted more resolutions regarding CBMs for conventional arms, which highlight the importance of increasing CBMs in the field and encourage States to establish and continue dialogue on CBMs for conventional arms.¹⁴⁰ General Assembly resolution 73/51, "Information on confidence-building measures in the field of conventional arms," in particular, highlights the importance of the Disarmament Commission's 2017 report, which recommended practical CBMs for conventional arms as a basis for establishing dialogue between Member States.¹⁴¹ Additionally, to ensure CBMs are implemented at the regional level, the OAS Permanent Council's Committee on Hemispheric Security calls for Member States to submit a detailed inventory of implemented CBMs to the Organization on an annual basis.¹⁴² The Committee additionally encourages establishing information exchange programs between Member States as a cooperative activity to develop regional peacekeeping skills and to build trust between States, as well as building trust between law enforcement officers and civilians.¹⁴³

Addressing the Illicit Trade of Small Arms and Light Weapons

The General Assembly is actively addressing the illicit trade of SALW, but according to UNODA progress still needs to be made in the context of CBMs, such as increased transparency and regular reporting of the SALW trade.¹⁴⁴ The widespread use and availability of SALW due to portability and national legislation has been a factor in the increase of armed conflict and displacement.¹⁴⁵ Although Member States can use SALW with armed forces in the context of regional and national security, these types of weapons are often sold on the black market, further fueling violence and illicit trades.¹⁴⁶ Treaties and other agreements which address the illicit trade of SALW, including the PoA SALW, the Firearms Protocol, and the ATT have provided major steps in creating guidelines at the international level in regards to conventional arms and their trading habits.¹⁴⁷ However, according to the 2019 Secretary-General's report, "Small arms and light weapons," SALW continued to impede security, peace, and

¹³⁵ Organization for Security and Co-Operation in Europe, *Confidence and Security-Building Measures*.

¹³⁶ Lachowski, *SIPRI Yearbook 2008: Armaments, Disarmament and International Security*, 2008, p. 483; Organization for Security and Co-Operation in Europe, *Article IV of the Dayton Peace Accords*, 2014; Organization for Security and Co-Operation in Europe, *Dayton Peace Accords*, 1995.

¹³⁷ *Ibid.*, p. 483; Organization for Security and Co-Operation in Europe, *The OSCE Conflict Prevention Centre*.

¹³⁸ *Ibid.*

¹³⁹ UN General Assembly, *Information on confidence-building measures in the field of conventional arms (A/RES/73/51)*, 2018.

¹⁴⁰ *Ibid.*

¹⁴¹ *Ibid.*; UN General Assembly, *Report of the Disarmament Commission 2017 (A/72/42)*, 2017.

¹⁴² Organization of American States Permanent Council, *List of Confidence and Security Building Measures*.

¹⁴³ *Ibid.*

¹⁴⁴ *Ibid.*

¹⁴⁵ UN DGC, *Human Cost of Illicit Flow of Small Arms, Light Weapons Stressed in Security Council Debate*, 2015.

¹⁴⁶ Amnesty International, *What We Do: Arms Control*, 2020; *Ibid.*

¹⁴⁷ *Ibid.*; *Ibid.*; *Ibid.*

sustainable development, and continue to be the primary cause of death in areas of conflict.¹⁴⁸ Additionally, Member States have facilitated dialogue on illicit trade, but little action was taken.¹⁴⁹

At the regional level, the African Union (AU) established the *African Union Strategy on the Control of Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons* in 2013, which created CBMs to combat and eradicate the illicit circulation and trafficking of SALW, including: Promoting peace by creating public awareness programs on the issue of the illicit trafficking of SALW; Addressing the issue of SALW through mainstreaming as a multidimensional issue in achieving peace and security throughout Africa; Capacity-building among AU Member States and its regional bodies to implement measures against SALW; Promoting cooperation and information sharing between stakeholders; and Enhancing international cooperation against illicit SALW trafficking.¹⁵⁰ However, the measures mentioned in these documents are useful only if Member States cooperate to ratify and implement the measures and guidelines included, especially with respect to CBMs.¹⁵¹

Similar to the Communications Network established by OSCE, the International Criminal Police Organization (INTERPOL), an inter-governmental organization established to encourage Member States to work together to address international crime, created the Illicit Arms Records and Tracing Management System (iARMS) as a system for information-sharing on SALW-related crimes between law enforcement agencies at the international level.¹⁵² iARMS establishes a centralized system for reporting stolen, lost, and smuggled SALW for law enforcement that also allows agencies to submit requests for firearms tracing and provides monitored updates on the requests for law enforcement to follow.¹⁵³ The system is divided into three components: the Firearm Records Management Module, which allows authorized law enforcement officers to create and share records of stolen or lost SALW securely; the Trace Requests Management Module, a system for law enforcement to facilitate firearm tracing activities at the international level, allows users to submit firearms trace requests and allows other users to respond and monitor submitted requests; and the Statistics and Analysis Module, which provides INTERPOL Member States access to data information on SALW-related crimes and allows them to generate reports based on the provided data.¹⁵⁴

Conclusion

Regarding the topic of CBMs and the evolving frameworks and regional contexts, the role of the First Committee can strengthen the available practices and tools, transparencies, and communication channels.¹⁵⁵ Despite use as a regional tool in a contextual setting, sharing the needed materials and strategies among Member States can ensure CBMs' success.¹⁵⁶ This can, in turn, encourage the use of CBMs in the international community, such as the Registry on Conventional Arms and the Report on Military Expenditures, in the field of international security.¹⁵⁷ The long-term effects of illicit SALW trade with regards to social and economic development are damaging to civilian life since they hinder human development and restrict access to healthcare, community participation, education, and livelihoods.¹⁵⁸ A multilateral approach to the use of CBMs in the field of conventional arms can improve their use as global tools to promote and maintain international peace and security.¹⁵⁹

¹⁴⁸ UN Security Council, *Small arms and light weapons: Report of the Secretary-General (S/2019/1011)*, 2019.

¹⁴⁹ Ibid.

¹⁵⁰ African Union, *African Union Strategy on the Control of Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons*, 2013.

¹⁵¹ Ibid.

¹⁵² INTERPOL, *iARMS: Illicit Arms Records and Tracing Management System*.

¹⁵³ Ibid.

¹⁵⁴ Ibid.

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid.

¹⁵⁸ Saferworld, *Impact of Small Arms and Light Weapons on Conflict, Security, and Human Development*.

¹⁵⁹ Ibid.

Further Research

When conducting further research, delegates should consider the following questions: How can the international community further implement CBMs with conventional arms in mind? What other roles do regional organizations have as part of a potential mediation process to implement CBMs for conventional arms? What can the First Committee do in the realm of CBMs to protect populations from illicit use of SALW? How can the First Committee address gaps in the framework on CBMs and conventional arms, as well as implementation?

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This document establishes the first security agreement for the 35 European States party to the 1986 Stockholm Conference. The document adopted politically binding, militarily significant, and verifiable CBMs, particularly for conventional arms. State parties agreed to new standards of compliance through on-site inspection arrangements. Delegates will find this source useful when researching Member State compliance with CBMs, as well as an example of a regional framework.

Organization for Security and Co-operation in Europe. (2012). *OSCE Guide on Non-military Confidence-Building Measures (CBMs)*. Retrieved 1 June 2020 from: <https://www.osce.org/cpc/91082?download=true>

This report is a comprehensive study that provides delegates with the necessary background to understand the complexity of CBMs in their various forms. The first part of the report sheds light on the contexts in which CBMs can be introduced and what limitations and obstacles may explain their inefficiency. Chapter III includes more case studies for delegates on past and current CBMs implemented by the OSCE. This report is important for delegates to understand the role of regional organizations and the context required for the success of CBMs.

Organization of American States. (1997). *Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials*. Retrieved 17 February 2020 from: http://www.oas.org/en/sla/dil/inter_american_treaties_A-63_illicit_manufacturing_trafficking_firearms_ammunition_explosives.asp

Adopted in 1997, this convention became the first regional agreement for illicit arms trafficking. State parties to the convention commit to establishing and maintaining effective systems of licenses and authorizations for importing and exporting firearms and sharing the information with the law enforcement investigating arms trafficking offenses. This document sets regional standards for firearms controls, which delegates may reference for information on new agreements or frameworks for CBMs in the international community.

United Nations, General Assembly, Sixty-seventh session. (2013). *Arms Trade Treaty*. Retrieved 17 February 2020 from: <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/06/English7.pdf>

The General Assembly adopted this landmark treaty on the eradication of small arms and light weapons, as well as other conventional arms, and their diversion. The ATT is legally binding and plays an important role in establishing CBMs in the field of conventional arms, but since entering into force in 2014 it has yet to be ratified by the majority of Member States. The ATT can be a focal point of delegates' research when considering means to establish CBMs for Member States to pursue.

United Nations, General Assembly, Seventy-second session. (2017). *Promotion of multilateralism in the area of disarmament and non-proliferation (A/RES/72/48)*. Resolution Adopted on the Report of the First Committee (A/72/409). Retrieved 3 May 2020 from: <https://undocs.org/A/RES/72/48>

The resolution highlights the role of the General Assembly in promoting multilateralism and the sharing of regional practices on a global scale. It explains how multilateralism is

the primary tool to maintaining international peace and security. Delegates will understand that CBMs, despite being understood as regional instruments to ensure peace and security, are the first step towards multilateralism, and their potential must be improved upon in the future in specific contexts.

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II. Measures to Prevent Terrorists from Acquiring Weapons of Mass Destruction

*“Disarmament and non-proliferation instruments are only as successful as Member States’ capacity to implement them...the elimination of weapons of mass destruction has been an urgent priority. I urge all Member States to recommit themselves and to take action. The stakes are simply too high to ignore”.*¹⁶⁰

Introduction

Many terrorist organizations have sought to acquire Weapons of Mass Destruction (WMD), with Al Qaeda being notable for believing in an inherent right to acquire and use WMDs.¹⁶¹ The continued assertion of such rights by a group responsible for the September 2001 terrorist attacks against the United States presents a threat to international peace and security.¹⁶² Therefore, the terrorist acquisition of WMD remains a topic frequently addressed by the General Assembly First Committee, with the seventy-fourth session producing *Measures to prevent terrorists from acquiring weapons of mass destruction (A/RES/74/43)* (2019).¹⁶³ With its adoption, the General Assembly reiterated a need for international cooperation in the matter, including ratification of previous instruments such as the *International Convention for the Suppression of Acts of Nuclear Terrorism* (2007) and strengthening national measures by Member States.¹⁶⁴ Additionally, “measures to prevent terrorists from acquiring weapons of mass destruction” is also on the provisional agenda for the seventy-fifth session in 2020.¹⁶⁵ In order to progress in areas of international peace and security, proliferation of WMDs is a priority for the General Assembly and international community to prevent future terrorist acquisition.¹⁶⁶

The United Nations (UN) does not currently have a formal definition for terrorism or terrorist actors.¹⁶⁷ However, several Member States and UN bodies do have a definition.¹⁶⁸ The Office of the United Nations High Commissioner for Human Rights (OHCHR) recognizes terrorism as a violent act targeting civilians in pursuit of a political or religious gain, while the General Assembly denotes terrorist acts as criminal behaviors intended to instill terror in the general public, a group of individuals, or persons for political purposes.¹⁶⁹ Despite multiple interpretations, several UN conventions, such as the *International Convention for the Suppression of Acts of Nuclear Terrorism* in 2005, have attempted to address acts of terrorism.¹⁷⁰ Nevertheless, there are wide gaps in international legislation regarding terrorism.¹⁷¹ At the UN level, WMDs were first referenced in the General Assembly through the *Establishment of a Commission to Deal with the Problems Raised by the Discovery of Atomic Energy (1/I)* (1946), with a formal definition arriving in 1948 by the now dissolved Commission on Conventional Armaments.¹⁷² According to the Commission, WMDs are considered atomic explosive weapons, radioactive material weaponry, lethal chemical and biological weapons, and any additional weapons developed having characteristics comparable in destructive effect to that of the atomic bomb and those aforementioned.¹⁷³ Nuclear, chemical, and biological weapons are considered WMDs per the commission’s definition.¹⁷⁴ Additional consideration to include modern high-caliber explosives as WMDs continues by entities such

¹⁶⁰ UN DPI, *Speech by Acting United Nations Secretary General Ban Ki-Moon on “Weapons of Mass Destruction” at the United Nations Security Council on 23 August 2016*, in New York, 2016.

¹⁶¹ Mowatt-Larssen, *Al Qaeda Weapons of Mass Destruction Threat: Hype or Reality?*, 2010, p. 5.

¹⁶² Ibid.

¹⁶³ UN General Assembly, *Measures to prevent terrorists from acquiring weapons of mass destruction (A/RES/74/43)*, 2019.

¹⁶⁴ Ibid.

¹⁶⁵ Ibid.

¹⁶⁶ Ibid.

¹⁶⁷ OHCHR, *Human Rights, Terrorism and Counter-terrorism*, 2008; Meserole & Byman, *Terrorist Definitions and Designation Lists: What Technology Companies Need to Know*, 2019, p. 2.

¹⁶⁸ Ibid.

¹⁶⁹ Ibid; UN General Assembly, *Measures to Eliminate International Terrorism (A/RES/49/60)*, 1994.

¹⁷⁰ UN Treaty Collection, *Treaty Handbook*, 2012.

¹⁷¹ UN Treaty Collection, *International Convention for the Suppression of Acts of Nuclear Terrorism*, 2020.

¹⁷² Carus, *Defining Weapons of Mass Destruction*, 2012, p. 5.

¹⁷³ Ibid.

¹⁷⁴ Ibid, p. 1.

as the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific.¹⁷⁵ In 2018, UN Secretary General Antonio Guterres announced an agenda for global disarmament, with WMDs as one of his three priorities.¹⁷⁶ In his announcement, Guterres stated the non-proliferation of WMDs can prevent violence, support sustainable development, and support the UN's values of eliminating war as an instrument to foreign policy.¹⁷⁷ The agenda reaffirms the significant shift in the international community after the adoption of General Assembly resolution 70/1 on "*Transforming our world: the 2030 Agenda for Sustainable Development*" in 2015, particularly with the commitment to counter-terrorism through Goal 16: Peace, Justice and Strong Institutions.¹⁷⁸

International and Regional Framework

Currently, there are no standing conventions or treaties specifically addressing chemical and biological terrorism, and no such frameworks solely addressing WMD and the threat posed by terrorist acquisition.¹⁷⁹ Despite this, there are several entities addressing the threat posed by WMD terrorism, with many of these bodies and organizations have developed frameworks and treaties (and specialize in specific areas of WMDs) and attempt to prevent proliferation, illicit use, and WMD terrorism.¹⁸⁰ The international community has addressed the possibility of nuclear terrorism and adopted the *International Convention for the Suppression of Acts of Nuclear Terrorism* (2007). However, Member States are not obligated to uphold such agreements as they are not legally binding unless they are state parties.¹⁸¹ Additionally, Security Council resolution 1540 (2004) and the 1540 committee aim to eliminate WMD proliferation by non-state actors but requires voluntary cooperation of Member States, as well as internal review and renewal.¹⁸² Organizations such as the International Atomic Energy Agency (IAEA) and the Organisation for the Prohibition of Chemical Weapons (OPCW) emphasize safeguards on Member State's nuclear and chemical material.¹⁸³ However, they do not contain frameworks specific to WMD terrorism and either rely on a states-partied obligations or commitments tied to outside framework, such as the *Treaty on the Non-Proliferation of Nuclear Weapons* (NPT) (A/RES/2373 (XXII)) (1968).¹⁸⁴ Because of this, the General Assembly cites an urgent need to address the threat terrorist acquisition of WMDs poses to humanity within UN Frameworks.¹⁸⁵

OPCW serves as the implementing body for the *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction* (CWC) (1992), and aims to eliminate the use of chemical weapons.¹⁸⁶ Its 193 Member States share an initiative focused on prevention of chemical weapons in warfare, protection of states partied to the CWC, and monitoring the chemical industry to prevent the re-emergence of chemical weapons.¹⁸⁷ OPCW notes the key to preventing terrorist acquisition of chemical weapons is through ensuring channels to acquire them are

¹⁷⁵ UNRCPD, *Weapons of Mass Destruction*, 2020; Ibid.

¹⁷⁶ International Institute for Sustainable Development, *UN Secretary-General Announces Initiative for Global Disarmament*, 2018.

¹⁷⁷ Ibid.

¹⁷⁸ UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development* (A/RES/70/1), 2015; Ibid.

¹⁷⁹ Ibid.

¹⁸⁰ UN General Assembly, *Disarmament and International Security (First Committee)*, 2020; UN IAEA, *Basics of IAEA Safeguards*, 2020; Ibid; UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons* (A/RES/2373 (XXII)), 1968.

¹⁸¹ Ibid.

¹⁸² UN Security Council, *Resolution 1540* (S/RES/1540 (2004)), 2004; UN 1540 Committee, *About 1540 Committee*, 2020.

¹⁸³ Ibid; Ibid.

¹⁸⁴ Ibid; Ibid.

¹⁸⁵ Ibid.

¹⁸⁶ Organisation for the Prohibition of Chemical Weapons, *About Us*, 2020; Organisation for the Prohibition of Chemical Weapons, *Preventing the Re-Emergence of Chemical Weapons*, 2020.

¹⁸⁷ Ibid.

non-existent.¹⁸⁸ As parties to the CWC, states are required to implement national policy criminalizing the use of chemicals as weapons.¹⁸⁹ OPCW will assist with necessary security measures, and may provide capacity building opportunities for Member States, such as legal workshops and first-response training.¹⁹⁰ The *Convention on the Prohibition of the Development Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction* (BWC) (1971) does not have an organization affiliated with its implementation or action.¹⁹¹ Despite this, State parties have met regularly to discuss its implementation and the role of science, technology, politics, and security.¹⁹² Biological weapons are considered far more difficult to develop and less likely to fall into the hands of terrorists.¹⁹³ Nevertheless, State parties to the convention and experts express a need to discuss further implementation, with strengthening cooperation and assistance under article X of the BWC taking precedence.¹⁹⁴

The First Committee has discussed WMD terrorism several times in recent sessions and adopted General Assembly resolutions A/RES/70/36, A/RES/72/42, and A/RES/74/43, all containing the topic title in their respective resolutions.¹⁹⁵ Such thematic discussion dates back as far as 2015 with each document highlighting action taken by other instruments and agencies, including IAEA and the *International Convention for the Suppression of Acts of Nuclear Terrorism*.¹⁹⁶ While these resolutions highlight past action, they do very little to directly address the topic at hand, and often call on Member States to participate in regional measures, enact legislation to prevent terrorist acquisition, or ratify current UN mechanisms.¹⁹⁷

Role of the International System

While the UN does not currently have an all-encompassing organization dedicated to terrorist acquisition of WMD, the international system contains several bodies affiliated to separate areas relating to WMDs such as the IAEA, 1540 Committee, the Security Council, the Counter-Terrorism Committee (CTC) and the United Nations Office for Disarmament Affairs (UNODA).¹⁹⁸ The IAEA succeeded UNAEC in 1957 to promote safe, secure and peaceful use of future nuclear technologies.¹⁹⁹ IAEA serves as the chief international organization ensuring cooperation with NPT, and collaborates with Member States and global experts to develop policies improving nuclear security, nuclear stockpile management, and nuclear terrorism.²⁰⁰ IAEA also houses the Global Nuclear Safety and Security Network (GNSSN), providing members a platform to share nuclear safety knowledge and practices so as to achieve policy cohesion and an elevated level of nuclear safety and security.²⁰¹ While IAEA houses this network and provides public access to open information sources, collaboration with safety and security teams is highly restricted and requires official nomination, registration, and affiliation with a nuclear safety community.²⁰² IAEA also provides a series of trade restrictions Member States must adhere to so as to aimed prevent

¹⁸⁸ Organisation for the Prohibition of Chemical Weapons, *Preventing the Re-Emergence of Chemical Weapons*, 2020.

¹⁸⁹ Ibid.

¹⁹⁰ Ibid.

¹⁹¹ UNODA, *Biological Weapons*, 2020.

¹⁹² UN Geneva, *About the Biological Weapons Convention*, 2020; UNODA, *Biological Weapons*, 2020.

¹⁹³ Leitenberg, *Assessing the Biological Weapons and Bioterrorism Threat*, 2005.

¹⁹⁴ UN Geneva, *About the Biological Weapons Convention*, 2020; UN Geneva, *2019 Meeting of States Parties*, 2020;

¹⁹⁵ UN General Assembly, *Measures to prevent terrorists from acquiring weapons of mass destruction (A/RES/70/36)*, 2015; UN General Assembly, *Measures to prevent terrorists from acquiring weapons of mass destruction (A/RES/72/42)*, 2017; Ibid.

¹⁹⁶ UN General Assembly, *Measures to prevent terrorists from acquiring weapons of mass destruction (A/RES/70/36)*, 2015.

¹⁹⁷ Ibid.

¹⁹⁸ UNODA, *Report of the Secretary General on Measures to Prevent Terrorists from Acquiring Weapons of Mass Destruction*, 2020.

¹⁹⁹ UN DPI, *Atomic Energy*, 2020; UN International Atomic Energy Agency, *History*, 2020.

²⁰⁰ UN International Atomic Energy Agency, *Security of Nuclear and other radioactive material*, 2020.

²⁰¹ UN International Atomic Energy Agency, *Global Nuclear Safety and Security Network*, 2020; UN IAEA GNSSN, *Membership*, 2020.

²⁰² Ibid.

nuclear material from falling into the wrong hands.²⁰³ The 1540 Committee consists of current permanent and non-permanent members of the Security Council and attempts to address the proliferation of nuclear, chemical, and biological weapons particularly by non-state actors.²⁰⁴ While the committee was established to serve as the UN's primary avenue addressing WMD threats posed by non-state actors and encouraged Member States to submit reports implementing the resolution, many still have not either submitted reports or have failed to do so in over half a decade.²⁰⁵ Such inaction has steered the committee toward a goal of increased reporting and establishing points-of-contact in measures against WMD Terrorism, although only 103 states have appointed such individuals.²⁰⁶ Like the 1540 Committee, CTC was established through Security Council resolution 1373 (2001) and addresses legal measures to combat terrorism.²⁰⁷ While the CTC addresses aspects of terrorism at the international level, they do not primarily focus on WMD but rather the financial aspects and criminalization of terrorism.²⁰⁸ UNODA assists Member States and additional UN agencies with substantive and organizational tools in the arena of disarmament and non-proliferation.²⁰⁹ Despite this, UNODA does not engage in direct action pertaining to terrorist acquisition of WMD, but rather supplements initiatives taken on by the General Assembly.²¹⁰

Some international organizations, such as the International Police Organization (INTERPOL) have prioritized WMD terrorism and aim to mitigate such threats through information sharing, enhanced intelligence measures, and operational support for Member States.²¹¹ Additionally, INTERPOL aims to support Member States through capacity building measures, counter-terrorism training, and coordination of best practices.²¹² At the regional level, organizations such as the African Union (AU) express a commitment to a world free of biological, chemical, and nuclear weapons.²¹³ AU is determined to do so through the promotion of existing international frameworks, and inclusion of instruments aimed at security of such material and the prevention of WMD terrorism.²¹⁴

Factors Leading to Terrorist Acquisition of WMD

Several UN bodies, agencies, and regional organizations carry either carry some form of response or policy relating to WMD.²¹⁵ Despite such initiatives, policy cohesion, state cooperation in non-proliferation efforts, and differences in state ideologies have stalled efforts to prevent WMD acquisition by terrorist organizations.²¹⁶ While current frameworks and resolutions call for international cooperation, particularly with regional initiatives, such efforts traditionally rely on Member State action.²¹⁷ These action plans typically involve voluntary reporting and mirror larger treaties and conventions such as the NPT.²¹⁸ Such frameworks call for oversight and safeguards in trade and WMD stockpiles, but do not apply to states who are not parties to the treaty and considered to be nuclear weapons capable – a device intended for warfare drawing its power from a nuclear reaction.²¹⁹ The 1540 Committee indicated states with WMD components and existing WMD programs are responsible for practicing non-proliferation.²²⁰ However,

²⁰³ UN General Assembly, *International Convention for the Suppression of Acts of Nuclear Terrorism (A/RES/59/290)*, 2005; UN International Atomic Energy Agency, *Security of Nuclear and other radioactive material*, 2020.

²⁰⁴ *Ibid.*

²⁰⁵ UN 1540 Committee, *National Implementation*, 2020.

²⁰⁶ *Ibid.*

²⁰⁷ UN Security Council Counter-Terrorism Committee, *About the Counter-Terrorism Committee*, 2020.

²⁰⁸ *Ibid.*

²⁰⁹ UNODA, *About Us*, 2020.

²¹⁰ *Ibid.*

²¹¹ *Ibid.*

²¹² *Ibid.*

²¹³ African Union, *Weapons of Mass Destruction (WMD) Non-Proliferation*, 2015.

²¹⁴ *Ibid.*

²¹⁵ *Ibid.*; UN CD, *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (A/47/27)*, 1992; *Ibid.*; *Ibid.*; *Ibid.*

²¹⁶ INTERPOL, *Terrorism*, 2020; *Ibid.*

²¹⁷ UN 1540 Committee, *Frequently Asked Questions*, 2020.

²¹⁸ *Ibid.*; *Ibid.*

²¹⁹ *Ibid.*; UN IAEA, *Safeguards agreements*, 2020.

²²⁰ *Ibid.*

those who chose to sell and transfer such components are obligated to adhere to safeguard methods demonstrated in treaties such as the NPT and CWC.²²¹ While states-parties to such treaties are obligated to follow guidelines, those who have not ratified such framework are not legally bound to such measures.²²²

In the past, such inability to enforce WMD safeguards have led to the illicit trade and distribution of WMD material, as seen with Pakistani nuclear scientist Dr. Abdul Qadeer Khan and subsequent the rise of the A.Q. Khan Network.²²³ Although international regulatory bodies such as the IAEA and framework like the NPT existed, Khan was able to establish a nuclear weapons material trading network under the guise of a nuclear energy program in Pakistan.²²⁴ Khan confessed to the proliferation of WMD material in a 2004 interview, and claimed to have provided nuclear weapons technology to Iran, Libya, and North Korea over the course of several decades.²²⁵ The confession was brought to the international community's attention a few years after the terrorist attacks conducted on 11 September 2001 and when terrorist organizations, such as Al Qaeda, were actively seeking WMD technology.²²⁶ While there is no evidence pointing to a meeting of the Khan network with a terrorist organization or a successful acquisition of nuclear technology by a terrorist group, the threat remains.²²⁷

Measures to Prevent Acquisition

In the General Assembly's seventy-fourth session, Member States adopted resolution 74/43 on "*Measures to prevent terrorist from acquiring weapons of mass destruction.*"²²⁸ The resolution was a continuation of the previous session and drew upon the report of the Secretary General, *Measures to prevent terrorist from acquiring weapons of mass destruction (A/74/140)*.²²⁹ The Secretary-General Report suggested a need to implement national measures to mitigate terrorist activity.²³⁰ Additionally, the report reaffirmed its preceding resolution and suggests immediate accession and ratification of the *International Convention for the Suppression of Acts of Nuclear Terrorism (A/RES/59/290)* (2005), as it aims to push states toward legislative policies criminalizing acts of nuclear terrorism while providing technical assistance with such policies.²³¹ The report also provides insight into action taken by Member States, including existing legislation prohibiting terrorist activities within their borders.²³² Several Member States indicate the need for complete eradication of WMD, as their continued existence will only spur further potential for terrorist acquisition and use.²³³

In 2019, the Security Council and the 1540 Committee advised a need for sustainable measures to prevent terrorist acquisition of WMDs.²³⁴ Dian Triansyah Djani, Chair of the 1540 Committee, emphasizes an array of national action plans and designation of national points of contact who facilitate coordination, peer review, and oversee legislation.²³⁵ While 103 states have initiated such strategies, reporting of such measures and national responses are voluntary.²³⁶ Regardless of such action, the 1540 Committee lacks funding for the committee's expert groups, and indicates such limits will prevent the committee from

²²¹ Ibid.

²²² Ibid.

²²³ Collins & Frantz, *The Long Shadow of A.Q. Khan*, 2018.

²²⁴ Ibid.

²²⁵ Ibid.

²²⁶ Ibid.

²²⁷ Ibid; Robertson, *Terrorism and Global Security*, 2007, p. 22.

²²⁸ Ibid.

²²⁹ Ibid.

²³⁰ UN General Assembly, *Report of the Secretary General on Measures to prevent terrorist from acquiring weapons of mass destruction (A/74/140)*, 2019.

²³¹ Ibid, p. 5; Ibid.

²³² Ibid.

²³³ Ibid.

²³⁴ UN DPI, *National Action Plans Can Help States Prevent Terrorists from Acquiring Weapons of Mass Destruction, 1540 Committee Chair Tells Security Council*, 2019.

²³⁵ Ibid.

²³⁶ Ibid; Ibid.

meeting its mandate before its expiration in April of 2021.²³⁷ A permanent committee with similar issues to the 1540 committee, The Zangger Committee, came out of a series of informal meetings between states in the early 1970s, and aims to provide guidance to Member States parties to the NPT.²³⁸ The committee focuses on Article III, paragraph 2 of the NPT regarding the transfer of nuclear material to non-nuclear states, and aims to assure material is transferred for peaceful purposes and not diverted to non-state actors.²³⁹ The committee currently consists of 39 Member States and the European Union (EU) as an observer, and commits itself to mirroring IAEA safeguards of nuclear material and prevention of their weaponization.²⁴⁰

Conclusion

Although the UN level lacks a formal definition for terrorism, measures to prevent terrorist acquisition of WMDs remains a topic of significant importance to the First Committee, as displayed by recent General Assembly resolutions and reports of the Secretary General.²⁴¹ The international community has taken initial steps to address WMDs through treaties, conventions, and committees.²⁴² However, such treaties and resolutions fall short of taking direct action to address possible acquisition on such material by terrorist organizations.²⁴³ Rather, Member States are tasked with taking on current frameworks, establishing national action plans, and appointing leaders within their own borders to oversee such endeavors.²⁴⁴ The inability to enforce mechanisms and safeguards within treaties and organizations addressing WMD material has allowed for the transfer and sale of material through illicit channels.²⁴⁵ Nevertheless, entities such as the 1540 Committee and CTC point to increased cooperation with existing framework.²⁴⁶ Until the international community decides upon a universal definition for terrorism or re-establishes a committee overseeing WMD terrorism efforts, the First Committee encourages Member States implement initiatives mirroring framework such as the NPT, CWC, and BWC to defend against terrorist acquisition of WMD.²⁴⁷

Further Research

Delegates will need to consider the following questions when conducting their research: What risk factors are there when it comes to weapons of mass destruction WMD and potential terrorist acquisition? What measures can the First Committee take to prevent terrorist acquisition of WMD? What action has been taken in the past and has it been effective? How can the International Community consider ways to address all forms of WMD terrorism through existing frameworks? What practices or strategies have been implemented in areas considered to be high risk? How does ideology, conflict, and stockpile management play a role in with respect to WMDs? How can the First Committee address the topic with respect to the Secretary-General's Provisional Agenda and the SDGs?

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Carus, S. (2012). *Defining Weapons of Mass Destruction*. Retrieved 15 February 2020 from: https://ndupress.ndu.edu/Portals/68/Documents/occasional/cswmd/CSWMD_OccasionalPaper-8.pdf
The journal provided by the Center for the Study of Weapons of Mass Destruction contains the first international definition for weapons of mass destruction. The journal also contains national action plans, strategies, and other frameworks that have been put in place to attempt to address weapons of mass destruction and the potential or their illicit

²³⁷ Ibid.

²³⁸ Zangger Committee, *History*, 2020.

²³⁹ Zangger Committee, *Our Mission*, 2020.

²⁴⁰ Zangger Committee, *Members*, 2020; Ibid.

²⁴¹ Ibid; Ibid.

²⁴² Ibid.

²⁴³ Ibid.

²⁴⁴ Ibid.

²⁴⁵ Ibid.

²⁴⁶ Ibid.

²⁴⁷ Ibid.



use. Delegates should find this source especially useful when conducting their initial research on WMDs, definitions, and potential strategies to prevent terrorist acquisition.

United Nations, General Assembly, Fifty-ninth session. (2005). *International Convention for the Suppression of Acts of Nuclear Terrorism (A/RES/59/290)*. Adopted on the report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 (A/59/766). Retrieved 15 February 2020 from: <http://undocs.org/A/RES/59/290>

The International Convention for the Suppression of Acts of Nuclear Terrorism is one of the first resolutions adopted by the General Assembly addressing weapons of mass destruction and their use for terrorism. The resolution highlights the basic definitions of nuclear material, and also contains recommendations for State parties to adopt legislation enacting criminal offenses for those aiming to use nuclear material for acts of terror. Delegates will find this source of use when researching the steps taken by the international community to address WMD terrorism.

United Nations, General Assembly, Seventy-fourth session. (2019). *Report of the Secretary General on Measures to prevent terrorist from acquiring weapons of mass destruction (A/74/140)*. Retrieved 30 March 2020 from: <https://undocs.org/en/A/74/140>

The report was compiled and presented to the General Assembly in its seventy-fourth session. The source provides oversight of actions suggested in a previous resolution, adopted by the General Assembly in its seventy-third session, and draws on existing treaties and a need for national action plans when addressing terrorist acquisition of WMDs. Delegates will find the resource useful when researching strategies to prevent terrorist acquisition, as the report contains replies from individual Member States as well as regional organizations and security entities.

United Nations, Security Council, 4956th meeting. (2004). *Resolution 1540 (S/RES/1540 (2004))*. Retrieved 15 February 2020 from: [undocs.org/s/res/1540\(2004\)](http://undocs.org/s/res/1540(2004))

Resolution 1540 was adopted by the Security Council in 2004 and aims to address weapons of mass destruction and non-proliferation of such material. The committee spawned out of the resolution, the 1540 committee, also addresses how weapons of mass destruction can fall into the hands of terrorist organizations and often debates ways to prevent WMDs from being used by such organizations. Delegates will find this source useful as it highlights one of the international community's first attempts to discuss the potential for WMD terrorism and the threat such action poses.

Zangger Committee. (2020). *Our Mission*. Retrieved 14 February 2020 from: <http://zanggercommittee.org/our-mission.html>

The Zangger Committee serves as an extension to the nuclear non-proliferation treaty and aims to prevent the diversion of nuclear material meant for peaceful purposes to those used for weapons of mass destruction. By establishing a committee aiming to uphold safeguarding tactics, states are displaying a commitment to Article III of the NPT. The source provides an opportunity to highlight international partnerships in the realm of WMDs. Delegates will find this source useful when researching safeguards aiming to protect the use of nuclear material.

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